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Scottish Parliament

Wednesday 11 May 2022

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

Portfolio Question Time

Justice and Veterans

The Deputy Presiding Officer (Liam McArthur): Good afternoon. The first item of business is portfolio question time, and we start with justice and veterans. If a member wishes to ask a supplementary question, they should press their request-to-speak button or enter R in the chat function during the relevant question. I make the usual plea for succinct questions, and answers to match.

Scottish Solicitors Bar Association (Boycott)

1. Graham Simpson (Central Scotland) (Con): To ask the Scottish Government what impact the boycott announced by the Scottish Solicitors Bar Association will have on the number of outstanding trials in Scotland. (S6O-01054)

The Minister for Community Safety (Ash Regan): Section 1 of the Domestic Abuse (Scotland) Act 2018, which criminalises coercive and controlling behaviour, has been in operation for more than three years. Last year, section 1 cases accounted for 5 per cent of all domestic abuse cases. The latest data from the Scottish Courts and Tribunals Service shows that accused in recent DASA cases have been represented using current capacity of the Public Defence Solicitors Office and private providers who continue to work on such cases. As has been the situation throughout, we still aim to seek an appropriate and affordable resolution to the issue in the interests of vulnerable victims and those accused of such crimes, who are barred from defending themselves.

Graham Simpson: I thank the minister for that rather strange answer, in which she appeared to say that there will be no impact. Perhaps she can clarify that and give a clearer response to this question.

Solicitors are clearly saying that they have had enough. Does the minister agree with the Law Society of Scotland that a long-term legal aid fee review needs to be established as soon as possible? In the meantime, what is she doing to support the victims of crime who will be anxious about the lengthy delays that they are set to face as a result of the action being taken?

Ash Regan: Not much time has elapsed since the start of the action that some solicitors are taking on DASA cases. I am therefore sure that members will accept that, at this point in time, it is quite difficult to predict what impacts, if any, it will have.

The Scottish Government has taken a large number of actions. Most recently, we set up a fee package that was targeted specifically at areas of concern that the profession had raised with us. We also made an additional offer of an across-the-board fee rate rise to legal aid rates of 5 per cent, but that has not been accepted so far.

We are working at pace to put in place measures to address any shortfall and, as I outlined to the member, there does not seem to be a shortfall at the moment, but we will continue to monitor the situation to make sure that we address any shortfall that occurs in the availability of solicitors.

We are committed to continuing engagement to seek a resolution with the profession. However, I remind members that the profession's demand is for an increase of 50 per cent in addition to the increases that the Scottish Government has already made, which amount to a significant investment of more than £20 million in the past few years. That would add an increase of about £60 million per year to the legal aid budget and, unfortunately, that is not affordable.

The Deputy Presiding Officer: I will take a brief supplementary from Jackie Dunbar.

Jackie Dunbar (Aberdeen Donside) (SNP): What has the Scottish Government done to increase the capacity and capability of the legal aid profession?

The Deputy Presiding Officer: Again, as briefly as possible, minister.

Ash Regan: One of the main things that we have done to address the issues that the member has raised is provide £9 million of grant funding during Covid. Some of that money was specifically for business resilience and to help businesses adapt to the situation in which they found themselves, so that they could invest to find solutions to any issues that they might have.

The profession has approached us on capacity. To help to resolve that situation, we set up and invested £1 million in a fund for trainees that is co-run with the Law Society of Scotland. More than 40 trainees are in that system, and 75 per cent of them are women, because we recognise that gender was a potential issue. That is another way in which we have attempted to resolve the issues that the profession has raised.

Custodial Sentences (16 and 17-year-olds)

2. Meghan Gallacher (Central Scotland) (Con): To ask the Scottish Government when its policy on ending custodial sentences for 16 and 17-year-olds will be implemented. (S6O-01055)

The Cabinet Secretary for Justice and Veterans (Keith Brown): The Scottish Government is committed to reducing and, ultimately, ending the placement of under-18s in young offenders institutions. In line with our commitment to keeping the Promise, we aim to deliver that by the end of 2024. Resourcing and legislative reform will be needed first, but we will move forward without delay. A consultation on legislative proposals was published on 30 March, and views are invited until 22 June. Sentencing decisions will, of course, remain with the independent courts. When 16 and 17-year-olds require to be deprived of their liberty, they should be placed in age-appropriate settings.

Meghan Gallacher: In recent years in Scotland, there have been multiple instances of 16 and 17-year-old murderers. Their place should absolutely be in jail. Will the cabinet secretary confirm that 16 and 17-year-old killers, rapists and other serious offenders will still go to prison once the proposed change has been implemented?

Keith Brown: It is obvious from my initial answer that we agree with the idea that people who commit such serious offences should be deprived of their liberty and that public safety should come first, but we also believe that they should be in age-appropriate settings.

Karen Adam (Banffshire and Buchan Coast) (SNP): The Conservative United Kingdom Government's own analysis shows that prisoners who receive custodial sentences of less than 12 months without supervision on release are associated with higher levels of reoffending than prisoners who receive sentences that are to be served in the community. Instead of trying to appear tough on crime, we need policy that actually works. With that in mind, does the cabinet secretary agree that community sentences and an evidence-based approach to justice will better serve victims of crime, by working to reduce offending?

Keith Brown: I absolutely agree. The Conservatives are not interested in reducing crime and the number of victims in society. If they were, they would support community justice alternatives, which, as Karen Adam said, drive down reconvictions. We know from national statistics that individuals who are released from a custodial sentence of 12 months or less are reconvicted about twice as often as those who are given a community payback order.

We are focused on what works. Our firm focus is on prevention, effective community interventions and rehabilitation in communities and custody, which helps to reduce victimisation. Although no sentence—whether it is a custodial or a community sentence—can eliminate the possibility of individuals reoffending, reconvictions and overall crime in Scotland are at historically low levels.

Convicted and Incarcerated Persons who Own and Control Property

3. Willie Coffey (Kilmarnock and Irvine Valley) (SNP): To ask the Scottish Government whether it is considering any reforms to the justice system in relation to convicted and incarcerated persons who own and control property in Scotland. (S6O-01056)

The Cabinet Secretary for Justice and Veterans (Keith Brown): As I know that the member knows, it is not appropriate for the Scottish Government to comment on individual cases, but I assure him that Scots law prevents someone who has unlawfully killed another person from inheriting that person's estate. Although a murderer cannot inherit from their victim's estate, they can assume the role of executor. The function of the executor is to represent the deceased and is fiduciary in nature, which means that there is an ethical relationship of trust. Until such time as the estate is distributed, they have control of the deceased person's property.

Willie Coffey: I raise the disturbing local issue whereby a convicted and incarcerated murderer retains ownership and control of a house that is falling into disrepair, with no maintenance being carried out and access being denied to family members; they are also exempt from paying any council tax. Will the cabinet secretary consider what might be done to resolve such a problem? Neighbours are having to live beside such a mess and immediate family members cannot resolve what is a humiliating and embarrassing situation for them.

Keith Brown: I have said that I cannot comment on individual cases, but I know the case to which the member refers. The Scottish Government has previously met the family and heard about the personal toll that the lack of closure has had on them. I sympathise with the family and the situation that they find themselves in.

It is important to make it clear that, under Scots law, someone who has unlawfully killed another person cannot inherit from the estate. However, they can—as in this case—assume the role of executor. The overarching role of an executor is to distribute the estate to those persons who are entitled to it, not to keep property indefinitely.

When the Scottish Government consulted on whether a convicted murderer should continue to be able to assume the office of executor, there was some support for reforming the law. We continue to keep the matter under consideration, with a view to taking forward such a reform. I will be happy to take the matter away and consider it further. Perhaps my colleague the Minister for Community Safety, who has responsibility for civil law, can agree to meet the member to provide him with further information about what might be done in future to resolve such situations.

Recorded Crime

4. Craig Hoy (South Scotland) (Con): To ask the Scottish Government what its response is to the latest recorded crime statistics. (S6O-01057)

The Cabinet Secretary for Justice and Veterans (Keith Brown): The statistics show that recorded crime remains at one of the lowest levels since 1974 and is down 41 per cent since 2006-07, with non-sexual violent crime down 36 per cent over the same period and homicides at their lowest level since 1976.

Incidentally, last November, the member retweeted an accusation that I had misled this Parliament on homicides. I hope that he will take the opportunity today to either repeat that accusation or to apologise for it, because it is entirely false.

The Scottish crime and justice survey shows that adults in Scotland were less likely to experience crime in 2019-20 than those living in England and Wales. Although that progress is very encouraging, the levels of crime over recent years highlight that there is more to be done. We have increased the policing budget, with a total in 2022-23 of almost £1.4 billion.

Craig Hoy: Police officers work tirelessly to keep our communities safe, but in East Lothian, reports of antisocial behaviour have skyrocketed. Residents in Prestonpans have reported cars damaged and homes egged, and youth-related antisocial behaviour is a growing concern for residents of Haddington town centre. With data revealing that the number of bobbies on the beat across Scotland has plunged to its lowest level since 2008, will the minister join me in calling for more community police in East Lothian?

Keith Brown: First, members will note that Craig Hoy rejected the idea of either confirming or apologising for the allegation that he made last November.

On the policing situation, of course we have—*[Interruption.]* The Tories get very animated when they hear this. We have in Scotland substantially more police officers than England and Wales have, and they are paid substantially more here—

a constable starting in the police force is paid around £5,000 more in Scotland.

We know what the Tories do when they have the chance to set levels of policing: it is substantially less than what the Scottish National Party does. We will continue to invest in police services.

I note, in passing, that the Conservatives made no amendment to our budget to ask for increased funding for police costs. They made no amendment when they had the chance to do so, so they must, despite what they say today, be very pleased about the higher levels of policing here in Scotland, under the Scottish National Party.

The Deputy Presiding Officer: I encourage members to ask their questions and ministers to respond to the questions. There should be no sedentary interventions, nor should members on the front bench respond to sedentary interventions.

Foysoyl Choudhury (Lothian) (Lab): In the latest available statistics for reconviction rates, although the baseline rate is 28.3 per cent, the reconviction rate for those with a custodial sentence is a staggering 43.8 per cent. What is the Scottish Government doing to ensure that prison gates are not revolving doors?

Keith Brown: By contrast, that is a fair question. We acknowledge the point—*[Interruption.]* Again, we get interventions from a sedentary position. It is the case that short sentences are associated with increased reconviction levels, as the member says. We are looking to increase the community disposals that can be used in the judicial system because, as I said in my answer to a previous question, they have lower reconviction rates.

I am sure that the member shares with me the ultimate aim of reducing the number of crimes and, therefore, the number of victims in Scotland. He makes a fair point, and I hope that he will agree that that is the Government's direction of travel.

The Deputy Presiding Officer: Question 5 has not been lodged.

Poppyscotland (Support for Veterans)

6. Sandesh Gulhane (Glasgow) (Con): To ask the Scottish Government when it last corresponded with Poppyscotland regarding support for veterans. (S6O-01059)

The Cabinet Secretary for Justice and Veterans (Keith Brown): I last met Poppyscotland to discuss veterans issues on 29 September 2021. Since then, my officials have engaged with it regularly on a range of topics including the poppy appeal, the festival of

remembrance, preparations for events to mark the 40th anniversary of the Falklands war, promotion of the veterans question in the 2022 census and veterans' employment and health.

The most recent engagement by Scottish Government officials came last month, when Poppyscotland was invited to comment on the current draft of our upcoming refresh of the veterans strategy action plan.

Sandesh Gulhane: On 20 April, in response to my question on veterans' mental health and wellbeing, the minister stated that the United Kingdom Government should fund the commissioner in Scotland, based on comparison with the commissioner in Wales. However, Poppyscotland highlighted to me that the minister neglected to mention that the UK-funded Welsh commissioner is limited to commenting on areas that are reserved to the UK Government.

As the Scottish veterans commissioner was set up and is funded by the Scottish Government, and reports only to the Scottish ministers on devolved areas, why does the minister believe that the commissioner in Scotland should now be funded by the UK Government? Does he believe that the UK Government should be involved in the appointment to and operation of that role, if it is to fund it?

Keith Brown: I do not agree with that. I simply drew to the member's attention the fact that different rules are being applied by the UK Government in relation to Wales and Scotland. The UK Government does not fund the commissioner in Scotland; we set up the post ourselves and pay for it through funds in Scotland, none of which is associated with any part of the Barnett formula.

This Government does a great deal of work on veterans and has done so for many years, and we have dragged the UK Government with us to do more. We think that the work that we do on veterans should be recognised in the funding formula.

I would have thought that the member would agree that we should have more funding for veterans in Scotland, and that the UK Government should stand behind that and help our veterans wherever it is possible to do so.

Fulton MacGregor (Coatbridge and Chryston) (SNP): In light of the successful Poppyscotland and Royal British Legion campaign to include a new question on service status in the census, will the cabinet secretary take this opportunity to highlight the importance of completing the census, so that we can better understand our veterans' needs?

Keith Brown: It is good to have that supplementary question, which relates to the substantive question about Poppyscotland. As I said in our news release with Poppyscotland back in March, I strongly encourage all veterans in Scotland who have not already done so to take the opportunity to complete the census, including the question on previous service in the armed forces, before the extended deadline of the end of May. That will help us to develop a more complete picture than we have ever had of our veterans population. It will give us an insight into the ages and circumstances of veterans throughout Scotland that will be vital as we continue to improve the provision and targeting of support for armed services personnel and their families.

Fatal Accident Inquiries (Deaths in Custody)

7. Katy Clark (West Scotland) (Lab): Presiding Officer, I apologise for not being present at the beginning of portfolio question time. I was late returning from a committee visit.

To ask the Scottish Government what steps it is taking to improve the effectiveness of fatal accident inquiries into deaths in custody. (S6O-01060)

The Cabinet Secretary for Justice and Veterans (Keith Brown): As the member knows, the Lord Advocate is constitutionally responsible for the investigation of deaths.

The Crown Office and Procurator Fiscal Service has put in place many improvements to systems and processes to ensure that all deaths are investigated thoroughly and within a reasonable timescale. Funding for the overall COPFS budget has been increased in recent years to support the progress of such investigations.

A specialist investigation team will be established during 2022, which will investigate all deaths that occur in legal custody.

Separately, the Scottish Government has accepted in principle the recommendations of the "Independent Review of the Response to Deaths in Prison Custody". External chair Gill Imery has been appointed to oversee recommendation implementation, including that of the key recommendation of an independent investigation into every death in custody. That will not replace the fatal accident inquiry or any of the current inquiry processes; it will complement the independent investigation of COPFS into the circumstances of the death.

Katy Clark: The public inquiry into the death of Sheku Bayoh has commenced, more than seven years after his death in custody. An inquiry would probably not have happened if his family had not fought for it.

Research suggests that only 31 per cent of families are represented at fatal accident inquiries. Will the Scottish Government review the rules, particularly the legal aid rules, to do with representation of families where there has been a death in custody?

Keith Brown: The member's question touches on areas that would best be responded to by the Lord Advocate, although it also raises questions for the Scottish Government.

The taxpayer funds the very substantial legal costs of public inquiries, which, as I am sure that the member is aware, can last for many years and involve senior legal representatives. For my part, I am happy to look at the issue; I will do so in conjunction with the Lord Advocate.

Jamie Greene (West Scotland) (Con): The response to a freedom of information request that I made to the Crown Office showed that the average time taken to complete an FAI in Scotland is about three years. Last year, more than five FAIs had taken more than five years; the longest took more than 4,000 days. The cabinet secretary can imagine the pain that that causes the families of victims after there has been a tragic death. Has he had a proper, sensible and robust conversation with the Crown Office about those elongated timescales? Can the cabinet secretary confirm that the FAI into the tragic deaths of John Yuill and Lamara Bell will commence this year, as was promised?

Keith Brown: On the latter point, I think that Jamie Greene will have had that undertaking from the Lord Advocate; it is right that she should respond to that point.

We—the law officers, the Minister for Community Safety and I—have had not just one conversation but a number of conversations on the issue. I accept the member's point that, when things take a very long time, that can have an effect on not just victims' families but the quality of evidence. He will be aware of recent efforts to reduce the timescales. The member will also be aware of the increasingly specialist nature of some inquiries. For example, the inquiry into the helicopter crash in the North Sea required all sorts of expertise so that it could be done properly—and it is important that such things are done properly.

To conclude, during the two reporting years from April 2020 to March 2022, despite the effects of the pandemic, including restricted court availability, the Crown Office successfully concluded 53 FAIs relating to deaths in custody, and 31 of those related to deaths that occurred in 2019 or 2020.

Collette Stevenson (East Kilbride) (SNP): What developments have been made following the

publication of the "Independent Review of the Response to Deaths in Prison Custody"?

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

Keith Brown: We are committed to making improvements while providing more prompt answers. In February, I held a round-table discussion with the inspector of prisons, the review co-chairs and stakeholders to ensure that the review recommendations are implemented swiftly.

I hope that the member takes some comfort from the fact that we have already appointed Gill Imery as external chair to oversee progress against the recommendations. A range of progress is under way, including a round-table discussion with UK and Irish counterparts to learn lessons and the instigation of a working group of key agencies and the Scottish Government.

Veterans (Mental Health Needs)

8. Pam Duncan-Glancy (Glasgow) (Lab): To ask the Scottish Government what discussions the veterans secretary has had with the minister for mental wellbeing regarding any urgent action that can be taken to meet the mental health needs of veterans. (S6O-01061)

The Cabinet Secretary for Justice and Veterans (Keith Brown): The Minister for Mental Wellbeing and Social Care and I are committed to ensuring that veterans can access appropriate mental health support wherever they live in Scotland. At the debate in March, we jointly supported the principles in the veteran mental health and wellbeing action plan, which was published in December 2021. As a first step, we are providing £50,000 to the see me campaign to tackle the stigma that veterans have told us that they experience.

We have appointed Dr Charles Winstanley to establish a veteran-led implementation board to take the plan forward, and we continue to fund Combat Stress and Veterans First Point to provide veteran mental health services during implementation.

Pam Duncan-Glancy: The Scottish veterans commissioner recently raised concerns that the mental health needs of our ex-servicemen and women are being forgotten about as the national health service recovers from the Covid pandemic. In the chamber on 1 March, before the publication of the commissioner's report, "Positive Futures: Getting Transition Right in Scotland—Employment, Skills & Learning", the cabinet secretary endorsed and committed to the 38 recommendations that are set out in the veterans mental health plan. Will the cabinet secretary outline what progress is being made towards implementing the recommendations? How does

the Government respond to the concerns that have been raised by the veterans commissioner?

Keith Brown: I mentioned some of the other recommendations in my initial answer, and I am happy to write to the member with a full account of the progress that we have made on them so far.

On the point that the member raises about what we are doing, £1.4 million has gone to Combat Stress and £666,000 has gone to Veterans First Point to provide services in 2023; in turn, that funding has been matched by six local health boards.

Through the veterans fund, we also fund organisations that help veterans, such as HorseBack UK and a number of others. We treat the issue very seriously, and we are putting in and have put in substantial sums of money to address it. The action plan that has been mentioned, and on which I will write to the member, details the further progress that we intend to make.

Audrey Nicoll (Aberdeen South and North Kincardine) (SNP): What has been the impact on the sector of the £2 million funding boost that was announced in March for services that provide mental health support for veterans?

Keith Brown: The question allows me to say that the funding has allowed Veterans First Point and Combat Stress—this will be of interest to Pam Duncan-Glancy, as well—to take on two specialist veteran mental health service providers to continue to provide advice and support to veterans across Scotland. The funding is also being used to commission the see me campaign to design and implement a campaign to address stigma. It is appalling that veterans should suffer stigma in this day and age, but we will address the issue, which has been experienced by veterans and their families.

The Deputy Presiding Officer: That concludes portfolio question time on justice and veterans. I thank colleagues and the ministerial team for allowing us to get through all the questions.

Finance and the Economy

The Deputy Presiding Officer: The second portfolio is finance and the economy. Any members who wish to ask a supplementary question should press their request-to-speak button during the relevant question. I ask for succinct questions and answers.

Food Prices (Impact of Brexit-related Trade Barriers)

1. **Evelyn Tweed (Stirling) (SNP):** To ask the Scottish Government what its position is on a recent report by the London School of Economics Centre for Economic Performance that states that

Brexit-related trade barriers have resulted in a 6 per cent increase in United Kingdom food prices. (S6O-01062)

The Cabinet Secretary for Finance and the Economy (Kate Forbes): The Tory cost of living crisis has its roots in the Tories' disastrous Brexit policies. The Scottish Government, alongside many others, has repeatedly warned that Brexit would be damaging to business and trade, and we see that play out right now. The UK Government holds levers to address the cost of living crisis but refuses to use them. We are using all the powers and resources that we have to tackle poverty and help people who are struggling to make ends meet.

Evelyn Tweed: It is clear that Brexit has made the cost of living crisis worse for the UK and Scotland. Despite Scotland voting against Brexit, we are still living with the consequences of the Tory UK Government's hard Brexit deal. Does the cabinet secretary agree that the LSE report clearly shows how Scotland faces a cost of living with Westminster crisis?

Kate Forbes: The member is right: it is the Tories' cost of living crisis, the Tories' Brexit and the Tories' failure to lift a finger right now to help anybody in Scotland who is contending with the challenges of rising inflation and costs. We repeatedly warned that Brexit would be damaging. Scottish businesses have experienced record increases in input prices in 2022, with firms citing Brexit as a contributing factor, as highlighted by S&P Global statistics. That has fed through to the 17th monthly rise in prices charged by businesses. That damage to trade reflects the reckless approach that the UK Government has taken.

Willie Rennie (North East Fife) (LD): The minister is right: there is no doubt that the Conservatives' policies, including Brexit, have contributed to rising food prices and the cost of living crisis. It is important that we learn the lessons of Brexit. Is the minister aware of any research on the potential impact on food prices of Scottish independence-related trade barriers?

Kate Forbes: Trust the Liberal Democrats to defend the Conservatives on the challenges that Scots are facing right now when it comes to the cost of living and the result of Brexit. We know fine well that, if the powers to combat the cost of living challenges were in the hands of the Scottish Government, we would take a very different approach.

Structural Funding Replacement

2. **Jackie Dunbar (Aberdeen Donside) (SNP):** To ask the Scottish Government what its latest engagement has been with the United Kingdom Government regarding programmes to deliver a

replacement for European Union structural funding. (S6O-01063)

The Minister for Public Finance, Planning and Community Wealth (Tom Arthur): Since last month's launch of the UK shared prosperity fund—which confirmed that the UK Government has reneged on its promise that EU funding would be replaced so that Scotland would not lose out financially from Brexit, and its promise that devolution and the Scottish Parliament would be respected and strengthened post Brexit—the UK Government has made no effort to make contact or engage with the Scottish Government at either ministerial or official level on the fund.

Jackie Dunbar: The Scottish Government previously made decisions about how best to spend EU structural funds based on local priorities. Now, a UK Tory Government, which Scotland did not vote for, is cutting Scotland's elected Government out of the decision-making process. Does the minister agree that that Tory UK Government poses a fundamental threat to devolution?

Tom Arthur: Yes, I do. The shared prosperity fund exemplifies the UK Government's encroachment into devolved policy areas. The United Kingdom Internal Market Act 2020, which was passed despite the devolved Administrations not consenting, enables spending in devolved policy areas with no recourse for the Scottish Government. That raises significant constitutional questions and undermines the role of the Scottish Parliament.

The lack of decision making for the Scottish Government in the governance of the fund completely undermines devolution. The terms of reference for a joint ministerial board make it explicit that UK ministers will always have the final say. The devolved Governments have been invited to join the board as advisers. However, we were not elected to advise Westminster; we were elected to lead, make decisions and take responsibility for Scotland's future wellbeing.

The UK Government should fully devolve control of the fund to the Scottish Parliament and Scottish Government and immediately increase its value to £549 million, which reflects the amount needed to replace EU structural funding.

The Deputy Presiding Officer: Question 3 was not lodged.

East Kilbride (Economic Support)

4. Collette Stevenson (East Kilbride) (SNP): To ask the Scottish Government what action it is taking to support the economy in East Kilbride. (S6O-01065)

The Minister for Public Finance, Planning and Community Wealth (Tom Arthur): The Scottish Government is supporting the economy in East Kilbride in a number of ways, not least through its inclusion in the Glasgow city region deal, which the Scottish Government will fund with £500 million over 20 years. It is delivering a programme of investment to stimulate economic growth and create jobs.

Projects in East Kilbride include the £62 million Stewartfield Way project and the £25.7 million Greenhills Road project. East Kilbride has also been identified as one of the four community growth areas in the deal.

Furthermore, we will support retail stakeholders within East Kilbride to respond to the work that is emerging from the city centre recovery task force and, with the Convention of Scottish Local Authorities, to the town centre action plan review. That includes promoting town and city centres as places to live and as retail and cultural destinations, and repurposing vacant units.

Collette Stevenson: Last Friday marked East Kilbride's 75th anniversary as Scotland's first new town, and I want that to create a lasting legacy for the town and its economy.

The minister may know that Mage Control Systems was recently accredited as East Kilbride's first living hours employer. Does the minister agree that good employment practices are essential to delivering a sustainable economy in East Kilbride and across Scotland? Can he outline the schemes that are available for employers, and how they can apply for those accreditations?

Tom Arthur: I agree whole-heartedly that good employment practices are essential for delivering a sustainable economy. That is why fair work is one of the pillars of our national strategy for economic transformation. In 2022-23, the Scottish Government is providing £380,000 to the Poverty Alliance to expand the real living wage employers accreditation scheme, the living hours employer accreditation scheme and the making living wage places scheme in order to increase the number of workers who are receiving the real living wage and benefiting from secure contracts. I encourage all employers to pursue real living wage and living hours accreditation, and to engage directly with the Poverty Alliance, which will support them through the accreditation process. Additionally, groups of employees can seek support from the Poverty Alliance to form local partnerships to pursue recognition from the making living wage places scheme.

Graham Simpson (Central Scotland) (Con): In his original answer, the minister referred to the Stewartfield Way project, which is a frankly

ludicrous scheme under the city deal to create a new dual carriageway around East Kilbride. It is a scheme that nobody wants that will create no jobs and harm the environment. Can the minister give us an update on where we are with that scheme?

Tom Arthur: The member raises an interesting point. Decisions about the selection of projects are taken by the city region cabinet, which is where they should be taken, rather than distantly in Whitehall—which we are observing is the United Kingdom Government's approach to levelling up. That is what community empowerment, economic regeneration and supporting local economies are about, and that is what we are doing by giving the city cabinet the autonomy to take the decisions that are right for its particular area.

Monica Lennon (Central Scotland) (Lab): The milestone of 75 years since East Kilbride achieved new town status—the first in the country—is cause for celebration. Looking to the future, people who live and work in East Kilbride are keen for investment, particularly in infrastructure and jobs, to continue. What progress has been made to put the dualling of the EK rail line back on track?

Tom Arthur: As the member will be aware, we are delivering electrification of the railway line to East Kilbride, as we are doing in Barrhead as part of that project. That commitment was fully considered and appraised through due process, and it is one that the Government is delivering.

National Strategy for Economic Transformation

5. **Colin Beattie (Midlothian North and Musselburgh) (SNP):** To ask the Scottish Government what progress has been made on implementing the delivery of its national strategy for economic transformation. (S6O-01066)

The Cabinet Secretary for Finance and the Economy (Kate Forbes): We have made good early progress on implementation since the publication of the strategy. On 21 March, we published the technology sector export plan, and on Monday we announced the establishment of a centre of expertise in equality and human rights, which will help to tackle structural inequalities and support our vision of a wellbeing economy. An announcement will be made shortly on the new NSET delivery board, as well as the new chief entrepreneurship officer. The board will hold the public sector, business and third sector partners to account.

We undertook to work collaboratively with all sectors, and with individuals and communities, to develop delivery plans and agree key metrics. Those plans will be finalised. Since the launch of the strategy, Ivan McKee and I have met more than 150 stakeholders across all sectors.

Colin Beattie: Ensuring that businesses in Scotland can benefit from the opportunities of digitalisation will be central to delivering economic transformation. Can the cabinet secretary today provide an update on the steps that the Scottish Government is taking to support businesses, including those in my constituency of Midlothian North and Musselburgh, to access such opportunities?

Kate Forbes: We fully understand the benefits that digital technologies bring to businesses, and I am clear that economic transformation needs to be digitally driven. That is why, since January 2021, we have invested almost £50 million to help businesses of all sizes across sectors and geographies to take advantage of digital technology. The commitment to support the digitalisation of businesses is reinforced in the national strategy for economic transformation, which includes ambitious commitments, including the introduction of a digital productivity fund and the development of new digital support programmes to complement what already exists.

Stuart McMillan (Greenock and Inverclyde) (SNP): The Scottish Government's work to establish a new centre for expertise in equality and human rights is welcome. It is certainly important that equality and human rights are embedded in the economic policy-making process. Can the cabinet secretary provide any further information about how the centre will help to put human rights and equality at the heart of economic policy development?

Kate Forbes: The centre of expertise in equality and human rights will build knowledge, skills and understanding among economic policy officials in order to help embed equality and human rights within the economic policy-making process, and it will help to shape the work that we do to build a fairer and more equal society, including actions to remove barriers to employment for disabled people, women, those with care experience and minority ethnic groups. We are continuing to develop the centre in partnership with stakeholders.

The centre will ultimately meet the strategy's ambition to build a strong economy and tackle structural inequalities and, critically, will try to embed that thinking on equality and human rights in the development of policy, rather than trying to retrofit policies once they have been developed.

Income Tax

6. **Russell Findlay (West Scotland) (Con):** To ask the Scottish Government whether it will provide an update on its plans for income tax. (S6O-01067)

The Minister for Public Finance, Planning and Community Wealth (Tom Arthur): The Scottish Government will set out its plans on income tax policy and other devolved tax policies in future budgets. Engagement is one of our core principles of effective tax policy making, as set out in our tax strategy document, “Framework for Tax”. Engagement is crucial, and is integral to the Scottish Government’s budget process. We will engage with a wide variety of stakeholders on tax policy ahead of the budget for 2023-24, and we will update the chamber as per the usual budget process.

Russell Findlay: The Scottish National Party’s income tax changes have seen Scottish income tax payers pay an extra £900 million over the past three years. According to the Scottish Parliament’s researchers, that has resulted in a net benefit of just £170 million. Will the Scottish Government therefore learn from that mistake and allow Scots to keep more pounds in their pockets?

Tom Arthur: The member should perhaps consult the record and learn the fact of the matter, which is that the majority of people in Scotland pay less in income tax than they would if they lived in other parts of the United Kingdom. Further, they enjoy a range of benefits that people in Tory-controlled England can only dream of. They do not have to pay tuition fees or prescription charges and they benefit from a range of other measures that this Government has delivered, and which we know that, if they had even a sniff of power in this Parliament, the Tories would cast away in order to give tax cuts to the wealthiest.

Colin Beattie (Midlothian North and Musselburgh) (SNP): It is welcome that the Scottish Government’s priority continues to be delivering a fairer and more progressive tax system. At a time when living costs are rising, people on lower incomes should not be paying more tax. Can the minister confirm that the majority of people in Scotland will continue to pay less income tax this year than they would if they lived elsewhere in the UK?

The Deputy Presiding Officer: I think that you have already set out your view on that matter, minister, but you can repeat it for the record.

Tom Arthur: The member is absolutely correct to raise that point, particularly in the context of the cost of living crisis. I am happy to confirm that the majority of Scottish taxpayers—54 per cent—will pay less income tax in 2022-23 than they would if they lived elsewhere in the UK.

Renewables Sector Innovation (Argyll and Bute)

7. **Jenni Minto (Argyll and Bute) (SNP):** To ask the Scottish Government how the just

transition will support Argyll and Bute’s local economy through innovation in the renewables sector. (S6O-01068)

The Minister for Green Skills, Circular Economy and Biodiversity (Lorna Slater): There is no doubt that growth and innovation in the renewables sector present significant opportunities in Argyll and Bute. Upcoming projects include the repowering of existing onshore wind farms, the 2GW potential from the ScotWind project, MachairWind, and harnessing tidal energy off Islay. ScottishPower Renewables, the developer of MachairWind, has committed to supporting maximum Scottish content for the project and will work with the enterprise agencies to identify Scottish suppliers with potential to fulfil subcontracted scopes of work.

In addition, we have committed to invest up to £25 million over 10 years in the Argyll and Bute growth deal, which will further drive our sustainable economy and support a just transition in the region.

Jenni Minto: Scotland’s renewable energy industry continues to move from strength to strength, and growing this part of our economy will form a vital part of realising our net zero goals. In the near future, the Minister for Business, Trade, Tourism and Enterprise is planning to visit Argyll and Bute, where manufacturers such as Renewable Parts in Lochgilphead play a vital role in the supply chain for the renewable energy industry. Can the minister provide further information about the steps that the Scottish Government is taking to equip Scotland’s workforce with the necessary skills for the green jobs of the future?

Lorna Slater: We are taking several steps to ensure that people across Scotland have the right skills to support our just transition to net zero. To give an example, the climate emergency skills action plan remains central to our ambitions to develop a workforce that can support the transition. Developments to date include the launch of the green jobs workforce academy platform in August 2021, as well as a suite of green skills training initiatives, which are delivered through the national transition training fund. In addition, we are investing £100 million over five years to help businesses create new green jobs as they transition to a low-carbon economy.

Daniel Johnson (Edinburgh Southern) (Lab): To meet our net zero targets and achieve a just transition, we have to change the way in which we heat our homes. However, air source heat pumps, which seem to be the focus of Government policy, are totally inappropriate for tenemented properties. Can the minister set out the Scottish Government plans to invest in municipal heat networks, so that

those who live in tenemented properties can change the way in which they heat their homes?

The Deputy Presiding Officer: I am afraid that that question is not relevant to the support of Argyll and Bute's local economy through innovation in the renewables sector. As the minister does not wish to offer a response, we will move to the next question.

Labour Shortages

8. Alex Rowley (Mid Scotland and Fife) (Lab): To ask the Scottish Government what action it is taking to address reported shortages in the labour market. (S6O-01069)

The Minister for Business, Trade, Tourism and Enterprise (Ivan McKee): The Scottish Government recognises that employers across many sectors are experiencing significant challenges in attracting and retaining workers. As the member knows, I spend a considerable amount of time engaging with businesses across all sectors that are covered by my portfolio and beyond. In almost every engagement that I have with business, the issue of labour market shortages is raised. The Tories' hard Brexit, which removed freedom of labour, has adversely impacted on many sectors, because many people from the European Union have left Scotland. Now, because of Tory immigration policies, they are not coming here in large numbers. That has resulted in a reduction in the labour market and a loss of skills as a consequence.

We have called on the United Kingdom Government to establish a joint task force on labour market shortages but, so far, it has failed to engage with us on that, just as it has failed to engage with us on our calls to devolve immigration. We believe that devolving that area is the right approach, so that the Scottish Government can make the most appropriate decisions in order to supply the labour market with the necessary skills to support Scottish businesses across all those sectors.

We continue to work with businesses and sectors to do all that we can to mitigate those shortages, with a focus on employability, skills and our important fair work agenda.

Alex Rowley: The sector that I want to focus on is health and social care, which is a public service that is delivered directly through public provision and through the private sector. There is a major recruitment and retention problem in the sector, and older people up and down Scotland are suffering as a result.

I have met many people who work in the private sector and many private sector companies, and they tell me that they simply cannot recruit and retain staff because of the poor terms and

conditions and poor wages. Health and social care is a public service and you have the powers over it in this Parliament so, instead of trying to deliver care on the cheap, will you put the money into the sector that is needed in order to address the retention and recruitment problems?

The Deputy Presiding Officer: I remind members that they should speak through the chair.

Ivan McKee: That issue is identified across a range of sectors. Health and social care is a very important part of that, and that sector has experienced significant challenges as a consequence of the tight labour market, which is primarily due to the Tory Government's approach to Brexit and immigration. We continue to call for devolution of those powers to allow us to bring more people into Scotland to fulfil those roles.

The member will be aware that in the sector, the terms and conditions are significantly better than they are in other parts of the UK, which is something that the Scottish Government believes is important and has acted on.

I am sure that the member talks to businesses in his constituency. Only yesterday, I had discussions with the tourism, leisure and hospitality sector, which is facing the same challenges, as is the construction sector and every other sector across Scotland's economy, due to a shortage of labour. As I indicated, we continue to call on the UK Government to address those challenges by removing barriers to immigration, because sectors are calling for sector-specific or wider visa systems to allow that to happen.

With regard to the aspects over which we have control, the Scottish Government is also taking action to increase supply into the labour market. If the member has read our new 10-year strategy for economic transformation, which I am sure he has, he will know that labour market availability and tackling those challenges form one of the projects that is set out in the strategy. It talks about what we are doing to understand the labour market inactivity statistics in Scotland and what we can do to enable more people of working age who are not in the labour market and are not currently registered as unemployed to take part in the labour market. We can do that through childcare provision and a range of other measures—

The Deputy Presiding Officer: Minister, you need to wind up your response. There are a number of supplementaries that I want to get through.

Edward Mountain (Highlands and Islands) (Con): Keep going, keep going.

Ivan McKee: I will stop there, but I am sure that the issue will be picked up in the supplementaries.

The Deputy Presiding Officer: Thank you, minister. Leave the chair to manage the time. If I need you to talk us through to the end of portfolio question time, I will let you know.

Jamie Halcro Johnston (Highlands and Islands) (Con): In his answer to Alex Rowley, the minister mentioned skills. In January, Audit Scotland set out a number of failings of and a lack of strategic direction from the Scottish Government on skills alignment. Given the importance of reskilling and upskilling, and a restricted labour market, will the minister outline what work the Government is undertaking to ensure that reskilling and upskilling become a reality, and what planning is taking place to ensure that skills provision is well targeted to the needs of Scotland's economy?

Ivan McKee: The member is right that skills provision is hugely important across all sectors. If he has read our 10-year economic transformation strategy, he will be aware that there is a pillar in it that is devoted to skills and ensuring that we work on our skills provision. Across Scotland—in schools, colleges and universities—we are focusing on ensuring that individuals have the skills that they need for the jobs and sectors of the future and are able to transition from employment in fossil fuel sectors to sectors in the renewable and green economy. A whole range of measures and significant funding are being applied to deliver on those challenges.

Evelyn Tweed (Stirling) (SNP): The Scottish Government's work to attract people to Scotland is very welcome because expanding Scotland's talent pool will play an important part in meeting our economic ambitions. However, does the minister agree that the UK immigration system is failing to meet Scotland's needs, and that the best way to ensure that we can expand Scotland's talent pool is by having the necessary power in our hands?

Ivan McKee: The UK Government's immigration policy fails to address Scotland's distinct long-term demographic and economic needs, which highlights the need for a tailored approach to migration. The Scottish Government will continue to develop practical, deliverable, evidence-based migration proposals that suit Scotland's needs.

The Deputy Presiding Officer: I call Christine Grahame.

Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (SNP): Thank you. I had given up hope, Presiding Officer; not in relation to you, but of getting to ask a question. I am digging a hole, so I will stop.

I noted the exchange between the minister and Alex Rowley regarding the impact of Brexit on certain labour markets. I have raised the issue of

the shortage of bus drivers across the Scottish Borders, and no doubt elsewhere, due to the impact of Brexit. However, drivers are not on the shortage occupation list, and it is disheartening to hear that the UK Government is not discussing the issue with ministers in Scotland. Is there any hope that lorry drivers and bus drivers will be put on the shortage occupation list in early course?

Ivan McKee: As the member indicated, we have, so far, failed to persuade the UK Government of our case. In that sector, as in many other sectors across Scotland's economy, there are significant labour challenges. We will continue to press the UK Government to put those occupations on the shortage list.

The Deputy Presiding Officer: That concludes portfolio question time. I thank members and the ministerial team for allowing us to get through them all.

Ferry Problems

The Deputy Presiding Officer (Annabelle Ewing): The next item of business is a debate on motion S4M-04319, in the name of Graham Simpson, on ferry problems. I invite members who wish to speak to press their request-to-speak button now, please.

14:50

Graham Simpson (Central Scotland) (Con): We wanted to call this debate “Ferries Fiasco”, but parliamentary staff told us that we could not. The debate might not be called “Ferries Fiasco” in the *Business Bulletin*, but that is what it is about.

The Scottish Conservatives used our previous debating time to talk about ferries. Had anything changed since then, we could have gone on to something else. However, we still do not know why the Scottish National Party Government awarded the contract to build vessels 801 and 802 to Ferguson Marine Engineering Ltd against the advice of its in-house experts and despite its posting hundreds of documents. We have had the very sad sight of the United Kingdom forces hero Keith Brown beating a hasty retreat from Her Majesty’s press the other week, sidestepping their battle lines to slink into the cover of the Scottish Parliament canteen.

Mr Brown later gave a less than satisfactory interview with Channel 4 news, in which he said:

“That document, the one that signed it off, if it ever existed, is not now available but it was quite clear from associated documents that it was approved and approved by the minister for transport.”

Work that one out: a document—“if it ever existed”—that signed off the decision. Perhaps the minister can tell us now whether the document that Mr Brown referred to existed.

The silence speaks volumes, Presiding Officer. Mr Brown remembered the script after that and again blamed Derek Mackay, who, at the time of the decision, was the lowly Minister for Transport and Islands, and Mr Brown was his boss. The idea that Derek would not talk to Keith, who would not talk to John, who signed the cheques, who would not run it past Nicola, is preposterous, particularly when the SNP had an announcement to make at its conference. Derek, Keith, John and Nicola: the Ferries Four—a very dodgy group with no hits to its name.

There is a real and enduring stench of cover-up. The SNP’s secrecy is appalling and corrupt. We do not know why the yard got the contract, but it did. Nicola Sturgeon says that the Government saved the jobs at the yard. The yard could have

continued if it had not been given that ill-fated contract. There is no reason to think otherwise.

The Cabinet Secretary for Finance and the Economy (Kate Forbes): Does the member know of any business that would exist without work being given to it?

Graham Simpson: The yard had work—that is a fact. I believe, and Jim McColl believes, that the yard could have continued. We can be pretty certain that the yard will not take on anything of that scale again, whatever the future holds. However, we do not know what the future holds for the yard, because the Government cannot make up its mind.

The Minister for Business, Trade, Tourism and Enterprise (Ivan McKee): Will the member take an intervention?

Graham Simpson: I will take an intervention from Mr McKee because he never gives us any answers to questions.

Ivan McKee: Indeed I do, as the member knows fine well. If he is so sure that there was work in the yard, will he please specify what that work was?

Graham Simpson: There was work at the yard.

Kate Forbes: What was it?

Graham Simpson: There was work at the yard. It had work and it could have taken on more work.

Presiding Officer, the debate has moved on a little since we last discussed the issue in Parliament; I must be fair about that. For example, we have discovered that the FMEL deal might have breached European state aid rules because the Government did not tell the European Union about an incentive of around £106 million to ensure that the work went to Ferguson’s.

We know that figures such as the hugely respected Jim Sillars and the former First Minister Jack McConnell believe that the failure to come clean on the decision-making process might have broken the law on several fronts.

We also know that only one in five Scots think that the SNP is doing a good job of running ferry services. Those one in five people need to get out more if they think that, because most do not share that view.

We have discovered another thing, too. Stewart Hosie thinks that ferries 801 and 802 are “a little late” and that money has not been wasted. Five years and more than 2.5 times over budget sounds more than “a little late”, and it certainly sounds like waste to me. It is that sort of attitude that has got us to where we are.

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

Graham Simpson: I will not take any more interventions.

It is little wonder that the good people of Arran elected a Conservative councillor—Timothy Billings—last week. Islanders such as those on Arran are the most important people in all this. They are the ones who cannot get to hospital or to work, cannot get deliveries, cannot see family and friends, and, in some cases, cannot get to school, and all because we have an ageing and unreliable fleet on the west coast with no clear plan for renewing vessels. It does not matter to islanders who runs the ferries or where they are built; they just want them to be there.

Our motion mentions the 15 stage payments that were agreed for each vessel, and there could be more than that. It also talks about the lack of engagement with the experienced workforce, about which Edward Mountain will have much more to say.

I have been calling for the Minister for Transport to release the project Neptune report, which, we are led to believe, will set out options for how we might procure and run ferries. Jenny Gilruth said that she could not release it during the council election campaign. Well, that reason does not exist now, so she should publish it this week. Only then can we start to have a sensible conversation on this topic, which is what we need to have. We should not get bogged down in ideology. We should listen to the voices of islanders, such as those on the Mull and Iona Ferry Committee. They have been making some very good points about vessel design and how we should look at potentially breaking up the west coast contract into smaller chunks—which is not, as some believe, privatisation.

We will support the Labour amendment in the name of my good friend Neil Bibby. Unfortunately, the amendment in the name of my other very good friend, Jenny Gilruth, is, I am afraid, devoid of hope and we cannot support it. She should speak to me next time, and I can send her some of my positivity, because that is what the islanders of Scotland are looking out for, and it is not what they are getting.

I move,

That the Parliament believes that the way the Scottish Government has been running ferry services has been a scandal; calls on the Scottish Government to say why it awarded the contract for ferries 801 and 802 to Ferguson Marine Engineering Limited against the advice of its own experts; is concerned about why 15 stage payments were agreed for each ferry; notes concerns that the deal may have broken EU state aid rules; further notes concerns that the lack of documentary evidence to explain the contract award could be in breach of the law; is disappointed that the Scottish Government failed to listen to the experienced workforce who had concerns about the management of the yard; believes that the yard could have survived without the

orders for vessels 801 and 802; agrees with the view of the majority of people in Scotland who think that the Scottish National Party administration has done a bad job of running ferries; is concerned that this will contribute to island depopulation, and calls on the Scottish Government to spell out how it plans to run and procure ferry services in the future.

The Deputy Presiding Officer: I call the minister, Jenny Gilruth, to speak to and move amendment S6M-04391.2. You have up to six minutes, minister.

14:57

The Minister for Transport (Jenny Gilruth): Talking to that positivity that Mr Simpson was seeking, I have some good news to share with Parliament. Indeed, I have that good news literally here in my hand. The missing documents have been found. Ministers were advised of this by officials shortly before noon today, and I wanted to take the first available opportunity to give Parliament the news.

The document is an email that makes clear who approved the decision to award the contract to build vessels 801 and 802 to Ferguson's shipyard. Sent in response to the key submission on 8 October 2015, it is dated 9 October, at 14:32, and it reads:

"The Minister is content with the proposals and would like"

them

"to be moved on as quickly as possible please."

The email was sent by the office of the Minister for Transport and Islands. I hold in my hand that irrefutable documentary evidence that the decision was made rightly and properly by the then transport minister, Derek Mackay.

Douglas Ross (Highlands and Islands) (Con): Will the minister give way?

Jenny Gilruth: I would like to make some progress.

We said that we would continue to look in good faith, and that is exactly what we have done. The document was found because a copy of an email chain had been retained by someone in the Scottish Government finance department, because the then finance secretary was briefed on the decision. By chance, a copy of that email chain between two officials who left Government some years ago included the email from the transport minister's private office and had been buried in someone's electronic files.

The email confirms what we said that it would say. It is basically one line long, because that is how the system of Government works.

This documentation has been provided to the Auditor General and is being published as I speak, alongside all the other documents that we have already published relating to the matter, on the Government's website.

Graham Simpson: Will the minister give way?

Jenny Gilruth: I would like to make some progress.

The e-mail destroys the Opposition's ridiculous conspiracy theory that another minister made the decision, and it destroys the unfounded speculation that a ministerial direction was given.

I welcome this opportunity to discuss ferry issues again.

Graham Simpson: The e-mail that has just been read out does not say why the decision was taken, why the advice not to award the contract was ignored and whether there were discussions between Mr Mackay, Mr Brown, Mr Swinney and Ms Sturgeon, does it?

Jenny Gilruth: The information that pertains to the decision to award the contract, which Mr Simpson is searching for, has already been published. He has received answers to numerous topical questions, and the First Minister has answered numerous questions on the issue. The Opposition has to give up; it has an answer today. The Opposition may not take my word for it, but it needs to listen to the words of the voters in our island communities—they are the ones who want to see progress, and they are the ones who deserve a solution.

Our ferry network is as intrinsic to those who live on our mainland as roads are to the rest of us. They are islanders' motorways, as I was told recently by the Shetland hauliers association. The Government has got to improve how we deliver ferry services, and we have to do that correctly.

Alasdair Allan (Na h-Eileanan an Iar) (SNP): I welcome the fact that we are now turning to the subject of ferries and away from the conspiracy theories that we have listened to for the last few minutes from the Opposition.

The minister will appreciate that, in the past hour, CalMac has announced that the MV Lord of the Isles will be out of service from Tuesday 17 May for an estimated eight days due to a technical issue. Once again, that leaves Lochboisdale without a service to the mainland for a prolonged period of time, which adds to the already—

The Deputy Presiding Officer: Excuse me, Dr Allan, please resume your seat. Dr Allan is trying to make an intervention and there is too much noise; please let Dr Allan make his intervention.

Alasdair Allan: The minister will be aware that this is not the first time that Lochboisdale has been

without a service, and I know from conversations that I have had with her that she appreciates the frustration that is caused. Will she commit to raising the issue with CalMac as a matter of urgency, with a view to establishing an improvement plan specifically for Mallaig to help deal with the—

The Deputy Presiding Officer: Excuse me, Dr Allan. Interventions should be brief. The minister probably gets the gist and can respond.

Jenny Gilruth: I became aware of the issues surrounding the MV Lord of the Isles vessel earlier today. I will meet with CalMac tonight; I believe that representatives of CalMac are attending a parliamentary reception, so I will raise it with them directly.

I want to move on to discuss some of the issues that we have faced more recently on the Isle of Arran, and how those were resolved productively by CalMac.

It is important that we move on. We owe it to our island communities to do better on the debate on ferries. We have to lift the tone. I was reminded of that last week during a call with the Arran ferry committee, during which we reflected on some of the lessons learned from the recent outage with the MV Caley Isles. Sheila Gilmore, the chief executive of VisitArran, has spoken of the reputational damage the outage caused; indeed, some news reports from the weekend when the outage began incorrectly said that all routes to Arran were off. Irrespective of party, all of us in the chamber must support the return of tourism to our island communities, which will, of course, be vital to many businesses and families in 2022.

I have already been absolutely clear that communities are not currently always getting the service that they need, and that needs to change, but I suggest that they do not need the Opposition's version of "Groundhog Day" either. Our island communities need accurate, fair and well-informed commentary and debate about the challenges but also the opportunities for their economies and communities. Ferries and resilient transport connectivity are key to ensuring that Scotland's islands thrive and flourish, and I am determined to do all that I can to make that happen, as is everyone in the Scottish Government. I hope the Opposition will join me in that endeavour.

I move amendment S6M-04319.2, to leave out from "the way the" to end and insert:

"ferry services provide an essential lifeline to island and remote rural communities and their economies; acknowledges that the delays and cost overruns to vessels 801 and 802 are regrettable; notes the findings of the Audit Scotland report, that all of its recommendations have been accepted, and that improvements, including changes to procurement practices, have already been made;

recognises the progress that is being made at Ferguson Marine under the recently appointed chief executive, including the milestone reached at the end of April 2022 with the fitting of Hull 802's bow unit, with both dual fuel vessels being scheduled for delivery in 2023; further recognises the role that Caledonian Maritime Assets Ltd is playing in that progress, not least through the involvement of an experienced secondee in Ferguson Marine's senior management team, and welcomes that the Scottish Government saved Ferguson Marine, the last commercial shipyard on the Clyde, from closure, rescuing more than 300 jobs, with over 400 people currently employed at the yard, and ensuring that two new ferry vessels will be delivered to maintain and enhance connectivity to Scotland's islands."

The Deputy Presiding Officer: I call Neil Bibby to speak to and move amendment S6M-4319.1.

15:04

Neil Bibby (West Scotland) (Lab): I welcome the debate that Graham Simpson has brought forward today.

Today, Scottish Labour is making a further call for full openness and transparency to get to the bottom of Scotland's ferry fiasco. A parliamentary committee has already branded the procurement of vessels 801 and 802 a "catastrophic failure". Audit Scotland outlined a multitude of failings that led to delays of four years and a procurement budget that is now two and a half times the original contract price.

We still do not have clear answers about what went wrong and, crucially, why. That is not acceptable. If the concerns of the workforce at Ferguson's had been addressed sooner, perhaps the yard would be in a better position now.

Kate Forbes: Will the member take an intervention?

Neil Bibby: Let me make some progress, please.

If that had happened, one of the biggest failures in public procurement in the past 20 years could have been avoided.

There are conflicting accounts of how we have ended up where we are today. The First Minister is right to ask us to treat the accounts of Jim McColl and the previous owners with caution. He is not, as she said in the chamber, a "disinterested" party—that is correct—but neither is the Scottish Government. The ferries were procured on its behalf by Caledonian Maritime Assets Ltd. As I have said repeatedly, the First Minister is ultimately responsible for the Scottish Government. She should assume direct ministerial responsibility for the Government's investments at Ferguson's, for putting the yard on a stronger footing and for ensuring full transparency in relation to everything that has gone wrong.

Audit Scotland has said that there is insufficient documentary evidence to explain why the contract for the ferries was issued without a full refund guarantee. That remains astonishing and clearly requires further investigation. The minister has quoted from an email today that nobody in the chamber has seen before now.

Jenny Gilruth: I had not seen it before today.

Neil Bibby: The fact that the minister had not seen it before today—

The Deputy Presiding Officer: Excuse me. There should not be sedentary comments, because they are not necessarily picked up in the *Official Report*.

Neil Bibby: The fact that the Minister for Transport is unearthing emails about the ferries fiasco only today begs the question what else the Scottish Government has not actually found in the archives. Crucially, we need to know why the Scottish Government ignored CMAL's advice. Audit Scotland has said that there is no documentary evidence. The Parliament has still not seen any documentary evidence that shows why the Scottish Government ignored CMAL's advice.

On the issue of full openness and transparency, a number of senior staff at Ferguson's signed non-disclosure agreements. I note the First Minister's remarks at First Minister's question time, but let me say clearly that non-disclosure requirements should not prevent anyone from giving full and accurate evidence to Audit Scotland, to anybody else who is legitimately investigating the failures at Ferguson's or to the Parliament.

Kate Forbes: Will the member take an intervention?

Neil Bibby: Yes. I would welcome confirmation from the cabinet secretary that she will support Labour's amendment to waive the non-disclosure agreements.

Kate Forbes: I am keen to know whether Labour actually supports the workers at Ferguson's. The GMB has absolutely blasted Labour for using them as a political football, eroding morale and undermining efforts to save the yard for the long term. Is the member proud of his efforts in that regard?

Neil Bibby: I respect what the GMB has to say. I always expect the GMB to stand up for its members. Stuart McMillan, the local MSP, has said that the workforce at Ferguson's are embarrassed. They should not be embarrassed; they are blameless. The people who should be embarrassed are those in the Scottish Government who have overseen this fiasco.

The Scottish Government cannot selectively quote from the GMB on particular issues. The union and Scottish Labour have continuously made constructive suggestions about building simpler ferries, but those have fallen on deaf ears. We have made constructive suggestions about building the ferries in Scotland, not in Turkey, in order to protect Scottish shipbuilding jobs, but those suggestions have also fallen on deaf ears.

I hope that every member in the chamber will support Labour's amendment—we will wait and see how the Government votes on it—which is vital to ensure that all non-disclosure agreements relating to the procurement of the ferries are waived. Non-disclosure agreements should not prevent anyone from making legitimate inquiries. We need openness and transparency; we cannot afford secrecy and cover-up. A vote for our amendment would be a vote for openness and transparency. A vote against it would be a vote for secrecy and cover-up.

Scrutiny of the decisions that have been taken over the past several years is necessary and unavoidable. A catastrophic failure in procurement of this kind must not happen again. Lessons need to be learned. Let me be clear again: the skilled workers at Ferguson's are not to blame for the delays. The damage that the Government has done to the yard's reputation—not the legitimate inquiries of auditors and the Parliament—has damaged the potential for Scottish shipbuilding. We owe it to the workforce to turn the situation around by securing new contracts for the yard and getting that sector of the economy firing on all cylinders again.

I represent the lower Clyde and many of the workers. I stand behind all those who want to breathe new life into the industry. That is why I, again, call for a national ferry building replacement programme to support the sector. Scottish Labour's ambition is to modernise the CalMac fleet. New ferries, with a fair share being built in the lower Clyde, will bring resilience to our ferry network and create new opportunities for the workforce.

Those ferries do not need to be complex new designs such as the dual fuel ferries that Ferguson's is now building. Simpler contracts for simpler ferries do not need to go overseas to places such as Turkey. We can create a pipeline of work that will see the lower Clyde getting its fair share—it just takes leadership from the Government.

The Deputy Presiding Officer: Mr Bibby, you will need to bring your remarks to a close, please.

Neil Bibby: Okay.

There must be openness and transparency. That also applies to the project Neptune report,

which must be published without delay. I reiterate that the CalMac network must be retained as a public service, servicing the interests of the travelling public. There must be full disclosure if we are to turn the yard around.

The Deputy Presiding Officer: Mr Bibby, please move the amendment in your name and close.

Neil Bibby: I move amendment S6M-04319.1, to insert at end:

“, and further calls on the Scottish Government to waive any non-disclosure requirements preventing public and parliamentary scrutiny of the procurement of vessels 801 and 802.”

15:10

Willie Rennie (North East Fife) (LD): The minister obviously thinks that she has demolished all the arguments with her revelation today. For a start, we are expected to believe that she just discovered the email this morning, which is difficult to believe, when we bear in mind the Government's track record on openness. She also expects us to believe that a multimillion-pound contract was given the go-ahead on the basis of a one-line email. That does not fill me with confidence. It certainly does not explain why the then minister ignored the central advice. With a multimillion-pound contract, we would expect the reasons why the advice was ignored to be set out.

Ivan McKee: Will the member take an intervention?

Willie Rennie: Not just now. I am trying to explain my argument.

The situation also shows a Government that is very poor at keeping records. We are talking about a multimillion-pound contract that cost a lot of money and, as we now know, islanders were dependent on its success.

The email does not fill members with confidence, as we heard from the laughter at the minister's claims, and I think that it will raise an awful lot more questions. I want to see this email. I want to see the background and the paperwork that goes with it, because I simply do not believe that, at what just happens to be the last minute before a debate on the issue, a slam-dunk argument appears for the minister.

There is an element of Comical Ali about the SNP's approach—as the bombs rain down around the SNP, the denial continues. As Graham Simpson set out, Stewart Hosie said yesterday that the ferries are a little bit late. They are four years late, and we are certain that it will be longer. Mr Hosie said that it is not waste that the project is £150 million over budget. Tell that to the islanders who are waiting yet again when ferries to multiple

islands have broken down. Tell that to the families who are freezing at home because they cannot afford to pay their electricity bills. The Government has put £10 million into the fuel insecurity fund, but just imagine what a difference we could make if we added £150 million to that budget. To the SNP, it does not matter—it is not waste, and the ferries are a little bit late.

The SNP needs to accept that it has made fundamental errors that are having a direct impact on people's lives right now, rather than keep on with the denial and reveal emails at the last minute before debates. That is not the way to run a Government, and it is a sign of a Government that is getting increasingly arrogant in its approach to administration.

We needed another debate on the issue. Graham Simpson is right that he has held debates on it before—the Liberal Democrats have had a debate, too—but we still do not have the critical answers, including those on the project Neptune report.

The most important thing is how the Government has trashed the reputation of a very good yard, which as a result is not even bidding for ferry contracts—contracts are going to Turkey instead. The Government should not blame anyone else, including the Opposition, for that reputation being trashed. The responsibility is held by those on the SNP front benches and by all those on the back benches behind them, who back them every single day. The reputation has been trashed, just like that of Burntisland Fabrications and the Lochaber smelter, and just like what happened with the £10 billion China deal and the Lanarkshire steel mills, where state aid rules—

Ivan McKee: Will the member take an intervention?

Willie Rennie: No—I am running out of time.

The Deputy Presiding Officer: The member is about to close.

Willie Rennie: The Government has trashed the yard's reputation, and it should not dare blame anyone else for that. The responsibility is with SNP ministers and no one else.

Neil Bibby: On a point of order, Presiding Officer. Members are meant to treat one another with courtesy and respect. The transport minister has revealed to members an email that nobody else has seen. It is unacceptable that the minister is treating Parliament and members with such contempt. Where is the email? We have not been sent it. No one has seen it. The Government's behaviour is utterly unacceptable and disrespectful to Parliament.

The Deputy Presiding Officer: I thank the member for his point of order. I, too, was unaware of that development. It will be reflected on and a response will be given later this afternoon, if that is acceptable to the member.

We move to the open debate. I call Donald Cameron, to be followed by Paul McLennan. Speeches should be up to four minutes. There is very little time in hand.

15:15

Donald Cameron (Highlands and Islands) (Con): Since I was elected to the Parliament six years ago, the fragility and unreliability of Scotland's ferry network have undoubtedly been one of the most serious local issues that I have had to deal with. When we previously debated the issue, I spoke about the people and communities that depend on a robust ferry service. They are at their wits' end as they continue to live with a substandard service that provides little in the way of comfort or certainty.

As other members have said, an email from CalMac that came just 30 minutes ago says that the MV Lord of the Isles is out of service for repairs, and services will be suspended for eight days. It does not end. To Alasdair Allan, I say this: it is his SNP Government that has presided over this chaos.

We do not hear enough about the thousands of islanders who suffer from the situation. What about their jobs and their lives? As Graham Simpson noted, we need to listen to the island communities. Last week, Arran elected a Scottish Conservative councillor, Bute elected its first Scottish Conservative councillor in 40 years and Skye elected a Scottish Conservative councillor for the first time ever. The fact is that, when it comes to ferries, people are starting to notice who is standing up for them and who is letting them down.

The problems surrounding our network have been known to the Government, and yet no meaningful action has been taken. We know that the contract to build two vital ferries was handed to Ferguson Marine against the explicit advice of CMAL; I will come back to that. We know that ministers ignored that advice and pressed ahead anyway, but we do not know why.

We know Audit Scotland's view. Its report has been much quoted, but it bears repeating. Audit Scotland said that

“significant financial and procurement risks”

were associated with the deal and that the weakness in Ferguson Marine's project governance was to be noted. The Auditor General said:

“The failure to deliver these two ferries, on time and on budget, exposes a multitude of failings. A lack of transparent decision-making, a lack of project oversight, and no clear understanding of what significant sums of public money have achieved. And crucially, communities still don’t have the lifeline ferries they were promised years ago.”

Those are damning words from our national independent scrutiny body. All the while, the ferries remain in dock, more than £150 million over budget, severely delayed and with no realistic end in sight, while our island communities feel never-ending despair.

I will focus briefly on email exchanges from 2015 between Erik Østergaard, then chair of CMAL, and Tom Docherty, then chief executive of CMAL, about the deal with Ferguson Marine. Their advice could not have been clearer. One email from Mr Østergaard says:

“There is no way that the board can recommend the SG through CMAL to take this level of unsecured risk on its shoulders.”

That is CMAL—the very body that was tasked with procuring ferries for Scotland, whose reason for existence is to own, buy and sell ferries—saying in the plainest possible language, “Do not do this.” In spite of all those justified concerns from CMAL’s in-house experts, the Scottish Government pressed ahead, and we do not know why. It stinks to high heaven. It is a scandal.

As a result, our local communities are suffering and will continue to suffer because of the Government’s staggering ineptitude. Although doing so will not fix the damage that has been done, the SNP Government must apologise to people who rely on such services and tell us who is responsible for this mess and who will go as a result of this shambles.

15:20

Paul McLennan (East Lothian) (SNP): I am grateful for the opportunity to speak in the debate. I am aware of how important ferries are to the communities that they serve and what they mean to the economy and the general wellbeing of such communities. However, we must acknowledge that £2 billion has been invested in service contracts, new vessels and infrastructure since 2007 and that, in the current five-year period, a further £580 million has been committed.

The Scottish Government’s commitment to publish the islands connectivity plan by the end of 2022 is welcome, and I have no doubt that it will be discussed in the chamber. As we know, the islands connectivity plan, which will look at aviation, ferries and fixed links, will replace the current ferries plan. It will ensure that more sustainable ferries are invested in and that 30 per

cent of state-owned ferries are low-emission vessels by 2032.

Jamie Greene (West Scotland) (Con): Will the member take an intervention?

Paul McLennan: I have only four minutes, and I have a lot to get through.

The islands connectivity plan will be taken forward through the national transport strategy and the strategic transport projects review, which will enable us to consider other potential viable options for connecting the islands.

As I said, the islands connectivity plan will replace the ferries plan by the end of 2022, and engagement and consultation on the plan will enable substantial public and community input. That is quite right. The Scottish Government plans to explore the potential to build more fixed links to island and remote communities, and to work with island communities to reduce reliance on ferries. That needs to be part of the consultation process.

Investment in our ferry fleet can come with benefits for our industry. The Scottish Government’s intervention in 2019 saved the Ferguson’s yard and its workforce—

Jamie Halcro Johnston (Highlands and Islands) (Con): Will the member take an intervention?

Paul McLennan: No—I have only four minutes, and we are pushed for time. [*Interruption.*] That does not mean that I do not take an interest.

The Deputy Presiding Officer: Excuse me, Mr McLennan, could you take a seat, please? I remind the chamber that it is up to members whether they take an intervention—punto.

Paul McLennan: That does not mean that I do not take an interest in the subject, so I ask Mr Halcro Johnston not to be patronising.

The Deputy Presiding Officer: Please resume your seat, Mr McLennan. I appreciate that feelings are running high in the debate, but members have a duty of courtesy and respect—that applies across the chamber.

Paul McLennan: I apologise.

I will focus on the point about the Ferguson’s workforce, which has hardly been touched on. Let us not forget the yard’s workforce and the fact that there are hundreds of families who rely on the yard for their wellbeing and welfare. Let us not imagine what the impact on the local community would have been if the yard had closed. Let us by all means scrutinise decisions, but we should not forget the workforce.

Progress has been made at the yard, but we need to ensure that Ferguson Marine is back to

being a serious contender for future vessel contracts. However, we must also ensure delivery as best we can when it comes to lifeline services for our island communities. The Scottish Government remains fully committed to supporting the Ferguson's yard to secure a sustainable future, including a pipeline of future work, and it continues to work closely with the yard to ensure that it becomes globally competitive.

The decision that was taken to safeguard the future of Ferguson Marine was the right decision. The Scottish Government has set out two priorities for the yard's management—to finish building the two ferries that are under construction and to get the yard back into shape to compete for new work. Scottish ministers will do all that they can to ensure a strong future for Ferguson's.

The Scottish Government remains open to feedback regarding areas for improvement and has committed to a review of the legal structures and governance arrangements that exist between the tripartite group of Transport Scotland, Caledonian Maritime Assets Ltd and CalMac Ferries to ensure that they remain fit for purpose to deliver an effective, efficient and economic ferry service. The Scottish Government is developing a revised ferries stakeholder engagement strategy, which will set out an approach to engagement on the three key areas of operational issues, strategy and policy. It has also pledged to consult on the evolution of fares policy, including freight fares, as part of the islands connectivity plan.

Through its "Infrastructure Investment Plan for Scotland 2021-22 to 2025-26", the Scottish Government will maintain a long-term plan and investment programme for new ferries and development at ports to improve resilience, reliability, capacity and accessibility and reduce emissions, which will meet the needs of island communities.

There is no doubt that it has been a tough year for our island communities. Lessons need to be learned, our island communities need to be reassured and fully consulted, and we need to have a thriving shipbuilding industry in Scotland.

15:24

Edward Mountain (Highlands and Islands) (Con): The ferries crisis is not merely a catastrophic failure; it is the biggest and most expensive scandal of the SNP Government's time in office so far. Reports from the Rural Economy and Connectivity Committee and Audit Scotland prove that, but huge questions remain. Why did Scottish ministers go against advice from their advisers and award a contract to Ferguson Marine? Where did the £45 million in loans given to Ferguson Marine by Derek Mackay go? How

can the £2,500 per day paid to Tim Hair be value for money? Will anyone take responsibility? Does any minister want to stand up and take responsibility? Obviously not, which is why we need a full public inquiry.

Let us look at the milestone payments that were made to Ferguson Marine, which saw the taxpayer hand over 84 per cent of the contract value for two ferries in return for one rusting hull and some spare parts. Initially, there were 15 of those stage payments, but when things started to go wrong at the yard, the Government increased them to 18, which allowed the contractor to get more dosh earlier.

As a surveyor with 15 years of experience, I know that, when stage payments are agreed, a quantity surveyor needs to sign off each one. That cannot possibly have happened in this instance.

I have submitted freedom of information requests on each milestone payment, what checks were carried out on the hulls and who approved the payments. Those questions are simple enough. There should be a paper trail, which will maybe turn up miraculously today. That information should be easy to release, but this secretive Government has delayed answers on every single one of my FOIs. What is it hiding? Has it lost the papers as well?

When checking the milestone payments, the Government certainly did not listen to the skilled workforce in the yard. We know for a fact from the union rep, Alex Logan, that the workers knew of the faults but were required to press ahead with a construction that was based on flawed designs. Did the Scottish Government ask them when they made such noises about that? No—it did not; it just dished out the dosh.

An unapproved bulbous bow, mooring stations that were not fit for purpose and cables that were placed up the lift shafts on hull 801 all triggered payments. The Government even signed off the payment for launching the vessel, ignoring the fact that it had fake funnels that were connected to pretendy engines and that it had painted-on windows. The Government went on to pay all but one of the milestone payments for hull 801. To my mind, that was ridiculous, given that it was clear that it was not even half built.

Lessons were not learned when it came to hull 802. Thirteen of the 18 payments were made, with little more than the keel being laid, which was evident when the Government took over control. How could that be allowed to happen? Why did the Scottish Government agree to 18 stage payments, instead of the industry standard of five? Who signed that off?

Perhaps the Government knew at the outset that there was a real problem with cash flow at

Ferguson Marine. What other reasons could there have been for agreeing to so many stage payments? Surely it had nothing to do with the fact that Jim McColl had direct telephone contact with the First Minister, which is a matter of public record. However, there are no records or notes of those telephone calls, so perhaps we will never know.

It has been a shambles, with no paperwork and no scrutiny, all of which has cost Scotland in excess of £300 million. Earlier this afternoon, the Cabinet Secretary for Finance and the Economy asked what other contracts were available. It appears that she does not even know what is going on in her own yard. When the ferries contract was awarded, the fish farm vessel hull 805, Kallista Helen, was being built, and another one, called Helen Rice, was on the books. There were three vessels in total, because there was a gas vessel—

Kate Forbes *rose*—

The Deputy Presiding Officer: The member is just about to conclude, because he is over time. Please conclude, Mr Mountain.

Edward Mountain: The full lid has yet to be lifted on this dismal affair. Our islanders desperately need the long-delayed ferries, and they deserve answers. The contract was shambolic and scandalously organised, and it really needs a public inquiry.

15:29

Katy Clark (West Scotland) (Lab): I refer members to my entry in the register of interests.

I would like to address openness and transparency, particularly with regard to how they affect the issues that were raised in the Audit Scotland report. The Scottish Government has the power to lift non-disclosure agreements. It has been reported that at least one figure was keen to pass on evidence to the Auditor General but was held back from doing so. Will the Scottish Government today confirm that current and former employees—and any other person who is covered by a non-disclosure agreement into which the Scottish Government entered—should not be prevented from speaking out on the issue?

It is clear that the management of the project to build hulls 801 and 802 has been shambolic, with bad and politicised decision making, poor appointments and a culture of secrecy. Islanders and the workforce were not involved in decision making, and representations that were made for smaller vessels to be built were ignored. It is vital for all of us, and for the taxpayer, that we learn the lessons of the procurement process. Openness and transparency are issues of principle and it will

be impossible for lessons to be learned from the fiasco unless the public and the Parliament have access to the facts.

Six years ago, the First Minister attended the launch. Since then, the cost has reached two and a half times the original budget. Senior managers have been paid eye-watering sums—we repeatedly hear about the £2 million that we understand was paid to Tim Hair.

It is clear that Scotland needs proper explanations and access to information and documents, to enable proper scrutiny to take place. That is what this debate should be about. That is why Labour lodged an amendment that asks us to focus on that issue in today's debate.

Labour is committed to Ferguson Marine. We are committed to the workforce. We are committed to shipbuilding in Scotland. We are committed to investment, to rebuild the sector.

None of what has happened in this fiasco is the fault of the workforce. It is the fault of poor management and poor political decision making. None of what has happened is the fault of the islanders, who rely on lifeline services and are paying the price for the mistakes that have been made.

We need the Scottish Government to waive the non-disclosure requirements in the contracts and to come up with a long-term plan that includes procurement of ferries in Scotland, with an industrial strategy to rebuild our shipbuilding industry as part of a wider green agenda.

Hundreds of millions of pounds of taxpayers' money has been spent, and misspent. We need transparency and an undertaking from the Scottish Government today that it will waive the requirements of the non-disclosure agreements, so that this Parliament can discover the truth.

15:32

Stuart McMillan (Greenock and Inverclyde) (SNP): I thank Graham Simpson for bringing this debate to the chamber.

If Mr Bibby is going to quote me, he should please do so accurately. In a previous debate, I referred to the views of a worker, not “the workforce”.

I say to Mr Rennie that the yard shut in 2014 and went into liquidation in 2019, which tells me that there was a problem with it for a long time.

Procurement is clearly a crucial issue in any contract. I will come back to the part of Mr Simpson's motion that relates to procurement. The motion also

“calls on the Scottish Government to say why it awarded the contract for ferries 801 and 802 to Ferguson Marine Engineering Limited against the advice of its own experts”.

Those experts—CMAL—are the same people that the Conservatives, Labour and the Lib Dems have castigated and demonised over the past few years. Now that it suits their narrative, the Conservatives are trying to cosy up to CMAL.

Willie Rennie: Will the member give way?

Stuart McMillan: No.

It is obvious that the language around CMAL has changed since the Audit Scotland report. I gently suggest to MSPs of all parties that they engage with CMAL to learn about its work and what it actually does. CMAL plays an important part across this country and in Port Glasgow, where it is based.

I assure Mr Simpson and his Conservative colleagues that if, in 2019, the Scottish Government had sat on its hands and done nothing, the yard would have closed, the jobs would have gone and the vessels would have been towed elsewhere. Before last week’s council elections, political parties would have been canvassing in new apartments where a shipyard had once stood.

Is Graham Simpson seriously suggesting that the SNP Scottish Government should have sat on its hands, as the Labour-Liberal Democrat Scottish Executive did in 2005 after it awarded the fishery protection vessel contract to Poland? I am sure that Mr Simpson and his Conservative colleagues would have urged the Scottish Government to intervene to save those jobs, but after his earlier comments—

Willie Rennie: Will the member give way on that point?

Stuart McMillan: I am sorry; I have only four minutes.

After Mr Simpson’s earlier comments, I genuinely do not believe that the Conservatives would have stepped in, so that yard would have shut. Intervening saved the jobs and provided an opportunity for the future.

Progress has been made at the yard, but there is still some way to go.

Graham Simpson: Will the member give way?

Stuart McMillan: Operational decisions on which vessel opportunities to pursue are for the Ferguson’s management team and the board of directors. There is no doubt that completing vessels 801 and 802 has been extremely challenging, but let us be clear: those vessels must be delivered as soon as possible, and I have said that in the chamber before.

There can be no ifs or buts when it comes to lifeline services for our island communities. The procurement process for vessels 801 and 802 was undertaken thoroughly, in good faith and following appropriate due diligence, and suggestions to the contrary are incorrect.

Only last month, MSPs from across Parliament and the local MP attended the yard and had the opportunity to ask the new chief executive and the secondee from CMAL any questions that they wanted to ask. It is clear that the yard is making progress, but there is still some way to go; I know that from the phone calls that I get from the workforce.

I said that I would come back to the issue of procurement. If the Scottish Conservatives want to talk about procurement, they should look at their colleagues in Westminster. Look at the shambles that is going on in Westminster. Look at the £10.5 billion of pandemic-related contracts that were awarded to companies in the VIP lane without a competitive tender process. Companies with the right political connections were ten times as likely to win those contracts.

I will take no lessons from Tories, whether here or in Westminster. Although Arran voted for a Tory, I am thankful that there are 63 fewer Tory councillors in Scotland as of last week.

15:37

Ariane Burgess (Highlands and Islands (Green)): Although I am glad of the opportunity to champion the cause of my constituents on an issue that is vital to island life, it concerns me that debates on the matter in the chamber have not moved the conversation on.

I have cross-party colleagues who feel the impact of the issue as keenly as I do, having been contacted by constituents, small businesses and schoolchildren who have felt the impacts of ferry service disruption on their quality of life. During my recent visit to Benbecula and South Uist, almost every conversation I had on the doorstep reflected that.

I feel strongly that we should use our time in the chamber to make progress, present solutions and advance the causes of our constituents. Islanders and Ferguson Marine workers alike deserve far better than party-political point scoring.

Of course, accountability in public spending is critical, and I welcome the robust scrutiny that we have provided in our debates on the matter. I also welcome the Scottish Government’s willingness to acknowledge the shortcomings of the past and its commitment to learn from them.

I cannot emphasise enough that the next 10 years are vital for the future of our planet, and the

Scottish Government must take an approach to procurement that centres environmental impact and community wellbeing. We must urgently decarbonise our existing vessels and utilise technology, as NorthLink Ferries and Orkney Islands Council are doing, to reduce emissions through the use of an onshore electricity connector.

However, the problem is not just about procurement; to get our ferry services fully functioning, we need a comprehensive, long-term marine infrastructure plan that covers ports, harbours, vessels, ScotWind and all the components of Scotland's marine infrastructure.

As part of such a plan, we could establish three standard sizes for new vessels, so that they can berth at more ports to make it easier for one ferry to substitute for another when a vessel is offline. We must go further to make our ferries a good green transport option for the 21st century.

Edward Mountain: Will the member take an intervention?

Ariane Burgess: I have only four minutes.

Significant investment in the sector must be future proofed by making our ferries cleaner and greener to run. If ferry operators enjoyed the certainty of longer-term contracts, they could seek investment on the back of future ticket sales to procure their vessels without the need for substantial public investment.

Fixed links could provide cost-effective long-term solutions to island communities such as Yell and Unst in Shetland, where there is widespread community support.

Depopulation is one of the key, defining issues for islanders, and ferry services are only one piece of the puzzle. We need to take a holistic approach. We should extend the policy of free bus travel for under-22s to ferries, bringing parity between islands and the mainland in Scotland's public transport offer.

We must also improve the interconnectedness between rail and ferry routes, which currently can render islands inaccessible. ScotRail now being in public ownership, thanks to the Green deal with the Scottish Government, paves the way for a more fully integrated public transport network that works for all.

Those proposals in concert have the potential to help in reversing rural depopulation trends, revitalising our communities and making the islands more accessible for those who walk, wheel and cycle.

Whenever I speak about ferries in the chamber, committee or the press, I am always humbled by the response from my constituents. They get in

touch with ideas, solutions and great initiatives, such as fitting electric vehicle charge points on to ferries. From procurement, through manufacture to delivery, we all agree that Scotland needs more reliable, greener ferry services. Therefore, I urge my colleagues to be more like our constituents and work together on solutions for the future of our ferry services.

Stephen Kerr (Central Scotland) (Con): On a point of order, Presiding Officer. Do we have any time in hand in the debate for interventions so that we can have a proper debate?

The Deputy Presiding Officer: It is entirely up to members whether they choose to take an intervention. There is no time in hand. The length of the debate was fixed by the Parliamentary Bureau, not the chair.

Graham Simpson: On a point of order, Presiding Officer. In relation to the announcement that the Minister for Transport made earlier about the missing email, the first that I have seen of the document was on Twitter. I have just seen it now. That is disrespectful to the Parliament.

The Deputy Presiding Officer: As I indicated to Mr Bibby in response to his earlier point of order on that general subject, the matter is currently being reflected on and a report will be provided to the Parliament later.

Neil Bibby: On a point of order, Presiding Officer. I have now seen the emails on social media—they have not been sent directly by the Government. It appears that the Deputy First Minister cleared the way for the award of the contract. Will the Scottish Government clarify his role in the matter, as that was not included in the Minister for Transport's opening speech?

The Deputy Presiding Officer: I have not seen the document in question so I cannot comment on its substance. Mr Bibby will have many opportunities to pursue that issue, which is slightly separate from the one that he first raised with the chair a wee while ago.

Stephen Kerr: On a point of order, Presiding Officer. Is it not, in the judgment of the Presiding Officer—the chair of the Parliament—the height of disrespect to introduce the document in the way that it has been introduced? Surely it is bordering on contempt of Parliament to treat us in such a way. It is a huge disrespect and surely the Presiding Officer has a view on it.

The Deputy Presiding Officer: As I indicated in response to Mr Bibby's first point of order and Mr Simpson's point of order, and as I now indicate to Mr Kerr, the matter is being actively reflected on and a response will be provided later this afternoon.

I hope that I can now move on to the last speaker in the open debate because time is short. The time for the debate is set by the bureau and I would like to have the full speaking time for the remaining speakers.

I call Jenni Minto.

15:44

Jenni Minto (Argyll and Bute) (SNP): As I have said before, I am the MSP with the highest number of ferry routes in my constituency and live on an island. I understand the shortcomings of the service and, therefore, have a bigger stake in its improvements than most members who are sitting in the chamber.

As other members have said, the Scottish Government has committed £580 million to fund new ferries and port investment in this parliamentary session. That has included the introduction of the MV Loch Frisa, which has been purchased to serve the island of Mull. It will be a welcome addition to the route, and will help the island to have a year-round, two-boat service, as well as releasing the MV Coruisk to support other routes.

Two new ferries for Islay have been ordered, which will bring an almost 40 per cent increase in vehicle and freight capacity to the route. That will reduce emissions and improve the resilience of the wider fleet. I suggest that there is a clear plan: it includes the new Mull boat, the small vessel replacement programme and new vessels for the Dunoon, Gourock and Kilcreggan triangle.

I know that the Scottish Government recognises that ferries are an essential part of Scotland's transport network and that the quality of our ferry services impacts us all. Engagement and consultation will enable substantial public and community input. I know that my constituents are willing to get involved, as those are their lifeline services, and I commend my constituents who want to engage. For example, the Islay ferry group completed sterling work to inform Transport Scotland, CalMac and CMAL about the projected ferry demand from the whisky, farming and tourism industries in order to inform the design of the new ferries, as well as the timetable changes.

Eleven days ago, I convened a meeting on Jura, linking the community council and development trust with Transport Scotland, CalMac, Argyll and Bute Council and Highlands and Islands Enterprise. As an island off an island, Jura is not unique, but it does give people who live there and visitors to it a slightly more complicated approach to travel. By bringing those key stakeholders into the same room as the Jura folk, we were able to discuss the constraints and issues of their transport services and explore solutions. There

are concerns about crew staffing on the Jura route. It is good that those connections have been strengthened to look into resolutions to ensure that the lifeline service is fit for purpose.

The Scottish Government provides funding for local authority ferries such as the Jura ferry. I am therefore pleased that the Minister for Transport has committed to meet local authority partners about that. Later this month, I am hosting a public meeting with CalMac on Mull to ensure that islanders have their say on how the ferry situation impacts their lives. The following day, CalMac and I will meet the Mull & Iona Ferry Committee to progress the matters that have been raised. It has been mentioned that tonight, CalMac management will be in the Parliament to speak to MSPs, and I hope to see all the speakers in the debate, and perhaps everyone who is currently in the chamber, there.

My constituents in Argyll and Bute are rightly concerned about ferries, but they are looking forward with the SNP, engaging with stakeholders, seeking solutions and being resilient—as islanders are.

The SNP in Argyll and Bute advanced in last week's local government election, increasing its share of the vote and the number of councillors. Meanwhile, the Tories' share of the vote reduced. In every seat that has a ferry service, the Tories' vote went down.

Finlay Carson (Galloway and West Dumfries) (Con): That is not true.

Jenni Minto: In my constituency, it is true.

In the spirit of cross-party co-operation, I will let the Scottish Tories into a secret. The main problem that many of my constituents face, as do people in every corner of Scotland, is the cost of living crisis: the cost of feeding their families and paying their heating bills. Perhaps, instead of grandstanding over ferries, Conservative members in Scotland might like to have words with the Chancellor of the Exchequer.

Finlay Carson: Stand up for your constituents.

Jenni Minto: I am standing up for my constituents. *[Interruption.]*

The Deputy Presiding Officer: The member is about to conclude.

Jenni Minto: Unless Westminster does something radical to help the ordinary people of Scotland and elsewhere in the British Isles, the cost of living crisis will drag on for longer and with far, far greater consequences than the current problems with ferries that the Scottish Government, and the Minister for Transport, are focused on sorting.

15:48

Rhoda Grant (Highlands and Islands) (Lab):

The crux of the debate is that disastrous decisions were made that have cost the Scottish people hundreds of millions of pounds. The cost to our island communities is immeasurable. We suspect that the decisions were made for political reasons—to further the SNP's ambitions, rather than to serve our island communities and Scotland's industry.

It seems to be convenient that the Scottish Government has found proof that it can pin the blame on Derek MacKay, who appears to have made the decision when he was on holiday, without reference to any of his colleagues. It beggars belief. Willie Rennie said that the email raises more questions than it gives answers. Given the Scottish Government's secrecy, it is convenient that the email came to light just before this debate.

A cursory glance at social media shows that the email states:

“Just finished my call with DFM. He now understands the background and that Mr McKay has cleared the proposal. So the way is clear to award.”

It seems that the Deputy First Minister signed off the award. Frankly, that adds to the stink surrounding this fiasco.

The minister wants us to move on. Unfortunately, our island communities cannot move on—indeed, many cannot move at all. The ferries are not in operation and the Scottish Government appears to be unable to do anything to help.

Alasdair Allan and Donald Cameron mentioned the breakdown of the Lord of the Isles. There is no capacity in the fleet to allow for the necessary repairs without disruption. That is simply not good enough.

We still have no answer on how the shortfall of capacity to Uist will be made up when Uig harbour is being adapted to fit the new ferry—if it ever arrives. That answer is now urgently required, so I hope that the minister will intervene to ensure that capacity is retained throughout the period.

We need openness and transparency about what went wrong. Neil Bibby said that past employees of Ferguson's need to be released from their non-disclosure agreements so that we can find out what happened—both during the letting of the contract and thereafter. My colleagues Neil Bibby and Katy Clark said that that information should be released not only to Audit Scotland, but to Parliament and, indeed, the public, because we are talking about their money and their ferries. They deserve to know what went wrong.

The Scottish Government always seeks to shift the blame—to Ferguson's, to CalMac, to CMAL and now to Derek Mackay—but the blame sits squarely with it. It needs to make good its mismanagement and stop letting our island communities down.

The Scottish Government has also let Ferguson's down. Instead of protecting jobs, it has put them at risk and is now procuring ferries from Turkey. My heart goes out to the people who work at Ferguson's.

If the Scottish Government had nothing to hide, it would release workers from the gagging clauses, so that we could see what went wrong and where. Failure to do so means that mistakes will continue to be made—a point that was made by Katy Clark.

We are not talking about a failure of the public sector to provide lifeline services; this is a failure of the Government. The public sector should run lifeline services—the services should not be run for the profit of multinationals, but must be run for the communities that depend on them.

We need full disclosure. Voting for the Labour amendment will provide that.

Graham Simpson: On a point of order, Presiding Officer. I apologise for making another point of order, but news has leaked out during the course of the debate—disgracefully, on social media—and we now know that John Swinney was involved in the decision—

Jenny Gilruth: I said that in my speech.

Graham Simpson: We now know that John Swinney was involved in the decision to award the contract to Ferguson's. Should not John Swinney, who was involved, make a statement in the chamber?

The Deputy Presiding Officer: Thank you for your point of order. The issue that was raised was the appearance of the document without Parliament, including the Presiding Officer, being aware. The substance of Government documents is not a matter for the Presiding Officer, as you well know. The discussion of any statements that might be appropriate in the chamber is a matter for the Government and the Parliamentary Bureau, not for me.

15:54

The Minister for Business, Trade, Tourism and Enterprise (Ivan McKee): I am happy to close the debate on behalf of the Government. It has been an interesting debate. Many members have focused, rightly, on the importance of ferries to island communities. Those lifeline services are important.

Jenni Minto talked us through the on-going work that is being done by the Scottish Government as part of the £580 million investment to support the expansion of the ferry fleet, and the progress that is being made—albeit that it is not as fast as we would like—in that regard. Of course, that funding comes on top of the £2 billion that has been invested by this Government since 2007 to support ferry services across Scotland. That is the important thing that matters for those island communities.

As has been made clear in questions and debates in the chamber on many occasions, the Scottish Government is absolutely committed to delivering 801 and 802 from Ferguson's. However, from the Audit Scotland report, we also recognise the challenges that are faced. The report says:

"The turnaround of FMPG is extremely challenging. FMPG has implemented some of the significant operational improvements that were required at the shipyard"

in recent months. Those challenges are, indeed, great. The initial report on the state of the yard in December 2019, when the Scottish Government rescued the yard, set out the scale and depth of the business turnaround that was required in order to put Ferguson Marine on a stable footing. As we know, Covid has slowed the turnaround efforts. The yard has twice had to shut down due to Covid and has worked at reduced capacity for many months as a result of the necessary distancing requirements.

However, despite that huge task, progress is being made. The new permanent chief executive has been in post since February. I speak with him regularly and the cabinet secretary speaks with him very regularly. He brings a fresh vision and new approach; he has created a more collaborative culture and works much more closely with CMAL.

I will be very clear with Parliament: this Government expects the yard, as a priority, to complete the vessels successfully and at the fastest most achievable pace, and to turn around its operations so that it is competitive, productive and efficient and wins and secures a further pipeline of work on the basis of its operations.

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

Stephen Kerr: Will the minister take an intervention?

Ivan McKee: I will give way to whoever was first.

Liam Kerr: On the point about the new chief executive, the former turnaround director was paid £2,500-plus per day while in post, which the First Minister said was the market rate. The Government is paying the new chief executive,

whom the minister lauded, between £700 and £1,000 per day. Is he three to four times less effective?

Ivan McKee: Liam Kerr knows how turnaround works. We bring somebody in for the initial period then we bring somebody else in to do the permanent job that follows from that. If Liam Kerr had worked in turnaround, as I have, he would understand that that is how such operational aspects work.

Edward Mountain: Will the minister take an intervention?

Ivan McKee: In the brief time that I have available, I want to move on to talk about the other issues.

We have heard much about transparency and the missing document. I answered a topical question about that and made it clear—as other ministers, including the First Minister, have done—that we looked for the document in good faith.

Stephen Kerr: Will the minister take an intervention?

Ivan McKee: I want to make progress, because I have only two minutes left.

From the more than 200 other documents that have already been published, it is very clear that the decision-making process was followed correctly. It is also clear from the document that has been found just today, and brought to the attention of ministers, that the process was followed. Members can see that for themselves from the document.

With regard to the process with that document, it is right and proper that my colleague, the Minister for Transport, has at the earliest possible opportunity brought the document to Parliament and published it on the Scottish Government website, in order to make members aware of it. Opposition members are on wild goose chases with their conspiracy theories: the point is that process was followed and the document is public.

It is important to note that we are working very hard with the yard to deliver the ferries.

I will reflect on Stuart McMillan's contribution, which was hugely significant. Willie Rennie's contribution was also hugely significant, but for other reasons that are 180° opposite. The yard is still open only because of the Scottish Government's interventions. Graham Simpson was unable to answer the question about what the other mythical work is. As Stuart McMillan rightly said, the reality is that without those orders having been placed with the yard, the yard would not be there today.

That is on top of the other industrial interventions that the Government has made in

order to save the Lochaber aluminium smelter and the steelworks at Dalzell, as well as the work that we have done to save jobs in Inverclyde. What matters to the communities, workers and people of Scotland is that those businesses stay open, continue producing and remain part of Scotland's industrial landscape. That is what this Government is committed to and that is what we have delivered in those instances.

Willie Rennie: Will the minister take an intervention?

Ivan McKee: Willie Rennie can talk about ifs, buts and maybes, but the reality is that if he had been in Government—his being in government is hugely unlikely—those facilities would all be closed. The SNP is in Government; they are still open, because we are committed to the industrial base across Scotland. That is what matters at the end of the day—not the conspiracy theories that come from the Opposition parties.

Willie Rennie: Will the minister take an intervention?

Ivan McKee: If I have time, I will take an intervention.

The Deputy Presiding Officer: Minister, you are just about to conclude.

Ivan McKee: I am sorry—I am sure that we will have another opportunity to debate that very important point in the not-too-distant future.

The Deputy Presiding Officer: Minister, please conclude your speech.

Ivan McKee: We continue to articulate our commitment to Scotland's industrial base and to saving the jobs—hundreds of jobs—at Inverclyde.

Edward Mountain: On a point of order, Presiding Officer.

I cannot let pass the minister's comment that the Scottish Government has saved the aluminium smelter at Lochaber. It has signed a deal without doing proper due diligence on the infrastructure there, which does not save the plant. Therefore, that is an untruth.

The Deputy Presiding Officer: That is not a matter for the chair; it is not a point of order.

16:00

Liam Kerr (North East Scotland) (Con): Graham Simpson opened the debate by saying that, inexplicably, he was not allowed to call the debate "Ferries Fiasco". However, we have heard from member after member this afternoon that that is exactly what it is.

That is the case not simply due to the facts that we have heard about, including the budget

rocketing from £97 million to £250 million, and maybe up to £400 million, of taxpayers' money; the milestone payments that were made to Ferguson Marine, which saw taxpayers hand over 84 per cent of the contract value without an actual ship being completed; the fact that workers knew of the faults but were apparently required to press ahead with a construction that was based on flawed designs, which we recently learned might not even have been finalised; the nearly 1,000 electrical cable coils that are too short—

Stuart McMillan: Will the member take an intervention?

Liam Kerr: I will in two seconds.

Apparently, all that might have even broken EU state aid rules.

Stuart McMillan: On the point regarding the workers being forced to undertake work, who were their managers at that point? Were they managers from the previous ownership?

Liam Kerr: I go back to the point that was made in response to an earlier intervention: the responsibility for the fiasco lies firmly at the feet of this Government and with nobody else.

It is not simply those facts that make the situation a fiasco. This afternoon, we have heard powerful testimony about the impact on islanders, who cannot get to hospital, cannot get to work, cannot get deliveries, cannot see family and friends and cannot even get to school. We have also heard about the SNP's attitude to that.

The minister said that we have to lift the tone. Ain't that the truth? It is not only those factors that make the situation a fiasco. Whether it be Nicola Sturgeon responding, "Oh, for goodness sake", when she was asked to apologise to the islanders; whether it be Stewart Hosie MP denying that money is being wasted, even though the ferries are £150 million over budget, and describing the vessels as being "a little late"; whether it be the minister, in her anodyne amendment, describing the fiasco as "regrettable" and saying that debating the issue is "groundhog day"; or Jenni Minto saying that our using debating time to debate the matter is "grandstanding", what we have heard tells us exactly what the Government's attitude to governance and security is.

We heard the minister say that there are huge numbers of documents in the public domain, as if that exonerates the Government. Does it think that by releasing volumes of them, we will not notice that the key document is still missing? Well, we did notice and, perhaps more important, Audit Scotland noticed. It reported that there is "insufficient documented evidence" for why the SNP accepted the risks and approved the contract award.

What we do know is that, in 2015, Ferguson Marine confirmed that it was unable to provide CMAL with a full refund guarantee, which was one of the mandatory requirements of the contract. We know that CMAL notified Transport Scotland of its concerns, and that Transport Scotland notified ministers, who accepted the risks and were content to approve the contract award. Why? We just do not know, because the crucial document that says why does not exist, either because the matter was not recorded—which is potentially a breach of the Public Finance and Accountability (Scotland) Act 2000—or because the document has been misplaced.

Lord McConnell summed it up. He said:

“It seems someone in the SNP government has broken the law. Either deliberately to cover up this shambles or through incompetence”

which is, I presume, why Jim Sillars has reported to the police the—some would say—corrupt Government for the crime of misconduct in public office.

However, the issue is what the situation says about wider governance and transparency, because we do not yet know who green-lighted the contract award. Sturgeon points at Mackay, Yousaf points at Brown, then McColl points back at Sturgeon and says that it was done for political gain.

Today, the minister produced a one-line email, which was found three hours before the debate—what a coincidence!—which names Mackay but brings in John Swinney, and then—

Edward Mountain: Will the member give way?

Liam Kerr: I really do not have time, Edward, I am afraid. [*Interruption.*]

Then Jim McColl said:

“There’s no question in my mind that the decision to ignore that, and to overrule CMAL’s advice, was made by the first minister along with Derek Mackay.”

We know that the Government prefers the shade of secrecy to the sunlight of scrutiny. Leaving aside Willie Rennie’s point about a contract this size apparently being signed off in a one-line email, the project Neptune report remains unpublished, despite promises to publish. Edward Mountain has struggled to get responses to freedom of information requests about why ministers went against the advice from their own advisers, on where the £45 million-worth of loans that were given to Ferguson Marine by Derek Mackay are, and about who approved the milestone payments. Furthermore, the FOI requests about the Scottish Government’s Lochaber smelter deal, which the minister has mentioned, were rejected until the *Financial Times* engaged in a two-year battle to get the

Government to reveal the £600 million taxpayer-funded guarantee.

That is hugely serious. This debate has shown a Government that has failed to deliver yet again, that thinks that the ferries fiasco is merely “regrettable” and that has a track record of secrecy, spin and, perhaps, shredding. I note the words of Lord Foulkes this week, who said that democracy

“depends on Governments being transparent, accountable and honest. So if FOIs are refused, key papers lost or destroyed, Parliamentary Questions unanswered and Ministers lie democracy is in danger.”

The debate has levelled all those charges against this Scottish Government. As the Scottish Conservative motion craves, let the shroud of secrecy be swept aside by the light of a public inquiry and the truth revealed.

The Deputy Presiding Officer: Thank you.

Earlier, I promised to return to the points of order that were made about the email to which the minister referred in her opening speech. I am referring to the first point of order by Mr Bibby, the first point of order from Mr Simpson and the second point of order from Stephen Kerr.

The Minister for Transport said that officials had informed ministers shortly before noon today that an email regarding decisions on ferry procurement had been found. The minister also indicated that that email and other documentation had been published by the Scottish Government on its website.

Under the terms of the guidance on announcements, it is open to the Government to use the opportunity of opening speeches in parliamentary debates to make announcements. However, the guidance also states that, where an announcement relates to a publication or release of a document, it would be helpful for copies to be made available to the non-Government parties well in advance, to inform the debate. In this instance, it is clear that advance notice would, indeed, have been helpful to inform members’ contributions to the debate.

Hence, I encourage the Government to reflect on whether its approach to providing non-Government parties with that information by speech rather than in advance was the most appropriate decision.

That concludes my response, and the debate on ferry problems.

Violent Crime

The Presiding Officer (Alison Johnstone):

The next item of business is a debate on motion S6M-04320, in the name of Jamie Greene, on tackling violent crime. I would be grateful if members who wish to speak in the debate were to press their request-to-speak buttons.

I call Jamie Green to speak to and move the motion. You have up to seven minutes, Mr Greene.

16:09

Jamie Greene (West Scotland) (Con): I welcome Keith Brown to the chamber. I suspect that his ears have been burning for the past two hours.

I want to start my comments by saying two things about the debate, which is about a rise in violent crime—*[Interruption.]*—if the cabinet secretary will permit me to talk about this important subject. The first is that we, as a Parliament, and right across the political spectrum, owe a huge debt of gratitude to those who are working in the front line in our justice sector. They are the various cogs in the wheel, from front-line police officers to prison wardens and their staff, who unfortunately are far too often at the receiving end of abuse and violence. They are those who work in our courts, including our on-call defence solicitors, and those in the third sector, who try, often in vain, to support victims of crime through the cumbersome and traumatic experiences and interactions with justice that they face in this country.

My second point, and the most important in the debate, is a reminder for each and every one of us that behind every statistic that I use today is a real person—a real victim of crime in each and every one of our communities.

I brought the debate to the chamber today because someone had to. There is no doubt that the Government would not have dreamed of bringing forward these statistics to debate in the chamber. Violent crime is on the rise here in Scotland. There is no getting away from that. Let me remind the chamber what sort of crime I am talking about when I say “violent crime”. The Government’s own statistics include offences such as homicide, attempted murder, serious assault, domestic abuse, domestic violence, violence against children and physical attacks on minority groups.

The numbers speak for themselves. Last year, there were 9,842 violent crimes recorded in Scotland. That figure is higher than any other year during Nicola Sturgeon’s tenure as First Minister.

You cannot spin your way out of that fact. Nor can you spin away the 14,500 sexual crimes that took place last year—the highest on record. Nor can you spin your way out of the 65,000 incidents of domestic abuse that took place in Scotland last year, which is also the highest figure on record; or the increase in the number of sexual assaults, to over 4,000 last year; or the increase in other sexual crimes, from 2,500 in 2011 to 6,500 last year—an increase of 4,000. The list goes on and on, and I remind folks that behind every one of those numbers is a victim of a serious crime.

The Government’s response to that will be predictable. It is always predictable when I raise issues from crime statistics. The Cabinet Secretary for Justice will tell us, on the one hand, that reported crime overall is down, while completely failing to acknowledge, on the other hand, that the most serious of crimes—the most horrific types of crimes that affect people in the most horrific ways and have the biggest impact on their lives—are going up. Each and every one of them is, but we never hear an acceptance of those figures from the front bench, and we certainly never hear an apology for it.

Therefore I ask whether, anywhere in today’s debate, we will hear from the Government what it is going to do to address the monstrous rise in violent crime in our country?

Prevention is one area, and we do not hear much about that, but enforcement is the other. Let us start with police numbers, which are mentioned in my motion. The latest figures tell us that there are currently 16,805 full-time police officers, which is a full 691 fewer than there were before the Scottish National Party created Police Scotland and is the lowest level since 2008.

I want to share with the cabinet secretary what the Scottish Police Federation chair, David Hamilton, said about declining officer numbers. He said that it is a

“detriment ... to the public at large”

and that police are now

“scrabbling around trying to keep the wheels on the bus”.

They are “scrabbling around”—those are his words, not mine. That situation is not at all helped by the cliff edge that we face with the exodus of retiring police officers, which has also gone unaddressed.

The predictable response from the minister on the issue of police numbers, which we always hear, is to talk about another force, in another place, in another Parliament. I have to say that that is no comfort whatsoever to Scottish police officers who are sitting in leaky buildings, with out-of-date information technology systems, no body-

worn cameras and rising mental health problems in our police force.

Of course, if the police service had been given the capital budget allocation that it asked of the Government, that would have been a good start. So too would have been giving our courts the budget that they needed—the extra £12 million that they asked for from the Government to tackle the backlog. They did not get that, either. What about the legal aid sector, which asked for fees to rise so that it could desperately tackle its unacceptable 43,000 court case backlog?

Every justice partner and every cog in that wheel deserves the resource needed to tackle the sort of crime that I have discussed today. All of that is an entirely devolved matter—end of—and it is about time that the Scottish National Party accepted that.

I want to ask the Government whether it has full confidence in its strategy on tackling crime. These are political, policy-driven decisions of the Government: its strategy on automatic early release, the presumption against short sentences and the increased drive to divert from prison through community sentencing. They are all fine, but they come with their own philosophical and moral controversies.

Last week, I asked the First Minister whether she has full confidence in those policies, and she does, but the next question is whether the public share that confidence. The victims of crime I speak to do not. They ask whether it is too much to ask to be given a voice and to ask the Government for fairness. Does 250,000 hours of community sentences written off by the Government sound fair to them? No, it does not. Does 670,000 hours of community sentences that are yet to be carried out sound fair to them? No, it does not. The public will have confidence in alternatives to prison only if the alternatives are meaningful, proportionate and actually carried out.

When we consider that crimes such as rape, homicide and domestic abuse are caught up in those sentences, I challenge the Government to speak to the victims of those crimes and have a frank discussion about fairness. Does that sound fair? The whole system “stinks to high heaven”, in the words of a victim I met last week. If the SNP spent more time listening to victims of crime, it might be more contrite in its responses to debates like this.

My final point in today’s short debate is a challenge to the Government. I am introducing a victims bill, which is currently under consultation. There are two parts to that bill: Suzanne’s law and Michelle’s law. Both of those were repeatedly promised by consecutive cabinet secretaries. Humza Yousaf promised us that he would deliver

them and the SNP manifesto promised it would deliver them. Where are they?

The title of today’s debate is “Tackling Violent Crime”. I want those on the Government benches to respond to the substance of the debate in their comments. I want them to spell out what the Government is doing to tackle the rise in violent crime—the what and the how. They should give no excuses and use no deflections, because victims of crime deserve nothing less.

I move,

That the Parliament notes with concern that the number of police-recorded violent crimes is at its highest level in a decade; further notes that Scottish Government decisions have contributed to this rise by underfunding the police, which has led to full-time police officer numbers being at their lowest level since 2008 recognises that the Scottish Government’s justice strategy is failing victims of crime, as is evident through the 931,991 hours of community sentences that have been written off or not yet carried out; notes that organised crime and domestic abuse contribute to a deteriorating picture of crimes of violence in Scotland, and urges the Scottish Government to take action to address this; recognises that the Scottish Government’s justice strategy is failing to keep the public safe by diverting dangerous criminals away from prison, instead allowing them to carry out inadequate non-custodial alternatives; believes that proposals such as those outlined in the Scottish Government’s consultation on bail and release from custody arrangements, which include proposals to automatically release offenders after serving just a third of their prison sentence, do not address the shift in balance in the justice system away from victims, and further distil a lack of confidence in sentencing, and calls, therefore, on the Scottish Government to change strategy by acknowledging that punishment remains an important part of the criminal justice system, and to support proposals contained in the proposed Victims, Criminal Justice and Fatal Accident Inquiries (Scotland) Bill, such as the introduction of Michelle’s Law and Suzanne’s Law, to improve the landscape of support for the victims of crime, which it believes is currently letting down too many in society.

The Presiding Officer: I now call on Keith Brown to speak to and move amendment S6M-04320.2. You have up to six minutes, cabinet secretary.

16:17

The Cabinet Secretary for Justice and Veterans (Keith Brown): I start by reflecting that the motion from the Conservatives conflicts with this Parliament’s majority position in supporting the new justice vision at its launch in February 2022. It also fails to acknowledge that Scotland is a safer country under this Government. The overall rate of crime is at one of its lowest levels since 1974; Scotland has experienced a fall of 46 per cent since 2008-09. Homicide cases are at their lowest level since comparable records began in 1976.

We heard from Jamie Greene—who, unfortunately, would not take an intervention from

me—that accuracy in these figures is very important. Last year, I was accused by Russell Findlay of having misled Parliament on figures on homicide. He said that I was

“staggeringly wrong and irresponsible”,

that I disrespected

“victims and their families”,

that I

“just parroted duff information fed to him by advisers”

and that I

“must now do the right thing and say sorry.”

I ask him whether he would like to stand up—I will take an intervention—and repeat that charge, or whether he wants to apologise for it. I am happy to let him come in, if he would like to.

Russell Findlay (West Scotland) (Con): Thank for you inviting me to make an intervention. That is news to me. I will have to go back and look into what you said, and if it is correct I will come back to you.

Keith Brown: I am happy to pass on the press statement; it was on three pages of popular newspapers and was also repeated by two of his colleagues. One of those colleagues has already refused to either repeat the charge in the chamber or apologise, so hopefully Russell Findlay will have the experience, ability and honour to do that.

The proportion of people who have experienced crime has decreased, with adults in Scotland less likely to have experienced crime than those in England and Wales during 2019-20. It is odd that Jamie Greene does not want comparisons with what the Tories actually do when they are in government. Let us have a look at the way the Tories approach crime—*[Interruption.]* I know that they do not want to hear this and that it is difficult for them.

Boris Johnson and Kwasi Kwarteng then basically said, “Yes, but these were victims of fraud, and we are talking about crimes that really affect people.” They said that as if fraud does not affect people.

Russell Findlay: Will the cabinet secretary take an intervention?

Keith Brown: I do not have much time, but I will take a brief intervention.

Russell Findlay: It relates to the very point that the cabinet secretary made. I now remember the exact information to which he referred. The issue was due to duff information that we received from Police Scotland, which duly phoned me at the weekend, on a Sunday, to tell me that the information was incorrect. If I repeated the wrong information that we received, I apologise.

Keith Brown: I commend Russell Findlay for that apology, which is received in the spirit in which it was given.

The Conservative motion highlights police numbers. I am happy to confirm, again, that police officer numbers per head of population are higher than they are in England and Wales, where the Tories can choose to do something about the issue. The number of officers is significantly higher than it was when the Government took office in 2007.

Jamie Greene asked about what we intend to do. Our public health approach to tackling violence recognises that violence is a symptom that is often accompanied by a complex mix of social harms, including problem substance use, adverse childhood experiences, trauma and poor mental health. Members of the Criminal Justice Committee who had the opportunity to visit the Wise Group in Glasgow today and meet former prisoners, as I have done, will know exactly what those things mean.

Later this year, we will publish the first ever national violence prevention framework, which will identify priorities for all partners so that we work towards making Scotland's communities safer for everyone. I know that there is a great deal more to do—I am not saying that the justice system is perfect by any means—and we will strive to deliver a just, safe and resilient Scotland. That is the purpose of the justice vision.

We are committed to taking action to address violence against women and girls. I assure Jamie Greene that I talk frequently to victims of rape and sexual assault to hear their stories and experiences, and we are committed to not repeating the failures of the justice system in that regard. The work of the women's justice leadership panel, which is convened by Ash Regan, will be crucial in furthering our understanding of gender competence and cultural change, which is required in our justice system.

We will consider each of the recommendations that are set out in Baroness Helena Kennedy's report on behalf of the working group on misogyny and criminal justice in Scotland. We intend to consult on draft legislation to address gaps in the law that could be addressed by a specific criminal offence to tackle misogynistic behaviour. Events of this week show us why action is needed in that area.

We know that we have more to do to ensure that victims are placed at the heart of justice processes. Victims and survivors should be seen as people first and not, as they sometimes are, as a piece of evidence. That should not happen. In this financial year, more than 20 organisations have received awards from the new victim-centred

approach fund—many for the first time—to ensure that victims and survivors have access to practical and emotional support services that are joined up and trauma informed. In addition, more than £250,000 is being awarded from the victim surcharge fund to provide practical help to victims.

We are not only investing in support services for victims; we will shortly publish a consultation on potential legislative reforms to the justice system to strengthen the rights and improve the experience of victims of crime. The consultation has been informed by the work of the victims task force and the recommendations from Lady Dorrian's review. That will be one step on the road to allow progressive minds in the Parliament to put in place the necessary legislative framework to support major transformation across the justice sector.

For nearly 15 years, the Government has delivered bold and effective justice reforms, with a firm focus on early intervention, prevention and rehabilitation. During that time, there has been a large fall in the number of young people who end up in the criminal justice system. Fewer people are experiencing violent crime, and Scotland's reconviction rates are now at one of the lowest levels in the past 22 years. Jamie Greene said that there are figures that I never mention, but we never hear the Conservatives mention those figures.

The more we support people with convictions as they serve their sentences—whether in prison or in their communities—the more we can reduce reoffending and thereby keep crime down and communities safe.

Stephen Kerr (Central Scotland) (Con): Will the cabinet secretary give way?

Keith Brown: I do not have time, unfortunately.

We must rethink how we use custody in Scotland. Our consultation on bail and release was the first step in a wider discussion about how custody should be used in a modern, progressive Scotland. We sought views on how to refocus the use of remand in the criminal justice system and how we can improve opportunities for the successful reintegration of people when they leave prison. Responses to the consultation have informed the detail of the legislation that we will shortly introduce in Parliament for scrutiny. I look forward to debate and discussions with members across the chamber in considering the most effective support and settings to address the causes of crime.

The Presiding Officer: Please conclude, cabinet secretary.

Keith Brown: Let me conclude by highlighting, once again, the strong support for the Scottish

Government's strategy. It is endorsed by the national justice board of justice organisations, and it secured the support of the chamber back in February. I will continue to work with those who believe in an evidence-based approach.

I am happy to move amendment S6M-04320.2, to leave out from "notes with concern" to end and insert:

"recognises that a majority of the Parliament supported the justice vision and strategy on 8 February 2022; further recognises the need to focus on prevention and early intervention, taking a whole-government approach to reduce crime and make communities safer; supports making services person centred and trauma informed, in line with the aims set out in the justice vision; believes that improving support for victims and survivors should be among the highest priorities for the justice system; notes that recorded crime is at one of the lowest levels since 1974; acknowledges that there is more to do to address violent crime and improve the experiences of women in communities and within the justice system; welcomes the sustained investment in the justice system in 2022-23; believes that, while there will always be a place for restricting people's liberty in society, the balance should be shifted to ensure that custody is used only when no alternative is appropriate, making greater use of alternative options in communities, and contrasts this progressive and evidence-based approach with the strategy adopted by the UK Government."

16:24

Pauline McNeill (Glasgow) (Lab): The Tory motion has a lot of important issues packed into it, and it is impossible to address all those very serious issues in five minutes. We agree with many of the points in the motion, although we believe that robust alternatives to custody are important. On this morning's committee visit to the Wise Group, we saw its throughcare programme, which is ensuring that we do something about the revolving door of offending.

In the short time that I have, I will focus on three themes. I agree with the Conservatives that it is concerning that police numbers have fallen to their lowest level in 14 years. The cabinet secretary is, at least, not contradicting that. However, it is even more concerning that, as Jamie Greene alluded to, police officer retiral rates are expected to be 70 per cent higher than normal due to the McCloud judgment. The effect of that judgment is that officers aged 50 and who have 25 years' service have no financial incentive to complete their 30-year service, which is normally required. There are alarming reports that around 1,600 officers of all ranks will seek early retirement.

That will arguably be the single biggest blow to the Scottish police service, and it is time that we started talking about the impact that it could have, as a significant number of experienced officers will go. Low morale has also been cited as a factor that is driving officers to seek early retirement. We

must have more discussion on the issue. Police Scotland is already operating under challenging circumstances, having lost 140 police stations in the past decade.

I want to comment on the crime figures and specifically the figures on violent crimes against women, which we have discussed many times in the chamber. On that issue, I am at one with the cabinet secretary. He will know that, between 31 March last year and 31 March this year, the number of sexual assaults rose by a third, which is a staggering figure. We all need to work together on that issue and use this parliamentary session to reverse the trend in crimes against women.

At the Criminal Justice Committee, we have heard testimony from women who have been the victims of sexual violence and who say that, as victims, they felt that they were treated as criminals. We cannot forget that. That is why Scottish Labour wants to look at how we balance the support for victims in the court process. There should be one point of contact for victims in the court system and the police—that is the only answer that I can see. How do we make that happen? Do we need to legislate or can we bring it about in other ways?

We also need to broaden the scope of the circumstances in which victims of sexual offences are given free legal assistance beyond the scope of the trawl of a complainer's medical records, which is the narrow matter for which they can get legal aid at present.

We want to explore a one-stop-shop for victims that would also provide on-going support. We simply cannot go on as we are at present, because what the committee heard in that testimony is not unusual. We therefore call on the Government to introduce proposals, or at least to discuss the matter on a cross-party basis.

I also want to talk about the shocking statistics from fatal accident inquiries into deaths in custody. There were 54 deaths in custody in 2021, with the figure more than doubling since 2015. Only six weeks ago in HMP Addiewell, Calum Inglis died alone in his cell from Covid, after reportedly pleading for help from prison officers for four days. He was only 34 years old.

Last October, I asked for a public inquiry into the death of Allan Marshall, who died in Saughton prison in 2015 after being restrained by prison officers. He was on remand and was due for release. A fatal accident inquiry at Edinburgh sheriff court ruled that his death was “entirely preventable”.

In 2020-21, the average length of time that it was taking to conclude an FAI was almost three years, which is totally unacceptable. If we all agree that that is unacceptable, the Parliament must act

on it. If families are to get justice, we must reduce the timescales. The independent review of deaths in prison custody, which we debated last year, said that an independent body should have “unfettered access” after a death in custody. In response, the cabinet secretary said that the Government would either look at or enact those changes. I would like to know where we are on that. If we do not put something in place that changes the situation, we will have failed to give justice to those families.

I move amendment S6M-04320.1, to leave out from “recognises that the Scottish Government's justice strategy is failing victims” to end and insert:

“notes the impact of the COVID-19 pandemic on the criminal justice system, but considers the substantial court backlog, which, according to the latest figures from the Scottish Courts and Tribunals Service, currently stands at 43,016, and issues in the delivery of community justice to be the consequences of long-term policy failures of the current Scottish Government; notes that organised crime and domestic abuse contribute to a deteriorating picture of crimes of violence in Scotland, and urges the Scottish Government to take action to address this; believes that sentencing guidelines and policy should be clear and understandable to victims, their families and the public; recognises the role of custodial sentences in the justice system with regard to serious and violent crime, and further recognises that custody should not be a substitute for effective mental health, drug or alcohol services; calls on the Scottish Government to consider proposals which seek to improve the landscape of support for the victims of crime, such as Michelle's Law and Suzanne's law; believes that no victim of serious, violent or sexual crime should face barriers when accessing justice, and calls upon the Scottish Government to bring forward proposals to ensure that every victim in cases involving rape, attempted rape or serious sexual offences can access non-means-tested advice and legal representation from the initial stage; notes the success of the Scottish Violence Reduction Unit, established by a Labour-led administration in 2006, and understands that the model of the Scottish Violence Reduction Unit is now being followed in other parts of the UK.”

16:29

Liam McArthur (Orkney Islands) (LD): I recall Liam Kerr choosing to kick off his time as the Tory justice spokesperson in the previous parliamentary session by leading a debate on restorative justice. That day, Mr Kerr's speech managed to strike a progressive, conciliatory and consensual chord with colleagues right across the chamber. Back in those relatively halcyon days when David Gauke had the UK justice brief, Conservatives seemed to be less obsessed with whether justice was hard or soft than whether it was effective.

Sadly, Mr Kerr's incarnation as a progressive justice reformer proved to be a case of mistaken identity. For crimes against the Tory party orthodoxy, Mr Gauke has been dispatched to the gulag, allowing ministerial code breaker Priti Patel

to install herself as the new sheriff in town—rough justice all round, I fear.

I thank Jamie Greene for giving members another opportunity to discuss justice issues, and I associate myself with the gratitude that he expressed for all those who work in our justice system. I also agree with him about many of the challenges that are facing our justice sector, including the rise in the incidence of violent crime, the appalling rates of domestic abuse and sexual violence, and a fall in police numbers on the SNP's watch, to which I add concerns about record court backlogs, solicitors leaving legal aid practice in droves, and a prison estate that is bursting at the seams and in desperate need of modernisation. However, I cannot accept much of Mr Greene's analysis of what needs to be done in response.

By locking up even more of Scotland's population, which we already do to a greater extent than any other country in Europe, but which seems to fall short of the number that Mr Greene and his colleagues feel is appropriate, we would not be making victims, the community or society safer. We would be doing quite the reverse, as all the international evidence shows. We are not failing because of the numbers that we are not locking up but because of what we do or do not do with prisoners who are inside and after their release.

Daniel Johnson (Edinburgh Southern) (Lab): I wonder whether the member will agree with me that the war about numbers that takes place on that side of the chamber is unsatisfactory because it masks the numbers that we should be looking at. Why are a third of non-custodial sentences unsuccessful and how can we make them more effective?

The Presiding Officer: Mr Johnson, in future, could you face your microphone?

Daniel Johnson: I apologise.

Liam McArthur: I heard Mr Johnson and I certainly agree with him.

Help to reduce the likelihood of reoffending and increase the likelihood of making a positive contribution to communities is not always available in the way that it should be.

There will always be those for whom the only option for public safety is incarceration, but for far too many of those who are already in our overcrowded prison estate, there should be more effective alternatives. To be effective, however, community-based measures need to be properly resourced and the courts need to have confidence in them. That cannot be done on the cheap, but the alternative of prison is usually more expensive and counterproductive.

As I have said during previous debates, we have a particular problem with remand, including among those who are on remand pre-trial. We have seen little progress on that issue, and, as Pauline McNeill indicated, the court backlogs have made the situation worse. Those backlogs also undermine the confidence of the victims whose experience of our justice system is all too often a negative one.

Our justice system does not lack challenges. Further reform is needed and, in some places, it should be urgent and profound. Our FAI system, for example, is not fit for purpose and it should be overhauled, while the dual role of the Lord Advocate is no longer sustainable.

The Scottish Liberal Democrats support the broad approach that is being taken by the Scottish Government. However, too often the Government seems to be happy to legislate and stand back, put in some money and pat itself on the back, all of which might be necessary but is not sufficient to embed the meaningful and lasting reform that our justice system is crying out for. Scottish Liberal Democrats will back the Government motion and the Labour amendment, but we will continue to press ministers to deliver on their rhetoric and ambitions to create a justice system that is progressive and effective in meeting the needs of those who rely on it as well as those who work in it.

The Presiding Officer: We move to the open debate.

16:34

Pam Gosal (West Scotland) (Con): I am honoured to be contributing to the debate on behalf of the Scottish Conservatives, and I fully support the motion lodged by my colleague, Jamie Greene.

Time and again, we come into this chamber and helplessly witness votes being passed by the SNP and Green coalition that side with criminals at the expense of victims. We see that in several areas of our justice system. Prisoners who have been convicted and given custodial sentences have been given the vote. We have been urged to use terms such as "persons with convictions" instead of "convicted criminals".

In addition, all prisoners, including life prisoners, have been given a free mobile phone while they serve time in prison, at a cost of £3.2 million to taxpayers. Those are just a few examples but, sadly, I could go on. That is simply not good enough from the Scottish Government. The Scottish Conservatives want victims to be put at the heart of our justice system.

In 2020-21, the largest year-on-year rise in domestic abuse charges was recorded since comparable records began in 2013. A domestic abuse element was recorded in more than 500 serious assault and attempted murder charges, yet the punishments for offences of that nature are weak. No action was taken in relation to nine of those serious assaults, and 106 violent criminals who were convicted of domestic abuse received a community sentence.

We also know that more than 250,000 hours' worth of unpaid community work that was given to criminals has been written off, while more than 650,000 hours of unpaid work is yet to be carried out. Among other notable figures is the fact that 26 people committed domestic abuse while released on bail, while last year's figure of more than 65,000 incidents of domestic abuse was a record high.

Although it is evident that the repercussions are not enough to drive down the number of incidents, incredibly, the SNP Government wants to send fewer people to prison and make it even easier for judges to award bail.

A victim contacted me about her ex-partner, who has been charged with violent crimes that range from domestic abuse to attempted murder, and who is engaged in a repetitive cycle of being awarded bail, violating the conditions and being granted bail again.

Similar cases are likely to spiral out of control the longer the dispute between the Scottish Government and our legal profession continues. The dispute affects cases brought under section 1 of the Domestic Abuse (Scotland) Act 2018; it is delaying justice for victims and allowing some violent criminals to roam the streets while awaiting trial.

I welcome the fact that the cabinet secretary is open to discussing how to combat the concerning rise in domestic abuse, but that does not change the simple fact that something must be done now.

In the Scottish Government, we have a Government that is unwilling to hear the asks of the legal profession, and a justice system that repeatedly fails to punish people who are a danger to society. Quite frankly, that does not translate to a system that delivers justice.

If the Scottish Government seeks to deliver a justice strategy, it must start by resolving its dispute with the legal profession to avoid further delays to domestic abuse victims getting justice; committing to the creation of a true deterrent to protect potential victims of domestic abuse, such as a domestic abuse register; and acknowledging that punishment remains an important part of our criminal justice system by backing our victims law.

16:38

Audrey Nicoll (Aberdeen South and North Kincardine) (SNP): Yesterday, two events drew my attention, both of which are relevant, in their own way, to this afternoon's justice debate. The first was the Queen's speech, which outlined the UK Government's plans to cut crime. The second, which I attended—and this was perhaps the more pleasurable of the two—was the Scottish Prison Arts and Creative Enterprises event in the Scottish Parliament, which showcased the art and creative work of prisoners. The range of work that was displayed was inspiring and humbling, reflecting the fact that there is a rich body of creative talent in our prisons. I will return to those points.

The motion offers a list of non-contextualised random statements that extol the woes of violent crime, police numbers, underfunding, community sentencing, bail and release and "dangerous criminals". The issue is serious, and I want to pick up on a couple of those points.

The motion refers to violent crime being "at its highest level in a decade".

As we have already heard, according to the Scottish crime and justice survey, crime in Scotland is down by 40 per cent since 2007 and is at one of the lowest levels since recording began.

Jamie Greene: Will the member give way?

Audrey Nicoll: I will come back to the member if I have time at the end of my speech.

Let us look at homicide. The Scottish Government national statistics publication on homicide records 55 homicides in Scotland in 2021, which is a decrease of 10 from the previous year and the lowest number since comparable data became available in 1976. By contrast, in England, 691 homicides were recorded in the same period, which is an increase of 14 per cent on the previous year.

On police funding, despite the cuts to its central budget from Westminster, Scotland has around 32 officers per 10,000 of the population compared with around 23 per 10,000 of the population in England and Wales. They are also better paid. In England, an officer's starting salary is £21,500 compared with almost £27,000 in Scotland.

On police numbers, in the Queen's speech, we heard all about the UK Government's commitment to put 20,000 extra police on the streets. What was omitted was that the UK Government is simply replenishing the 22,000 officers that it cut in England and Wales between 2010 and 2019.

The motion refers to "bail and release", and, as Pauline McNeill mentioned, only this morning, members of the Criminal Justice Committee visited the Wise Group and heard powerful

testimony about the life-changing and life-saving throughcare work of mentors supporting people who are serving short-term sentences. We heard that

“people want to change, they just don’t know how”.

We also heard that

“mentors inspire to help others aspire”.

One customer, reflecting on his own childhood and pathway into prison, said:

“it was always going to happen”.

I express my thanks to Charlie Martin and all at the Wise Group for hosting the committee.

We should contrast that with the narrative in yesterday’s Queen’s speech about tagging burglars, robbers and thieves; putting rapists behind bars; and pinning criminals to the scene of their crime—hardly a contemporary 21st century approach; more “Life on Mars”. There was not a shred of a mention of prevention—something that Jamie Greene talked about—and there was no mention of Covid.

Not for one second should we downplay the challenges that the justice sector faces. I welcome the new vision for justice, which sets out our contemporary and wide-ranging strategy, which has trauma-informed and, more importantly, trauma-responsive approaches and the needs of victims at its heart. Given the election results across Scotland last Friday, it seems that the people of Scotland do, too.

I mentioned Scottish Prison Arts and Creative Enterprises, which provides therapeutic opportunities for prisoners. I draw on the words of Professor Fergus McNeill, who said:

“if imprisonment and release are to be crafted around ‘Unlocking Potential’ and ‘Transforming Lives’, then we need creativity to be at the heart of the process—reaching into prisons to support personal change, and reaching out of prisons to support social change.”

The Conservatives might call that soft justice. I call it doing the right thing.

16:43

Sandesh Gulhane (Glasgow) (Con): I believe that we should be candid in this chamber. Protecting people from violent crime is a priority for any Government, yet, under the SNP Government, the rights of criminals are now being prioritised over those of victims and violent crime has risen to its highest level since Nicola Sturgeon became First Minister.

Aside from the damage suffered by victims and the growing strain on our police and justice system, violent crime adds pressures that are faced by our front-line doctors and nurses.

According to the charity Medics Against Violence, which is part funded by the Scottish Government, treating the consequences of violence in Scotland costs an estimated £400 million a year—and that is just the national health service cost. Four hundred million pounds is equivalent to what it would cost to employ around 12,000 additional nurses, and it is more than the anticipated budget to build a new Monklands hospital. Four hundred million pounds—well, that is two ferries under the SNP Government.

I am not suggesting that any Government can achieve a zero level of violent crime. However, the Government’s soft-touch policies are piling more pressure on services and NHS resources. Let us consider the numbers. An ambulance callout costs, on average, £244; attendance at accident and emergency costs £190; surgery costs at least £3,000; and a hospital stay costs about £570 a day.

I remember being called down to A and E because a young man had been stabbed in the abdomen. He was dying. His blood pressure was dropping and he was drifting in and out of consciousness. The knife wound was only about 2cm across, but there was internal damage. We had to perform an emergency laparotomy at midnight—the consultant and I had to cut him right open. We found pooled blood, faeces and an engorged small bowel. We had to search through and find all the bits of bowel that had lacerations and cuts, and we had to resect—that is, take out that entire section. It took more than three hours of operating, with our hands deep in that young man’s abdomen. It was touch and go but he survived, though at what cost?

There are more and more assaults on our NHS staff. There were 13,000 assaults in the past year, of which 7,000 were physical assaults. The Scottish Ambulance Service recorded 146 assaults. That is totally unacceptable. Abuse that is directed by patients at NHS staff includes bullying, harassment, hate crimes and sexual assault—I repeat, sexual assault. Members should let that sink in.

Too many offenders decide to stoop so low because they know that the system is not tough on crime. Back in September, the Cabinet Secretary for Health and Social Care asked patients to think twice before calling an ambulance. Maybe the SNP Government should tell thugs to think twice before resorting to violence.

What does the SNP Government do? It has given the vote to prisoners who have sentences of 12 months or less—people who have convictions for crimes that might include murder, rape or domestic abuse.

This is a highly charged debate, as it should be, because the people whom we represent, across the length and breadth of Scotland, deserve to feel safe. They deserve the assurance that people who seek to do them harm will be dealt with firmly. A firm response is a deterrent. Members who do not agree should try going to an A and E department on a Friday night and explaining their reasoning to the doctors and nurses who are mopping up the mess.

The Government must support the police adequately. It must remove violent crime from society. It must remove criminals from society until it is safe for them to return. It has a duty to support the victims of crime. Victims should never be treated as an afterthought in our justice system.

That is all common sense. It is not the property of any single political party. I hope that sense will prevail and that members will support the motion in Jamie Greene's name.

I refer members to my entry in the register of members' interests, as I am a practising NHS doctor.

16:47

Daniel Johnson (Edinburgh Southern) (Lab):

The cabinet secretary said that there must be no tolerance of misogyny in our justice system. The reports this week were sickening, and I put on record that no one with misogynistic attitudes should have any part whatever in our justice system.

Justice is complex. In my view, the system serves three fundamental functions: to provide security to our communities and people, to reform behaviour and to facilitate payback to communities. Above all, it must be trusted.

This is not simple. It is not about binary choices. Frankly, no one is helped if we discuss the matter in the language of *Daily Mail* headlines. No progress is made by suggesting that the Government is prioritising criminals' rights over those of victims. No progress is made by claiming that ever-increasing sentences are the fix for our justice system. However, I say to the Government that progress is not made by uttering glib phrases or hiding behind the idea of being progressive. Progress is not made if people think that a presumption against short sentences means that we have a progressive justice system—we do not.

Likewise, it is not helpful to have an auction around police numbers. It is not just about the numbers. Any serving police officer who is asked about the 17,234 figure will say that they hate it, because it is not about numbers; it is about investment in the system that lies behind those numbers and that helps officers to do their work. In

the establishment of Police Scotland, there was a complete failure to put those things in place.

If increasing sentences and putting more and more people away worked, the United States of America would be crime free. I think that all members know that it is not. It is also based on the false rationalisation of thinking that criminals go around wondering how long they might get in prison for a particular crime and making choices based on that. That is utter nonsense. That is not how people think and it is not how criminals think, so it is an utterly false and bunk choice.

Audrey Nicoll described Jamie Greene's motion as a slew of non-contextualised numbers, which is correct, because he and other Conservatives presented numbers but provided no analysis of what they sought to do about it.

Jamie Greene: The context is in this table, in black and white. These are the Government's statistics on rising crime in the past decade: sexual crime is up, sexual assault is up, rape and intended rape are up—they are all up, up, up. That is the context.

Daniel Johnson: The member is right—those statistics are bad—so he should come up with a solution. What are the alternatives? What Jamie Greene should have highlighted far more in his speech—which he is right about, and which Liam McArthur highlighted in his speech—is why community justice is not working properly. Why has there not been an increase in the use of community sentences? Why do a third of people not complete them, and why do almost a quarter of those people end up in the other category when they do not complete them?

We need to focus on justice that works and consider why there are issues in the justice system. Why is it the case that 60 per cent of sentences that are handed out in Aberdeen are non-custodial but the figure is only 20 per cent in Edinburgh? It is because sentencers do not trust, and lack understanding of, community sentences. It is also because, as Liam Kerr pointed out, there has been a fundamental failure to invest in non-custodial sentences. We spend only £1,800 per non-custodial sentence compared with the £37,000 that we spend on putting someone in prison for a year.

Finally and briefly, on the police, we cannot focus on numbers. The reality is that, despite the increase in the number of police officers since the creation of Police Scotland, there are fewer police to respond to incidents than there were under the old police forces. The failure to invest in systems, equipment and capital has hamstrung our police and they end up chasing their tails. Let us end the auction of police numbers and get behind our police, so that they can do their jobs properly.

16:52

Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (SNP): First, I thank Daniel Johnson and Liam McArthur. I do not agree with everything that they said, but their speeches were nuanced and thoughtful, and did not simply repeat tabloid headlines—the issue deserves much more than that.

One would think that we were in a war zone from what some members have said, but figures from the Scottish crime and justice survey show that only 11.9 per cent of people experienced crime in Scotland in 2019-20. Although that is bad enough, it compares with 20.4 per cent of people in 2008-09. It is also lower than the equivalent figures in England and Wales.

I was interested to hear Sir Keir Starmer's response to the Queen's speech. He said of justice in England:

"Fraud has become commonplace, seven million incidents a year, Britain routinely ripped-off. The Business Secretary has suggested it doesn't even count as crime."

That has been referenced already. He went on to say:

"But fraud is just the tip of the iceberg. Victims are being let down whilst this government lets violent criminals off. The overall charge rate stands at a pathetic 5.8%, meaning that huge swathes of serious offences—like rape, knife crime, and theft—have been effectively decriminalised."

That is about the English justice system. I take no delight in repeating it, because none of us wants it to happen, but that, from the former senior prosecutor in England, is the record as it stands.

I turn to another fact. England has around 236 chief constables and at least 31 police commissioners, all well salaried. There are too many chiefs. We streamlined policing to focus on front-line officers—one chief; lots more Indians. We took money out of admin and put it into action, tackling and prosecuting crime.

Sandesh Gulhane: Will the member take an intervention?

Christine Grahame: I want to progress a little.

The nature of policing in Scotland has changed since the 50s and 60s. As referenced by Sandesh Gulhane in his speech, the police deal with social issues, addiction and mental health issues that take up a great deal of time and are not things that I would headline as crime. However, those issues often require two officers on the scene. We have to look at our overall problem with social disruption.

I will comment on a couple of other issues that have not been raised but which I think are important. I hope that they are not party political because they are facts.

Stephen Kerr: Ha!

Christine Grahame: Members should listen first.

Serious organised crime knows no boundaries, but the UK has lost access to the Schengen information system—SIS. It failed to negotiate a replacement for SIS, which means that our police forces do not have access to Europe-wide real-time alerts and notices.

Scotland has also lost access to the European arrest warrant, which allowed people accused of the most serious crimes to be brought back to Scotland to face justice in a matter of hours.

Russell Findlay: Will Christine Grahame give way?

Christine Grahame: I will let the member in on this point but I am about to give an example.

There was a Polish man who murdered a lassie in Scotland. Within hours, using the European arrest warrant, the police got not only him but his clothing, which had the DNA of that unfortunate lassie on it. The issue is not only getting the person but getting the evidence. We have lost that immediacy by losing access to the European arrest warrant. There is a substitute but it is cumbersome and not all European nations subscribe to it. Ten new European Union members have declared that they will never surrender their nationals to the UK due to their constitutional rules. That is important because people who are involved in heavy-duty crime operate not only in Scotland, England, Wales or Northern Ireland but internationally. The European arrest warrant was key to success—

The Presiding Officer: Please wind up.

Christine Grahame: I have hit four minutes, I am afraid. Am I allowed to take an intervention?

The Presiding Officer: No. Could you wind up now?

Christine Grahame: Finally, very briefly, on victims—I meant to come to them much more quickly—

The Presiding Officer: I must ask you to conclude now, Ms Grahame.

Christine Grahame: I have not forgotten victims—

The Presiding Officer: Thank you, Ms Grahame.

Christine Grahame: I will put down in writing what I have to say about victims, as I have run out of time in this short debate.

Stephen Kerr: On a point of order, Presiding Officer. As a point of information, there are 37

chief constables in England, not that it is relevant to the motion.

The Presiding Officer: That is not a point of order.

16:56

Maggie Chapman (North East Scotland) (Green): Violent crime is a serious problem and it blights many lives. I know from my work in and with the women's movement that that form of crime is often gendered. It is a way of men expressing power over women. We see it, also, in the corporate negligence that leads to all too many deaths and in the racism that is endemic in our society. It is a form of crime that we should all condemn.

However, it is important that we understand the causes of crime. If we do so, we can better understand how to tackle it. The evidence is clear: the higher the level of inequality in a society, the higher the level of crime. That is why we cannot solve the problems of crime without addressing poverty and inequality.

The work of Kate Pickett and Richard Wilkinson sets out in devastating detail how closely related levels of violent crime are to inequality. That is why, as long as we have a Westminster Government that acts consistently to increase inequality through measures such as the increase in national insurance contributions, we are fighting an uphill battle to reduce violent crime.

We know that inequality drives a wide range of other social problems, too, so equality is good for everyone. Our policy approaches to justice must reflect that. That is why a whole-Government approach is necessary.

The Labour amendment rightly points to the role of the violence reduction unit in tackling violent crime. The key is that that approach is not enforcement led but understands the contexts in which people live. That must be central to any serious approach to reducing violent crime. Creating a culture where men are not violent to women, a culture that gives people opportunities and hope rather than driving them to substance misuse, and a culture where community and individual health and safety is taken seriously will be much more effective at reducing violent crime than the measures that Jamie Greene champions.

What is to be done? We need to have more space, time and support in public services for the sort of innovation that led to the establishment of the VRU. We know that support in the early years can have lifelong benefits, including reducing offending and reducing the propensity for someone to be a victim of crime. We know that interventions such as the circles of support and

accountability programme can help offenders to avoid reoffending. We know that the work of organisations such as Families Outside can help to resettle offenders and reduce offending. We must find ways to allow public service workers to take those steps and to encourage voluntary action to support projects such as those run by Families Outside, Circles UK and many others.

We must also seek a genuine approach to reducing dependence on drugs and the violence associated with their supply. Again, that is a policy area on which we need co-operation from the UK Government, not the head-in-the-sand carceral approach that it favours.

I echo Audrey Nicoll's acknowledgement of the Space art Scotland project that is currently in the exhibition space outside the chamber. An artist who was involved in that creative project said:

"Hope is something that prison steals from you. Art is something that restores the broken mind."

We need hope. We need a society-wide approach to reducing inequality. From that will flow a reduction in violent crime, as well as so many other benefits. A more equal society is better for everyone.

We need to see violent crime as something that happens in a context and is the result of our decisions as a society, as well as seeing it as the actions of offenders. That means that we need to take responsibility for those decisions. The Scottish Government's strategy moves us in the right direction, but in a context where there is much that we cannot control. I accept Jamie Greene's concern about violent crime, but we need to use all the levers that are available to us, including those that are controlled by Westminster—not least the levers to reduce poverty and inequality. I hope that Jamie Greene will join us in calls to have those levers devolved to this Parliament.

17:01

Rona Mackay (Strathkelvin and Bearsden) (SNP): The Conservative Party's motion reads a bit like a hit list of top Tory grumbles, with no coherent thread: it throws a multitude of subjects up into the air and lets them land to form a motion. I will try to address each area, but I have limited time to expand in detail.

First, crime is down 40 per cent since 2006-2007, and it is at one of the lowest levels since records began in 1974. I will focus on numbers for a minute. Despite cuts from the central budget in Westminster, the SNP has protected Scotland's police officers, with around 32 officers per 10,000 of the population in Scotland, compared with around 23 in England and Wales. Plus, Scotland's officers are the best paid in the UK, with a new

constable in Scotland having a starting salary of £26,737, compared with—

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

Rona Mackay: No, thank you.

That compares with £21,654 in England. The 2022-2023 policing budget provides a total investment of more than £1.4 billion, and a total of £3.1 billion will be invested in the justice system to strengthen front-line services.

The motion claims that hours of community sentences have been written off or have not been carried out yet, which completely ignores the fact that we are emerging from a two-year pandemic when it was impossible to carry on business as usual—but why let the facts get in the way of a good story?

Organised crime and domestic abuse are serious problems—about that there is no argument. However, the Tories are well aware of on-going work in those areas, with organised crime high on the list of the Criminal Justice Committee's priorities and our exemplary record of funding and fighting the scourge of domestic abuse, where there is much that is still to be done.

The Tories' tired mantra of "soft justice" is wearing thin and it simply does not wash. There are more than 8,000 people in prison or on remand. Scotland incarcerates more people than any other country in Europe. Do the Tories really want to keep doing that? Has it not moved on from its "lock 'em up and throw away the key" thinking? We know that prison does not work for the majority of offenders.

The Scottish Government's vision for justice, which has been debated recently in the chamber, has been widely welcomed by stakeholders, including the legal profession and third sector organisations. We are working towards a far more effective and enlightened justice system. As we have heard, the Criminal Justice Committee this morning visited the Wise Group in Glasgow, which runs a throughcare mentoring service that works with prison leavers to help them to reintegrate into society and examine what led them into the criminal justice system in the first place. That organisation does amazing work, through its new routes initiative and calls for early intervention, alternatives to custody and simply giving offenders a second chance to have the life that we all aspire to.

In its chaotic motion, the Conservatives appear to pre-empt the forthcoming bail and release bill, which, again, has been widely welcomed by stakeholders.

Victims do matter. Our new vision places victims at the heart of the justice system, and I am

pleased to see that, with the move to alternative sentencing, there is an increased investment of £47.2 million in community justice, which has a crucial part in the transformation. There is no question but that dangerous criminals who pose a risk to the public will always be given a jail sentence. That will not change. I think that the Tories know that to be the case, but are deliberately misinforming the public.

The Scottish Government's vision for justice will transform the way that justice is done, making it fit for the 21st century. We will ensure that services are person centred and trauma informed and focus on early intervention and alternatives to custody for people who are not putting the public at risk. The Tories really should join us in progressing that enlightened vision for justice instead of talking it down.

The Presiding Officer: We move to closing speeches.

17:05

Katy Clark (West Scotland) (Lab): I am pleased to close the debate on behalf of Scottish Labour.

It is clear that any crime of violence is unacceptable and that the levels of violent crime in Scotland are completely and utterly unacceptable. However, we also recognise the connection between poverty and violent crime, and the role of male violence in particular. As Daniel Johnson pointed out, these issues are not simple and are not binary.

As of January this year, there were approximately 13,400 sheriff court trials outstanding. We know that offences involving serious sexual violence make up about 80 to 85 per cent of crimes that proceed to trial in the High Court. Because of that, we also know that the backlog has a disproportionate impact on women and girls. Clearly, the situation has been impacted by Covid, but we had significant problems in the criminal justice system before that.

Although Scottish Labour broadly supports the Scottish Government's approach, and we recognise that there will probably always be a need for custody and prison, we are also concerned that, over a period of time, the resources for alternatives to custody have not been put in place.

I am pleased that the cabinet secretary met the Wise Group this morning. As Audrey Nicoll, the convener of the Criminal Justice Committee, has advised, members of the committee also met the Wise Group and people who use its services this morning. We very much welcome the emphasis that the Scottish Government and the cabinet

secretary are putting on a trauma-informed, person-centred approach and on recognising that the system as it is at the moment fails victims.

We also support the emphasis on addressing the issues affecting women and girls, particularly the plans to introduce a misogyny law and to implement Lady Dorrian's recommendations. As Pauline McNeill said, we also think that the current experiences of victims of rape, attempted rape and serious sexual assault cannot be allowed to continue. Therefore, we are asking the Scottish Government to consider the proposals that we are making to provide non-means-tested advice and representation to such victims from the initial stages of cases. We recognise that there are a range of ways in which that could be done. Legal aid is one of them, but there are other ways, and we would like the opportunity to discuss those issues with the Scottish Government. That is something that Rape Crisis Scotland is calling for—the proposal comes from the victims themselves.

Liam McArthur was correct to say that alternatives to custody need to be properly resourced. We were told this morning that prison costs £40,000 per individual. However, it is absolutely clear that we are going to need significant changes in resourcing if the Scottish Government's policy—which, as I say, we broadly support—is to become a reality.

We welcome much that the Scottish Government has said, but we recognise that the £0.5 billion cut in legal aid between 2007 and 2019 represents a real challenge that must be faced.

We look forward to hearing what the Government says in response to the debate, as we are broadly sympathetic to its approach but, as we have indicated, we have a number of concerns that I hope that the cabinet secretary will address.

17:09

Keith Brown: As ever, today's debate has ranged widely across many of the issues and challenges that I have always conceded face the justice sector. However, it is clear that, for the most part, the contributions have indicated a collective agreement that we have to create more effective, person-centred, trauma-informed—someone said trauma-responsive—justice system that supports people in recovery, in all senses of the word.

I apologise for not getting through all the members' contributions, but I will highlight one or two.

Most recently, we heard from Katy Clark. I am more than happy to have a discussion about what more, in addition to legal aid, could be done in

relation to the circumstances of victims of sexual assault. That will be addressed by Lady Dorrian's report, and we are about to have further discussions on the matter, but I am happy to have a specific discussion with Katy Clark, as well as with Pauline McNeill, if she wants to do so.

Maggie Chapman's contribution, which was very good, reminded us that, regardless of the throwing back and forth of figures, the basis for much of crime in society is inequality and poverty.

Rona Mackay said that the Tories know that to be true. I am not sure that that is the case, so I might disagree with my colleague on that. However, I think that Jamie Greene knows it to be true. There is far more to the context of crime than the tabloid headlines that are the sum total of what we get from the Tories at every juncture.

Jamie Greene: Will the minister take an intervention?

Keith Brown: I do not have much time, but I will give way.

Jamie Greene: I appreciate the cabinet secretary taking an intervention in the short time that he has.

What we talked about were not tabloid headlines but people. As I mentioned, the statistics show thousands more cases of recorded offences, and behind every one of those is a victim. That is something that members on the centre benches have failed to acknowledge or accept in every part of the debate.

Keith Brown: If it was the case that the Conservatives' concern for victims was uppermost, surely we would have heard condemnation of the way that Boris Johnson and Kwasi Kwarteng have written off the experience of victims of fraud by discounting fraud as part of the crime figures in England and Wales. I will therefore take that intervention with a pinch of salt.

As we would expect—because she is convener of the committee—we heard a very good contribution from Audrey Nicoll. She talked about her experience this morning—along with mine—of meeting the Wise Group.

I agree with much, although not all, of what Daniel Johnson said. He mentioned community justice. We have invested more this year, so there is an increased level of resourcing. I agree with him that one of the reasons for the issues that he raised is the reluctance of courts to use those disposals, because they are not certain of their quality. We have acknowledged that from the start and we are working to address it.

I repeat my thanks for the apology that Russell Findlay gave in relation to the previous charge. I hope that Craig Hoy will rethink his unwillingness

to apologise, given that he said the same thing. We will see whether he does so.

Graham Simpson (Central Scotland) (Con): He is going to apologise now. [*Interruption.*]

Craig Hoy (South Scotland) (Con): Despite my difficulties with the technology, I echo Mr Findlay's apology. I simply retweeted his tweet and I apologise for doing so. [*Applause.*]

Keith Brown: I thank the member for doing that. I realise that, for various reasons, it was very hard to do it, but well done to him.

Pauline McNeill made an important point in relation to police numbers and pensions. She will know that the final decision on the pensions—which meant that police officers could make their decisions—came in February this year. That is why we are facing some of the large numbers that she talked about. She will also know—and I hope that people acknowledge this—that it is not just an excuse when we say that the police have been prevented from training people at Tulliallan by Covid and the 26th United Nations climate change conference of the parties—COP26. We are now seeing increasing numbers of police officers going through that process.

I answered the point about deaths in custody earlier in portfolio question time. A great deal is being done—including the appointment of Gill Imery, who Pauline McNeill will know—to take that work forward. More is being done, and I am happy to write to her about that.

I will address the Conservative approach, especially the idea that it was wrong for the SNP to give prisoners the vote. I do not know whether that means that, were the Tories ever to get the chance, they would reverse our European convention on human rights obligation to give prisoners the vote. If they would reverse that policy down south, why would they not reverse it here? It has happened there, because their colleagues have done that. They also say that they want to have—as the Tories have down south—a massive prison building programme. If they want another tabloid headline, it could be “More cells and less cellphones”. That is a wee freebie for them. I hope that they recognise the impact that cellphones have had. I am not saying that they are without their problems—the response was made within a short time because of the pandemic—but the impact of cellphones on the welfare of prisoners is crucial. We get a glimpse into what the Tory approach to justice would look like, if those things were to be private.

The Presiding Officer: I must ask you to wind up, cabinet secretary.

Keith Brown: I reiterate my belief in the direction that is set out in our justice vision. That is

the way forward, but that is not to say that everything is as it should be; for example, we have not mentioned the extent to which the justice system itself is gendered.

We have a lot of challenges in the justice system, but I believe that the justice vision is the way forward, and there seems to be general agreement among most members in the chamber about that. For that reason, I have lodged the amendment in my name. I am sorry that we cannot support the Labour amendment for reasons that I am sure are obvious, but I hope that members will support the amendment in my name.

17:15

Russell Findlay (West Scotland) (Con): It has been a pretty lively afternoon so far.

I begin by noting Dr Sandesh Gulhane's vivid account of the damage that is caused by violent crime, which is at its highest level for a decade. Far too many people suffer lifelong injury and disfigurement, which adds to the burden on Dr Gulhane and his national health service colleagues.

I was surprised to hear Audrey Nicoll—if I understood her correctly—criticising the UK Government for wanting to jail rapists, and calling it “Life on Mars”. If jailing rapists is wrong then, frankly, it is the SNP that is on a different planet.

Daniel Johnson railed about our debating the numbers of police officers. He appeared to suggest that police numbers are a crude measure, even though his party's manifesto says that his party aims to introduce a certain number of police officers.

Daniel Johnson: If Mr Findlay is going to mischaracterise my remarks, could he at least acknowledge the substantive point that we should not be focusing on police numbers but on police investment? He should at least make a valid political point, and make it to the SNP.

Russell Findlay: I merely pointed out that the Labour manifesto has police numbers in it, which seems to be at odds with Daniel Johnson's comments.

Audrey Nicoll: Will the member take an intervention?

Russell Findlay: I need to make progress, but I will do so for Audrey Nicoll.

Audrey Nicoll: I take Russell Findlay's point in relation to my comments around rapists. My point was about the language that is used, not the context of it.

Russell Findlay: Thank you.

The cabinet secretary's amendment references his Government's vision for justice, which I believe blurs the lines between criminals and victims.

That brings me on to how the justice system deals with crimes against women and girls. The cabinet secretary's amendment also concedes that more needs to be done to

"address violent crime and improve the experiences of women in ... the justice system".

Saying that there is more to be done is one hell of an understatement. Jordana Rutherford was 17 when she was beaten unconscious by her then partner, who left her unconscious and lying in a pool of blood. She attempted to take her own life, and it took two years for her attacker to be found guilty of inflicting injury and permanent disfigurement. However, he was not sent to prison; instead, he was ordered to do 200 hours of unpaid work. Jordana told the *Daily Record* that some victims are deterred from reporting what happened to them. She asks:

"What's the point if this is how their abusers are punished? I've already had girls message me to say that's why they don't come forward. In their words 'it's pointless, and stressful for nothing to be done about the crimes they have committed'."

Jordana's ordeal was shocking, but not unusual. Anne-Marie Hirdman suffered regular violence at the hands of her police officer partner for six years. She feared that she would be killed, but when he was found guilty, he was not sent to prison; instead, he was given 250 hours of community service. That is 250 hours for a reign of violence that spanned more than 52,000 hours.

Right now, women like Jordana and Anne-Marie are trapped in the justice system and are suffering relentless revictimisation. When, or if, they finally secure a conviction, the resultant sentence might come as a very painful surprise.

The cabinet secretary's stock answer is that all sentencing is down to the independent judiciary, which is true and just as it should be. However, it is his Government that is finding ever more inventive ways of not sending violent criminals to prison and, when it does, of releasing them early.

Today, I discovered that, over the past 12 years, fewer than one in three paedophiles who were caught with child sexual abuse images was jailed.

Of course the cabinet secretary does not sentence criminals, but his Government makes the laws and legal frameworks, and imposes its expectations on the justice apparatus from the top down.

Reducing Scotland's prison population is welcomed by all. Like the cabinet secretary, I heard about the incredible work that is being done to reduce reoffending during a visit to the Wise

Group in Glasgow this morning. However, the Government's undue haste to reduce prisoner numbers sometimes feels like a social experiment, and one in which female victims like Jordana and Anne-Marie are the guinea pigs. As Anne-Marie put it,

"Sometimes it feels that nothing is done until a person has been severely beaten or murdered."

I would have liked to have concluded with a few words on organised crime but, unfortunately, time is against us. I urge members to back Jamie Greene's motion.

Business Motion

17:21

The Presiding Officer (Alison Johnstone):

The next item of business is consideration of business motion S6M-04345, in the name of George Adam, on behalf of the Parliamentary Bureau, setting out a business programme.

I call Stephen Kerr to move the motion.

Stephen Kerr (Central Scotland) (Con): I will do so, and note that I wish to make a point of order subsequent to this item of business.

The Presiding Officer: Thank you. We will deal with the motion first. No member has asked to speak to the motion.

Motion moved,

That the Parliament agrees—

(a) the following programme of business—

Tuesday 17 May 2022

2.00 pm Time for Reflection
followed by Parliamentary Bureau Motions
followed by Topical Questions (if selected)
followed by Scottish Government Debate: Supporting Scotland's Islands on Their Journey to Become Carbon Neutral
followed by Committee Announcements
followed by Business Motions
followed by Parliamentary Bureau Motions
 5.00 pm Decision Time
followed by Members' Business

Wednesday 18 May 2022

2.00 pm Parliamentary Bureau Motions
 2.00 pm Portfolio Questions: Covid Recovery and Parliamentary Business; Net Zero, Energy and Transport
followed by Scottish Labour Party Business
followed by Business Motions
followed by Parliamentary Bureau Motions
followed by Approval of SSIs (if required)
 5.10 pm Decision Time
followed by Members' Business

Thursday 19 May 2022

11.40 am Parliamentary Bureau Motions
 11.40 am General Questions
 12.00 pm First Minister's Questions
followed by Members' Business
 2.30 pm Parliamentary Bureau Motions

2.30 pm Portfolio Questions: Rural Affairs and Islands
followed by Scottish Government Debate: Long COVID
followed by Business Motions
followed by Parliamentary Bureau Motions
 5.00 pm Decision Time
 Tuesday 24 May 2022
 2.00 pm Time for Reflection
followed by Parliamentary Bureau Motions
followed by Topical Questions (if selected)
followed by Scottish Government Business
followed by Committee Announcements
followed by Business Motions
followed by Parliamentary Bureau Motions
 5.00 pm Decision Time
followed by Members' Business

Wednesday 25 May 2022

2.00 pm Parliamentary Bureau Motions
 2.00 pm Portfolio Questions: Health and Social Care; Social Justice, Housing and Local Government
followed by Scottish Government Business
followed by Business Motions
followed by Parliamentary Bureau Motions
followed by Approval of SSIs (if required)
 5.00 pm Decision Time
followed by Members' Business

Thursday 26 May 2022

11.40 am Parliamentary Bureau Motions
 11.40 am General Questions
 12.00 pm First Minister's Questions
followed by Members' Business
 2.30 pm Parliamentary Bureau Motions
 2.30 pm Portfolio Questions: Constitution, External Affairs and Culture
followed by Scottish Government Business
followed by Parliamentary Bureau Motions
 5.00 pm Decision Time

(b) that, for the purposes of Portfolio Questions in the week beginning 16 May 2022, in rule 13.7.3, after the word "except" the words "to the extent to which the Presiding Officer considers that the questions are on the same or similar subject matter or" are inserted.—[*Stephen Kerr*]

Motion agreed to.

Point of Order

17:21

Stephen Kerr (Central Scotland) (Con): Business motion S6M-04345 was for next week's business. Presiding Officer, you will have been made aware of the events during the Conservatives' first party business debate this afternoon, when the Minister for Transport revealed that the Scottish Government had published a document that supposedly fills in the blanks relating to the ferry contract fiasco. Ms Gilruth said that that is the document that Audit Scotland was unable to find.

The email does not answer Audit Scotland's question why advice was ignored, but it does something else. Despite the First Minister's desperate attempts to pin everything on her former colleague Derek Mackay, the publication implicates Deputy First Minister John Swinney. We now know that John Swinney had a direct hand in the matter.

I request that you call an emergency meeting of the Parliamentary Bureau after decision time tonight, with a view to adding a ministerial statement from the Deputy First Minister tomorrow, to explain his role in the matter. Parliament deserves answers.

The Presiding Officer (Alison Johnstone): I thank Stephen Kerr for his point of order. Members will be aware of the on-going scrutiny of the matter in other aspects of parliamentary business.

Under rule 13.2, requests for urgent statements are not a matter for the bureau. Mr Kerr would be required to request that the Government make a statement and the Government would then ask that I allow time for such a statement to be made. The issue can, of course, be discussed once more at the bureau next week.

Parliamentary Bureau Motion

17:23

The Presiding Officer (Alison Johnstone): The next item of business is consideration of Parliamentary Bureau motion S6M-04346 on approval of a Scottish statutory instrument.

Motion moved,

That the Parliament agrees that the Local Heat and Energy Efficiency Strategies (Scotland) Order 2022 [draft] be approved.—[*Stephen Kerr*]

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

Approval of Scottish Statutory Instruments

The Presiding Officer (Alison Johnstone):

The next item is motions on approval of SSIs. I ask Shona Robison to speak to and move motion S6M-04300, on approval of an SSI.

17:24

The Cabinet Secretary for Social Justice, Housing and Local Government (Shona Robison): We have worked at pace over the past two months, since the United Kingdom announced the sponsorship schemes, to understand what is needed and to respond to issues as they have arisen while the scheme develops.

The three instruments that we have laid today will work together to increase the options for safely housing people who are fleeing the illegal war in Ukraine. Alongside instruments that are being taken forward by Neil Gray, we are laying these instruments urgently because significant numbers of displaced people are now arriving. Applications are now turning into visas and people are travelling here. The Scottish Government is determined to ensure that safe accommodation options are in place for them.

The Scottish statutory instrument that amends private landlord registration will exempt from having to register under landlord registration legislation, people who are offering their second homes for free as part of the homes for Ukraine scheme. That exemption is only for people who are offering second homes through the scheme and have no intention of becoming landlords.

The purpose is to simplify the process and reduce the administrative burdens and costs that will be faced by hosts who take part in the scheme, who have generously offered their homes. Attracting second-home owners to offer their properties through the scheme is helpful, as a whole-property offer is an attractive housing solution for, for example, larger families. Ultimately, the change is intended to help to increase the number of properties that are offered through the scheme and, therefore, to support the displaced people of Ukraine.

I move,

That the Parliament agrees that the Private Landlord Registration (Modification) (Scotland) Order 2022 [draft] be approved.

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

I ask Neil Gray to speak to and move motion S6M-04301, on approval of an SSI.

17:25

The Minister for Culture, Europe and International Development and Minister with special responsibility for Refugees from Ukraine (Neil Gray): The amendment order is intended to complement the Police Act 1997 (Criminal Records) (Homes for Ukraine Sponsorship Scheme) (Scotland) Amendment Regulations 2022, which are also before Parliament. Together, they will ensure that the rules on self-disclosure and state disclosure of convictions are aligned to support the safety of persons who are fleeing the war in Ukraine, by enabling enhanced disclosure checks to be carried out on all individuals who offer to provide accommodation to those persons under the homes for Ukraine scheme.

In the private sector, different types of housing can be considered as suitable housing options as part of the scheme, including spare rooms that are offered by individuals within their own homes and whole properties that are offered by individuals, such as second homes, holiday lets and empty homes.

The instruments also take into account the immigration status of displaced persons who are arriving in the UK through the homes for Ukraine scheme.

The amendments in the order substitute previous amendments that were made by an order that was approved by Parliament in March. That is in order to reflect the developed policy position that any individual who is offering to provide accommodation under the homes for Ukraine scheme, regardless of whether that accommodation is to be provided within their own home or at a second property, can be the subject of enhanced disclosure, to provide that the individual is assessed as being suitable to do so under the scheme. That is to ensure that hosts are suitable, under the scheme. That is the right thing to do to ensure that we have safeguards in place for guests.

The illegal war in Ukraine has displaced 10 million people. Those who are seeking places of safety and sanctuary in the UK are predominantly women and children who are fleeing the war. Therefore, they have safeguarding needs, so it is of paramount importance that we ensure adequate protection.

Although we recognise that the vast majority of people who are volunteering to accommodate persons from Ukraine will present absolutely no risk of harm, Scottish ministers are aware, from previous similar schemes and recent examples, that people might seek to exploit vulnerabilities in the system and opportunities to cause harm. As individuals who offer whole properties under the

scheme will not have entry to their property restricted by the terms of any lease, we consider that the level of disclosure checks that an individual who offers to provide accommodation is asked to undertake as part of the suitability assessment for the scheme should be the same, no matter the type of accommodation that is being offered.

The Government will keep the amendments under review to ensure that they are working effectively, and it will keep Parliament informed.

I move,

That the Parliament agrees that the Rehabilitation of Offenders Act 1974 (Exclusions and Exceptions) (Homes for Ukraine Sponsorship Scheme) (Scotland) Amendment Order 2022 [draft] be approved.

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

Decision Time

The Presiding Officer (Alison Johnstone):

There are nine questions to be put as a result of today's business. The first question is, that amendment S6M-04319.2, in the name of Jenny Gilruth, which seeks to amend motion S6M-04319, in the name of Graham Simpson, on ferry problems, be agreed to. Are we agreed?

Members: No.

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

17:28

Meeting suspended.

17:34

On resuming—

The Presiding Officer: We come to the division on amendment S6M-04319.2, in the name of Jenny Gilruth. Members should cast their votes now.

The vote is now closed.

Russell Findlay (West Scotland) (Con): On a point of order, Presiding Officer. I had an app meltdown, but I would have voted no.

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

For

Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Brown, Siobhian (Ayr) (SNP)
 Burgess, Ariane (Highlands and Islands) (Green)
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
 Chapman, Maggie (North East Scotland) (Green)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Constance, Angela (Almond Valley) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don, Natalie (Renfrewshire North and West) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dunbar, Jackie (Aberdeen Donside) (SNP)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greer, Ross (West Scotland) (Green)
 Harper, Emma (South Scotland) (SNP)
 Harvie, Patrick (Glasgow) (Green)

Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Gillian (Central Scotland) (Green)
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 Martin, Gillian (Aberdeenshire East) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 McAllan, Màiri (Clydesdale) (SNP)
 McKee, Ivan (Glasgow Provan) (SNP)
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 Minto, Jenni (Argyll and Bute) (SNP)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 Regan, Ash (Edinburgh Eastern) (SNP)
 Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Slater, Lorna (Lothian) (Green)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Collette (East Kilbride) (SNP)
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Thomson, Michelle (Falkirk East) (SNP)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Yousaf, Humza (Glasgow Pollok) (SNP)

Against

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Balfour, Jeremy (Lothian) (Con)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 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)
 Choudhury, Foyso (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Dowey, Sharon (South Scotland) (Con)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Findlay, Russell (West Scotland) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallacher, Meghan (Central Scotland) (Con)
 Golden, Maurice (North East Scotland) (Con)
 Gosal, Pam (West Scotland) (Con)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Greene, Jamie (West Scotland) (Con)
 Griffin, Mark (Central Scotland) (Lab)
 Gulhane, Sandesh (Glasgow) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Hoy, Craig (South Scotland) (Con)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Lennon, Monica (Central Scotland) (Lab)

Leonard, Richard (Central Scotland) (Lab)
 Lockhart, Dean (Mid Scotland and Fife) (Con)
 Lumsden, Douglas (North East Scotland) (Con)
 Marra, Michael (North East Scotland) (Lab)
 McArthur, Liam (Orkney Islands) (LD)
 McNeill, Pauline (Glasgow) (Lab)
 Mochan, Carol (South Scotland) (Lab)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 O'Kane, Paul (West Scotland) (Lab)
 Rennie, Willie (North East Fife) (LD)
 Ross, Douglas (Highlands and Islands) (Con)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Simpson, Graham (Central Scotland) (Con)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Smyth, Colin (South Scotland) (Lab)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Sweeney, Paul (Glasgow) (Lab)
 Villalba, Mercedes (North East Scotland) (Lab)
 White, Tess (North East Scotland) (Con)
 Whitfield, Martin (South Scotland) (Lab)
 Whittle, Brian (South Scotland) (Con)
 Wishart, Beatrice (Shetland Islands) (LD)

The Presiding Officer: The result of the division on amendment S6M-04319.2, in the name of Jenny Gilruth, is: For 65, Against 54, Abstentions 0.

Amendment agreed to.

The Presiding Officer: The next question is, that amendment S6M-04319.1, in the name of Neil Bibby, which seeks to amend motion S6M-04319, in the name of Graham Simpson, on ferry problems, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Balfour, Jeremy (Lothian) (Con)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 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)
 Choudhury, Foyso (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Dowey, Sharon (South Scotland) (Con)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Findlay, Russell (West Scotland) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallacher, Meghan (Central Scotland) (Con)
 Golden, Maurice (North East Scotland) (Con)
 Gosal, Pam (West Scotland) (Con)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Greene, Jamie (West Scotland) (Con)
 Griffin, Mark (Central Scotland) (Lab)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Hoy, Craig (South Scotland) (Con)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Kerr, Stephen (Central Scotland) (Con)

Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lockhart, Dean (Mid Scotland and Fife) (Con)
 Lumsden, Douglas (North East Scotland) (Con)
 Marra, Michael (North East Scotland) (Lab)
 McArthur, Liam (Orkney Islands) (LD)
 McNeill, Pauline (Glasgow) (Lab)
 Mochan, Carol (South Scotland) (Lab)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 O'Kane, Paul (West Scotland) (Lab)
 Rennie, Willie (North East Fife) (LD)
 Ross, Douglas (Highlands and Islands) (Con)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Simpson, Graham (Central Scotland) (Con)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Smyth, Colin (South Scotland) (Lab)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Sweeney, Paul (Glasgow) (Lab)
 Villalba, Mercedes (North East Scotland) (Lab)
 White, Tess (North East Scotland) (Con)
 Whitfield, Martin (South Scotland) (Lab)
 Whittle, Brian (South Scotland) (Con)
 Wishart, Beatrice (Shetland Islands) (LD)

Against

Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Brown, Siobhian (Ayr) (SNP)
 Burgess, Ariane (Highlands and Islands) (Green)
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
 Chapman, Maggie (North East Scotland) (Green)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Constance, Angela (Almond Valley) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don, Natalie (Renfrewshire North and West) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dunbar, Jackie (Aberdeen Donside) (SNP)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greer, Ross (West Scotland) (Green)
 Gulhane, Sandesh (Glasgow) (Con)
 Harper, Emma (South Scotland) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Gillian (Central Scotland) (Green)
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 Martin, Gillian (Aberdeenshire East) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 McAllan, Màiri (Clydesdale) (SNP)
 McKee, Ivan (Glasgow Provan) (SNP)
 McLennan, Paul (East Lothian) (SNP)

McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 Minto, Jenni (Argyll and Bute) (SNP)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 Regan, Ash (Edinburgh Eastern) (SNP)
 Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Slater, Lorna (Lothian) (Green)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Collette (East Kilbride) (SNP)
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Thomson, Michelle (Falkirk East) (SNP)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Yousaf, Humza (Glasgow Pollok) (SNP)

The Presiding Officer: The result of the division on amendment S6M-04319.1, in the name of Neil Bibby, is: For 53, Against 66, Abstentions 0.

Amendment disagreed to.

The Presiding Officer: The next question is, that motion S6M-04319, in the name of Graham Simpson, on ferry problems, as amended, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Brown, Siobhian (Ayr) (SNP)
 Burgess, Ariane (Highlands and Islands) (Green)
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
 Chapman, Maggie (North East Scotland) (Green)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Constance, Angela (Almond Valley) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don, Natalie (Renfrewshire North and West) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dunbar, Jackie (Aberdeen Donside) (SNP)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greer, Ross (West Scotland) (Green)
 Harper, Emma (South Scotland) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)

Kidd, Bill (Glasgow Anniesland) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Gillian (Central Scotland) (Green)
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 Martin, Gillian (Aberdeenshire East) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 McAllan, Màiri (Clydesdale) (SNP)
 McKee, Ivan (Glasgow Provan) (SNP)
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 Minto, Jenni (Argyll and Bute) (SNP)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 Regan, Ash (Edinburgh Eastern) (SNP)
 Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Slater, Lorna (Lothian) (Green)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Collette (East Kilbride) (SNP)
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Thomson, Michelle (Falkirk East) (SNP)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Yousaf, Humza (Glasgow Pollok) (SNP)

Against

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Balfour, Jeremy (Lothian) (Con)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 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)
 Choudhury, Foyso (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Dowey, Sharon (South Scotland) (Con)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Findlay, Russell (West Scotland) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallacher, Meghan (Central Scotland) (Con)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Golden, Maurice (North East Scotland) (Con)
 Gosal, Pam (West Scotland) (Con)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Greene, Jamie (West Scotland) (Con)
 Griffin, Mark (Central Scotland) (Lab)
 Gulhane, Sandesh (Glasgow) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Hoy, Craig (South Scotland) (Con)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)

Lockhart, Dean (Mid Scotland and Fife) (Con)
 Lumsden, Douglas (North East Scotland) (Con)
 Marra, Michael (North East Scotland) (Lab)
 McArthur, Liam (Orkney Islands) (LD)
 McNeill, Pauline (Glasgow) (Lab)
 Mochan, Carol (South Scotland) (Lab)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 O'Kane, Paul (West Scotland) (Lab)
 Rennie, Willie (North East Fife) (LD)
 Ross, Douglas (Highlands and Islands) (Con)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Sarwar, Anas (Glasgow) (Lab)
 Simpson, Graham (Central Scotland) (Con)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Smyth, Colin (South Scotland) (Lab)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Sweeney, Paul (Glasgow) (Lab)
 Villalba, Mercedes (North East Scotland) (Lab)
 White, Tess (North East Scotland) (Con)
 Whitfield, Martin (South Scotland) (Lab)
 Whittle, Brian (South Scotland) (Con)
 Wishart, Beatrice (Shetland Islands) (LD)

The Presiding Officer: The result of the division on motion S6M-04319, in the name of Graham Simpson, on ferry problems, as amended, is: For 64, Against 56, Abstentions 0.

Motion, as amended, agreed to,

That the Parliament believes that ferry services provide an essential lifeline to island and remote rural communities and their economies; acknowledges that the delays and cost overruns to vessels 801 and 802 are regrettable; notes the findings of the Audit Scotland report, that all of its recommendations have been accepted, and that improvements, including changes to procurement practices, have already been made; recognises the progress that is being made at Ferguson Marine under the recently appointed chief executive, including the milestone reached at the end of April 2022 with the fitting of Hull 802's bow unit, with both dual fuel vessels being scheduled for delivery in 2023; further recognises the role that Caledonian Maritime Assets Ltd is playing in that progress, not least through the involvement of an experienced secondee in Ferguson Marine's senior management team, and welcomes that the Scottish Government saved Ferguson Marine, the last commercial shipyard on the Clyde, from closure, rescuing more than 300 jobs, with over 400 people currently employed at the yard, and ensuring that two new ferry vessels will be delivered to maintain and enhance connectivity to Scotland's islands.

The Presiding Officer: I remind members that, if the amendment in the name of Keith Brown is agreed to, the amendment in the name of Pauline McNeill will fall.

The next question is, that amendment S6M-04320.2, in the name of Keith Brown, which seeks to amend motion S6M-04320, in the name of Jamie Greene, on tackling violent crime, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)

Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Brown, Siobhian (Ayr) (SNP)
 Burgess, Ariane (Highlands and Islands) (Green)
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
 Chapman, Maggie (North East Scotland) (Green)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Constance, Angela (Almond Valley) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don, Natalie (Renfrewshire North and West) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dunbar, Jackie (Aberdeen Donside) (SNP)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greer, Ross (West Scotland) (Green)
 Harper, Emma (South Scotland) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Gillian (Central Scotland) (Green)
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 Martin, Gillian (Aberdeenshire East) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 McAllan, Màiri (Clydesdale) (SNP)
 McArthur, Liam (Orkney Islands) (LD)
 McKee, Ivan (Glasgow Provan) (SNP)
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 Minto, Jenni (Argyll and Bute) (SNP)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 Regan, Ash (Edinburgh Eastern) (SNP)
 Rennie, Willie (North East Fife) (LD)
 Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Slater, Lorna (Lothian) (Green)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Collette (East Kilbride) (SNP)
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Thomson, Michelle (Falkirk East) (SNP)
 Todd, Maree (Caitness, Sutherland and Ross) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Wishart, Beatrice (Shetland Islands) (LD)
 Yousaf, Humza (Glasgow Pollok) (SNP)

Against

Balfour, Jeremy (Lothian) (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)
 Dowey, Sharon (South Scotland) (Con)
 Findlay, Russell (West Scotland) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallacher, Meghan (Central Scotland) (Con)
 Golden, Maurice (North East Scotland) (Con)
 Gosal, Pam (West Scotland) (Con)
 Greene, Jamie (West Scotland) (Con)
 Gulhane, Sandesh (Glasgow) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Hoy, Craig (South Scotland) (Con)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Lockhart, Dean (Mid Scotland and Fife) (Con)
 Lumsden, Douglas (North East Scotland) (Con)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Ross, Douglas (Highlands and Islands) (Con)
 Simpson, Graham (Central Scotland) (Con)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 White, Tess (North East Scotland) (Con)
 Whittle, Brian (South Scotland) (Con)

Abstentions

Baker, Claire (Mid Scotland and Fife) (Lab)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Choudhury, Foysol (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Griffin, Mark (Central Scotland) (Lab)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Marra, Michael (North East Scotland) (Lab)
 McNeill, Pauline (Glasgow) (Lab)
 Mochan, Carol (South Scotland) (Lab)
 O'Kane, Paul (West Scotland) (Lab)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Sarwar, Anas (Glasgow) (Lab)
 Smyth, Colin (South Scotland) (Lab)
 Sweeney, Paul (Glasgow) (Lab)
 Villalba, Mercedes (North East Scotland) (Lab)
 Whitfield, Martin (South Scotland) (Lab)

The Presiding Officer: The result of the division on amendment S6M-04320.2, in the name of Keith Brown, is: For 69, Against 29, Abstentions 21.

Amendment agreed to.

The Presiding Officer: Pauline McNeill's amendment therefore falls.

The next question is, that motion S6M-04320, in the name of Jamie Greene, on tackling violent crime, as amended, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Brown, Siobhian (Ayr) (SNP)
 Burgess, Ariane (Highlands and Islands) (Green)
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
 Chapman, Maggie (North East Scotland) (Green)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Constance, Angela (Almond Valley) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don, Natalie (Renfrewshire North and West) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dunbar, Jackie (Aberdeen Donside) (SNP)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greer, Ross (West Scotland) (Green)
 Harper, Emma (South Scotland) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Gillian (Central Scotland) (Green)
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 Martin, Gillian (Aberdeenshire East) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 McAllan, Màiri (Clydesdale) (SNP)
 McArthur, Liam (Orkney Islands) (LD)
 McKee, Ivan (Glasgow Provan) (SNP)
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 Minto, Jenni (Argyll and Bute) (SNP)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 Regan, Ash (Edinburgh Eastern) (SNP)
 Rennie, Willie (North East Fife) (LD)
 Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Slater, Lorna (Lothian) (Green)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Collette (East Kilbride) (SNP)
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Thomson, Michelle (Falkirk East) (SNP)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)

Wishart, Beatrice (Shetland Islands) (LD)
 Yousaf, Humza (Glasgow Pollok) (SNP)

Against

Balfour, Jeremy (Lothian) (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)
 Dowey, Sharon (South Scotland) (Con)
 Findlay, Russell (West Scotland) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallacher, Meghan (Central Scotland) (Con)
 Golden, Maurice (North East Scotland) (Con)
 Gosal, Pam (West Scotland) (Con)
 Greene, Jamie (West Scotland) (Con)
 Gulhane, Sandesh (Glasgow) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Hoy, Craig (South Scotland) (Con)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Lockhart, Dean (Mid Scotland and Fife) (Con)
 Lumsden, Douglas (North East Scotland) (Con)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Ross, Douglas (Highlands and Islands) (Con)
 Simpson, Graham (Central Scotland) (Con)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 White, Tess (North East Scotland) (Con)
 Whittle, Brian (South Scotland) (Con)

Abstentions

Baker, Claire (Mid Scotland and Fife) (Lab)
 Bibby, Neil (West Scotland) (Lab)
 Choudhury, Foysol (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Griffin, Mark (Central Scotland) (Lab)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Marra, Michael (North East Scotland) (Lab)
 McNeill, Pauline (Glasgow) (Lab)
 Mochan, Carol (South Scotland) (Lab)
 O'Kane, Paul (West Scotland) (Lab)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Sarwar, Anas (Glasgow) (Lab)
 Smyth, Colin (South Scotland) (Lab)
 Sweeney, Paul (Glasgow) (Lab)
 Villalba, Mercedes (North East Scotland) (Lab)
 Whitfield, Martin (South Scotland) (Lab)

The Presiding Officer: The result of the division on motion S6M-04320, in the name of Jamie Greene, on tackling violent crime, as amended, is: For 69, Against 29, Abstentions 20.

Motion, as amended, agreed to,

That the Parliament recognises that a majority of the Parliament supported the justice vision and strategy on 8 February 2022; further recognises the need to focus on prevention and early intervention, taking a whole-government approach to reduce crime and make communities safer; supports making services person centred and trauma informed, in line with the aims set out in the justice vision; believes that improving support for

victims and survivors should be among the highest priorities for the justice system; notes that recorded crime is at one of the lowest levels since 1974; acknowledges that there is more to do to address violent crime and improve the experiences of women in communities and within the justice system; welcomes the sustained investment in the justice system in 2022-23; believes that, while there will always be a place for restricting people's liberty in society, the balance should be shifted to ensure that custody is used only when no alternative is appropriate, making greater use of alternative options in communities, and contrasts this progressive and evidence-based approach with the strategy adopted by the UK Government.

The Presiding Officer: The next question is, that motion S6M-04346, in the name of George Adam, on approval of a Scottish statutory instrument, be agreed to.

Motion agreed to,

That the Parliament agrees that the Local Heat and Energy Efficiency Strategies (Scotland) Order 2022 [draft] be approved.

The Presiding Officer: The next question is, that motion S6M-04300, in the name of Shona Robison, on approval of an SSI, be agreed to.

Motion agreed to,

That the Parliament agrees that the Private Landlord Registration (Modification) (Scotland) Order 2022 [draft] be approved.

The Presiding Officer: The final question is, that motion S6M-04301, in the name of Neil Gray, on approval of an SSI, be agreed to.

Motion agreed to,

That the Parliament agrees that the Rehabilitation of Offenders Act 1974 (Exclusions and Exceptions) (Homes for Ukraine Sponsorship Scheme) (Scotland) Amendment Order 2022 [draft] be approved.

The Presiding Officer: That concludes decision time, and we will move on to members' business in a moment.

Alcohol Services (LGBTQ+ People)

The Deputy Presiding Officer (Liam McArthur): The final item of business is a members' business debate on motion S6M-3631, in the name of Emma Roddick, on LGBTQ+ people's experiences of alcohol services in Scotland. The debate will be concluded without any question being put.

Motion debated,

That the Parliament welcomes the publication of the report, *What are LGBTQ+ people's experiences of alcohol services in Scotland? A qualitative study of service users and service providers*, which was carried out by Prof Carol Emslie and colleagues at Glasgow Caledonian University, and funded by Scottish Health Action on Alcohol Problems (SHAAP); understands that the report highlights significant alcohol-related health inequalities experienced by LGBTQ+ people in Scotland, including in the Highlands and Islands region; further understands that people who identify as LGBTQ+ are more likely to experience problems with alcohol; considers that the central role of alcohol in the community, combined with barriers to accessing treatment and support, are the key areas that surfaced with regards to alcohol misuse; notes the calls for alcohol services to demonstrate appropriate inclusivity and diversity policies, LGBTQ+ training, and work towards the LGBT Charter; further notes the view that alcohol services need stronger links to mental health services, and notes the recommendations to policy makers that LGBTQ+ people should be considered in the forthcoming Alcohol Treatment Guidelines, that alcohol-free spaces for LGBTQ+ people should be supported, and that the Parliament should show leadership on LGBTQ+ issues to help tackle the stigma that people face.

17:45

Emma Roddick (Highlands and Islands) (SNP): I was really pleased that, a couple of months ago, Scottish Health Action on Alcohol Problems reached out to me, as the co-convener of the LGBTI+ cross-party group, to share its report. The publication is incredibly important, and I thank Professor Carol Emslie, Dr Elena Dimova, Dr Rosaleen O'Brien, Professor Lawrie Elliott, Dr Jamie Frankis and everyone else who was involved in the report for their work, as well as Jane Gordon at SHAAP for communicating with my office on the issue.

LGBTQI issues are important to me, both because I live them and because I feel, as many others in the community do, that an issue for one of us is an issue for all of us. Until recently, I had not really thought about alcohol specifically as a queer person, and I had not known that someone who is LGBTQI is more likely to drink excessively and experience alcohol harm. Alcohol has been around me as I have grown up, and I felt pressure to join in at school with folk who drank it. Particularly in some circles in the Highlands, including in queer cliques, alcohol and drugs are

seen as akin to a morning coffee—it is something that is part of your day, helps you to function and makes social interactions easier.

I have said to friends in conversations about dating that I feel that it is quite hard to meet people in Inverness outwith pubs if you did not go to school there. However, the wider issue around the LGBTI community, its spaces and alcohol never really clicked for me until now, and I have not been able to shake the report since I read it.

When you, as a young or newly out queer person, try to meet others in the community, where do you go? You go to a gay bar, with alcohol, to a house party, with free-pour alcohol, or to pride, with novelty-shaped glitter shots and some of the most creative ways to get drunk that I have ever seen. I do not know how many of my colleagues have ever tried to enjoy a gay club sober, but, let me tell them, it is a very different experience—one that I will not be repeating in a hurry.

Alcohol is so closely tied into queer culture that it is very difficult to avoid it, and that is before we get to the mental health aspect. It is an inescapable truth that many people are still judged, criticised or even excluded—not just from social circles but from employment or their family—for being bisexual, trans or gay. I have heard people say that they have to drink before they can have sex or just so that they can live with themselves. They have internalised this idea that they are weird and wrong, because that has been pressed on them for most of their lives.

That feeling can be, and is, intensified when someone lives in a rural area or small town, where it seems like everyone knows their business. From when I was a teenager to when I was elected to the Parliament, I volunteered on a couple of suicide lines and chatted anonymously to people who were struggling. One was a national line and one focused on the Highlands. The fact that, on the local service, such a great percentage of our service users were LGBTIQ will never leave me. They would tell me things such as, “You don’t get it. There is nobody else in this town who is trans”, “If I tell my GP how I am feeling, they will put me on medication, and my aunt works in the chemist, so everyone will know”, or, “Nobody else in my school is gay.” Often, I knew that that was not true—someone with a similar postcode, just a few streets away, was saying the same things. In one case, I remember lying awake, hoping beyond hope that some random encounter would bring them together—that one would be behind the other in the queue in the shop when they were buying the same thing, or that they would be reading rainbow-coloured books near each other in the park—so that they would start to chat and

learn that they did not have to feel so abnormal, vulnerable and alone.

We have come a long way in terms of acceptance, but young people who are in school right now regularly have that experience. It is not surprising to me, having read the accounts in SHAAP’s report, that some people reported drinking more in the pandemic. It is about isolation, and being queer really can make someone feel isolated.

LGBTIQ people are not genetically programmed to drink more alcohol than our cisgender, heterosexual neighbours. This is a societal problem to fix. Given that we know that LGBTIQ people experience a particular push towards drinking alcohol at harmful levels, it is vital that alcohol services are equipped to provide appropriate, specific and inclusive support.

People often talk about inclusive language, policies, and efforts as though they are a nice extra that we cannot really afford to do all the time, because more important things are going on. They talk about equality as though it is unimportant or given too much attention, but the report, which clearly shows that people in my community are far more likely to experience alcohol harm, shows that the issue is not being given enough attention. Inclusivity is not a nice extra, and its omission is not harmless; it is necessary and, without it, people like me are being hurt or killed. It is life or death.

If someone is seeking help from an alcohol service due to mental health issues that relate to their sexuality, that aspect cannot be ignored. It is key to where they are now, to how they can recover and to what recovery would look like for them.

Queer people already learn from WhatsApp groups, online forums and whispers the things that schools and families teach cis, straight people by default. That includes everything from learning how to shave to learning how to have safe sex and relationships. If alcohol services are designed for straight people and are prepared to deal only with straight people—even if that is just the perception—it is immediately less likely that we will get queer folk through the door, let alone be able to help them to deal with their issues.

I will follow up this members’ business debate with engagement with the Scottish Government, and I am sure that SHAAP and others will continue to engage with the LGBTI+ CPG. There is a lot of work to be done—much of it in here—and it would be a big start if the Parliament provided leadership on equality and inclusivity. Those are not scary or dangerous words; they are fundamentally necessary.

I will finish by thanking in advance my colleagues across the chamber who are about to contribute to the debate. I thank them for joining me this evening and for helping the Parliament to show leadership on LGBTQI issues.

17:52

Jamie Greene (West Scotland) (Con): I thank Emma Roddick for bringing the debate to the chamber, and I welcome her as a fellow co-convenor of the Parliament's cross-party group, on which she is already having an impact. The fact that, despite our obvious political differences—those have been clear in the past couple of hours in the chamber—we can come together on some very important issues that affect so many people in Scottish society is proof that the group is a genuine cross-party group.

Members will be pleased to know that I will not share my experiences of glitter bombs and having to spend a night in a gay club having not had a drink, although I absolutely appreciate that sentiment—I do not recommend that to anyone. However, that raises an important wider point, which is how LGBT people use alcohol in their lives. I will come on to that in a second.

I thank all the charities and organisations that have provided input for the debate, including LGBT Youth Scotland, Glasgow Caledonian University, which has done some excellent academic work on the issue, and SHAAP.

As far back as 2015, SHAAP identified the role that alcohol plays in so many LGBT people's lives. Sadly, according to the statistics, very little has changed. Recently, Stonewall did some research that found that a third of lesbian and bisexual women drink three times more than heterosexual women drink in a week, and that 42 per cent of gay and bisexual men drink three times more than those in the general population drink during the week. The National LGBT Partnership found that trans people are twice as likely to drink in a way that is harmful or potentially harmful to their health. That is why alcohol services for the LGBT community are so important, as niche as the issue might sound to so many.

Of course, we cannot have a stand-alone debate about the problem of alcohol in society, because the issue is inextricably linked to the problems of mental health, on which the statistics are even more shocking than those on alcohol consumption. One in 10 LGBT people in Scotland aged 18 to 24 attempted to take their own life in 2018-19. I do not have more up-to-date statistics. I hope that the number has come down, but I suspect that it will not have done, given the pressures of the pandemic. According to Stonewall, half of LGBT people in Scotland

experienced depression in the same period, and that number jumps up to seven in 10 for trans people. One in six LGBT people in Scotland have deliberately harmed themselves. Therefore, there is clearly an existential link between alcohol consumption, as a method of self-medication and coping with stress and anxiety, and other mental health issues.

Recently, I wrote an article of a couple of pages in *Holyrood* magazine about my family's experience with alcohol and how traumatic that was, but I did not share my own experiences in it.

The question is: why? What are people building the wall around themselves with, and why? Well, the with is the alcohol, the drug, the gambling or the self-harm, but the why is more important. In the SHAAP report, I was quite struck by a comment that was made by one of the contributors, who said:

"Alcohol gave me the courage to go out and just be who I wanted to be ... I felt that I was under pressure to be a sort of 'normal' person ... and I had to shut all that away."

What is "normal" these days? Are we not all normal?

The problem is that the services just are not there. Mental health services are not meeting the demands of people in Scotland. As of March, only seven out of 10 people were getting mental health support within the Government's 18-week target. That figure drops to five in 10 in places such as Dumfries and Galloway. It is simply not true to say that support services are universal. It is an understatement to say that support is patchy. Arguably, it is failing.

Another issue that I do not have much time to talk about is drug misuse. There is clearly a pandemic in relation to the misuse of drugs, particularly party drugs, club drugs and drugs that are used in sexual activity. We are fooling ourselves if we do not admit that there is a specific problem with drug use in the gay and bisexual community. That has to change. Far too many young men are dying of overdoses in that community.

I thank Emma Roddick for bringing this very short debate to the chamber. It should be the start of the conversation, not the end of it. I know that our cross-party group will do more work on the issue, but I hope that we can spend more chamber time looking into the what and the how, including what the Government is doing. I hope that the minister, in her summing-up speech, will set out some specific Government plans on the matter. I thank members from across the chamber, whatever they identify as, for attending today's debate and understanding its importance.

17:57

Pam Duncan-Glancy (Glasgow) (Lab): I am proud to speak in this important debate. I thank Emma Roddick for bringing it to the chamber and for her characteristically outstanding speech.

I welcome the report by researchers at Glasgow Caledonian University and thank those involved for carrying out such important work. I also want to pay tribute to LGBT Youth Scotland for its report “Life in Scotland for LGBT Young People”, which is a vital piece of research. Sadly, both reports highlight that the rights of LGBT people in Scotland are not being fully realised and that, in many cases, things have actually moved backwards. There is still much to do if we want to meet our aspiration of ensuring that Scotland is the best place in the world for everyone to grow up and live in. LGBT Youth Scotland’s survey found that, overall, the percentage of LGBT young people rating Scotland as a good place to be LGBT+ has fallen in the past five years, from 81 per cent in 2017 to 65 per cent in 2022. That makes for very sad reading.

The motion focuses on LGBT people’s experience of alcohol services. The report that is referenced makes it clear that those services are simply not meeting their needs right now. We have heard from others in the debate about that.

In Scotland in 2022, too many people still feel shame, stigma and rejection because of their sexual orientation or gender identity. That is an unacceptable situation, not only because no one should feel any of those things for being lesbian, gay, bisexual or trans, but because we all know that stigma, shame and rejection have a detrimental impact on mental health and wellbeing, and can lead to excess drug and alcohol use.

The link between alcohol and drug use and the shame that is felt by LGBT people is deeply worrying. So, too, is the likelihood that that shame can also result from substance abuse, so we must do all that we can to address both those things. We start by recognising that tackling substance use must come hand in hand with reducing the negative experiences and discrimination that LGBT people face.

Trans people, in particular, face stigma and hostility, which is being exacerbated by the vacuum that exists in relation to forthcoming legislation—the Gender Recognition Reform (Scotland) Bill. I am proud of how most members across the parties have handled that bill in recent weeks, however. I believe that we have a duty to continue in that respectful tone and to seek to remove the hostility and abuse towards trans people that has been stoked up in recent years. As legislators, we have a responsibility to ensure

that we do all that we can to address the stigma that is faced by trans people, and to make sure that Scotland is a place where they can live equally. Believe me—we still have a long, long way to go.

The relationship between stigma, poverty and inequality has, of course, been known for a long time, as we have heard. Those things are key drivers of drug and alcohol abuse. It is not just financial inequality, but inequality in all its forms, including the inequality that is faced by LGBT people, that drives minorities’ stress and can lead to use of harmful substances.

I was pleased to see the report, which marks a path to improvement. All of us in Parliament must commit to considering its recommendations and to supporting their implementation wherever and whenever we can.

Alcohol and drug abuse is a public health issue and must be treated as such. It damages lives—not just the lives of those who abuse alcohol and drugs, but the lives of their families, too. My dad was an alcoholic and my best friend was a drug user, so I know from personal experience how hard it is to see the people whom you love turn to use of substances as a coping mechanism, and how hard it is to see them when they have nowhere to turn.

We must make sure that questions about the reasons for people’s substance abuse can be asked in a way that does not make service users feel uncomfortable about any of it, but instead respects people’s rights to be who they are. We must also make sure that the people who turn to services feel confident in doing so. That means that we must address the heteronormative assumptions that underpin services, and tackle the concerns that exist around confidentiality and the worries that diagnosis or treatment could be negatively affected by disclosure of sexual orientation or gender identity.

That also means funding of services—we need proper investment; we cannot do it on the cheap—including mental health services. We must halt tax on budgets for the third sector, local authorities, support services and alcohol and drugs partnerships.

Crucially and lastly, there must be an end to the practice of diverting drug users and people who are addicted to alcohol from mental health services until they have addressed addiction, because very often people need both together.

Presiding Officer and colleagues, I believe that all of us here this evening have a common objective: to improve the experiences of LGBT people in Scotland and ensure that they can access support services that meet their needs, so that they can enjoy their human rights equally. I

urge colleagues to work across the chamber, wherever possible, to achieve that.

18:03

Emma Harper (South Scotland) (SNP): First, I congratulate Emma Roddick on securing her first member's debate. I must apologise because I will be leaving early, as I am sponsoring an event tonight in the Parliament.

The debate is important and timely. I am a member of the Health, Social Care and Sport Committee, which took evidence last week from the minister about our relationship with alcohol, in Scotland. I specifically raised the issue of LGBTQ+ persons' experience of alcohol services at the evidence session, following the submission to the committee from Scottish Health Action on Alcohol Problems. I thank SHAAP and LGBT Scotland for their hugely helpful briefings, ahead of the debate. Different social groups are affected by alcohol problems in different ways, and people develop negative relationships with alcohol for a number of reasons. Emma Roddick highlighted that extremely well, for which I thank her.

It is important that we do not generalise about people who use alcohol to the detriment of their health. We need to recognise that harmful use is a complex issue that requires various responses. There is no one-size-fits-all solution.

The harm that is caused by alcohol is a very serious problem in the LGBTQ+ community. A study that was carried out by Alcohol Focus Scotland suggests that up to 25 per cent of the LGBTQ+ community has moderate alcohol dependency, compared with 5 per cent to 10 per cent of the general population. Additionally, 25 per cent of bi women reported heavy drinking.

Despite the many challenges, awareness of LGBTQ+ harm from alcohol is growing, and many treatment facilities now tailor programmes—or, at least, aspects of programmes—to meet the unique needs of LGBTQ+ individuals. That is welcome, but as SHAAP has pointed out, work must continue in order that we ensure that our alcohol services meet the needs of the LGBTQ+ community. It is particularly important that the work be carried out quickly, because SHAAP's study reported

“service providers assuming that all patients were heterosexual”

and that services and peer-support groups tend not to provide “safe and welcoming” spaces.

In order to tailor services to the needs of individuals, it is important to look at why LGBTQ+ people have higher levels of alcohol dependency. One of the most important reasons is the bigotry that the LGBTQ+ community faces daily, with

stigma, shaming and abuse. I echo what Emma Roddick said about people feeling abnormal, vulnerable and alone, especially during the pandemic.

Jamie Greene: That is all very true. One of the more difficult things, though, is that high drinking levels in the community have a social aspect. Drinking is one of the few ways that people find make it easier to meet fellow LGBT people. Perhaps the solution is to encourage different ways of fraternising, if you like, and socialising. People could join shared-interest groups for sport, music and other activities. Such groups would provide a different environment in which to meet, socialise and make friends.

Emma Harper: I thank Jamie Greene for that intervention. I agree that we need to make it easier for LGBT people to identify others and to engage in whatever activity they want to do. We can support them. One of the things we talk about in the Health, Social Care and Sport Committee all the time is reducing and tackling stigma. It is a huge issue that we need to address.

We know that services can be harder to access in rural areas like Galloway and the Scottish Borders. It was interesting that Emma Roddick also mentioned rural issues. Here is what I ask of the minister: can the Government commit that rural Scotland will continue to be included when it is improving alcohol services for LGBTQ+ people?

Alcohol use has become deeply engrained in LGBTQ+ society as a result of history and we have spoken about alcohol providing an easy way to meet. When I lived in California, that was the way people met each other and it was acceptable: individuals felt safe in gay bars. Stonewall has stated that that is why excessive drinking has become normalised. It is important that we work to change that.

The SHAAP report shows that some alcohol service providers are, due to lack of training, uncomfortable discussing LGBTQ+ issues, particularly trans issues. As a former nurse educator, my final ask of the minister is this: what training is being provided to alcohol service providers on LGBTQ+ issues so that they can support people to achieve the best possible treatment outcomes?

18:08

Evelyn Tweed (Stirling) (SNP): I thank Emma Roddick for bringing what is a very personal debate for her to the chamber. I congratulate the team at Glasgow Caledonian University on completing such an important study for SHAAP.

It is important not to brand all LGBTQI people as drinkers and to recognise that they are not a

homogeneous group. However, the SHAAP report notes a growing body of international research that suggests that people who identify as LGBTQI are more likely to become dependent on alcohol. Members will have noted that big-name commercial brands have supported pride. Although such corporate support for LGBTQI equality is welcome, I have some concern that those brands may be cashing in on what they know are higher levels of alcohol consumption in that community.

Although alcohol plays a central role in social connections, for some in that community drinking may be a response to discrimination, family rejection or forming their identity. Let me share the words of one of my constituents:

“I started to drink when I was about 16. Initially I drank ‘just to fit in’ at the weekend, normal teenage stuff. However, my drinking became more problematic in the run up to, and after, I came out as gay at 17. The single memory I have that led me to drinking more frequently was a teacher pulling me aside ahead of a school trip and saying to me, ‘You’ll be sharing a room with other boys so no funny business’. This event sticks in my head so vividly it made me feel isolated and ashamed of my sexuality. After this I began to drink almost every night after school and there were a few occasions where I drank at lunchtimes during the school day. There is no doubt my shame of being gay definitely led me to me drinking more heavily.”

I must thank him for sharing his story, which was very sad and very revealing.

When LGBTQI people become dependent on alcohol, as highlighted in the SHAAP report, they face perceived barriers in gaining access to alcohol services, including the perception that services are aimed at middle-aged, straight men who have been drinking for decades.

For many years, the Scottish Government has invested in prevention and treatment services and has reduced the country’s alcohol-related death rates. However, some thought is required to ensure that those services are more open to everyone, including minority groups. It seems that more training is required. As the report found, some staff at alcohol support services are worried about getting it wrong or upsetting people when talking about sexuality or sexual orientation. With the report’s recommendations, we could make a real difference to the experience of LGBTQI people.

I welcome better links between alcohol and mental health services, as well as more of a focus on denormalising drinking for young LGBTQI people—indeed, all young people. It is good to see on the Kinder Stronger Better website more alcohol-free social spaces where people can meet, as there is obviously a demand for them. I welcome Jamie Greene’s comments in that regard.

Scotland is already leading the way as the first country in the world to embed LGBTQI inclusive education across the curriculum, to help all young people reach their full potential. We are proud to place inclusivity at the heart of what we do, so let us listen to this community and use their lived experience to improve our public services’ offering to them.

18:12

Paul O’Kane (West Scotland) (Lab): Like colleagues, I begin by thanking Emma Roddick for bringing the motion and the debate to the chamber. I also thank Jamie Greene for his contribution as co-convener of the LGBTQ+ cross-party group and both colleagues for the work that they do on that group; indeed, I thank all other colleagues who are members of or who support that group. I think that it does vitally important work in our Parliament in representing the important issues for LGBTQ+ people across Scotland—and none is more important than the issue that we are debating this evening.

I also thank SHAAP for its work with Glasgow Caledonian University on the report. If I may, Presiding Officer, I would like to plug an event that is coming up in the Parliament in June. I am delighted to be hosting SHAAP and Glasgow Caledonian University to mark pride month, which will give us all an opportunity to hear more about their work and to engage more fully in it. I would welcome all colleagues to that event.

As we have heard already, many communities in Scotland suffer from health inequalities when it comes to the overconsumption of alcohol, and Scotland’s LGBTQ+ community is among them. Evidence shows that although alcohol-free spaces for LGBTQ+ people are highly valued where they exist, alcohol still plays a central role in most LGBTQ+ safe spaces. We have heard from colleagues about their own experience of that, and I would echo much of what has been said. It is so important that our towns and cities have a gay scene and areas where there are bars, cafes and other places that are safe spaces for LGBTQ+ people. However, those spaces are often based around a drinking culture and alcohol, and that can be very challenging for some people. We need to widen out those safe spaces and ensure that many of them are as safe as they can be.

I point to what Jamie Greene said about the challenges that we know exist around access to sports for LGBTQ+ people. Historically, many people have not engaged in sports and find it difficult to do so. We know that LEAP Sports Scotland and others are doing a huge job of work to try to make sport more accessible and to ensure that people are welcomed.

The SHAAP research points to challenges for LGBT+ people in accessing alcohol support services as a result of misconceptions that are embedded in those services regarding the sexuality or gender identity of their service users. Indeed, very often how people's sexuality or gender identity influences wider relationships with alcohol is misunderstood.

We have made great strides in Scotland when it comes to protecting the rights of LGBT+ people and amplifying voices, but it is clear that we still have a lot of work to do. The threat and reality of discrimination can have a devastating impact on wellbeing and can contribute to the reality that LGBT+ people are particularly vulnerable to experiencing poor mental health. Colleagues—particularly Pam Duncan-Glancy—have spoken about LGBT Youth Scotland, evidencing some of their recent work in that regard.

Testimonies have shown that mainstream health services are not always inclusive. Members of the LGBT+ community are not just more likely to struggle with mental health issues and alcohol misuse, but less likely to receive the support that they need when they are facing those struggles. Glasgow Caledonian University's report displays the LGBT+ community's concerns that alcohol services are often intimidating and oriented towards white, straight men, and that support groups are not gay friendly. We all have a right to support and it is vital that that right is accessible to everyone across all communities, especially marginalised groups such as LGBT+ people.

We must commit to the provision of additional alcohol-free spaces in the LGBT community and more widely. We must provide spaces where people can express themselves and unite, free from alcohol, if that is what they choose to do. That is a key step towards improving things for people who are isolated and providing social support, and I think that it is particularly important for people who are under 18. I think that we would all want to try and engage with LGBT Youth Scotland and others to look at those issues, in particular.

Once again, I thank Emma Roddick for bringing this timely debate and urge all colleagues to attend the event with SHAAP in June.

18:17

The Minister for Public Health, Women's Health and Sport (Maree Todd): I begin by thanking Emma Roddick for lodging this motion and all members who have taken part in discussing what we all can agree is a very important issue. I welcome the opportunity to respond on behalf of the Government. I also extend my thanks to the researchers at Glasgow

Caledonian University and to those who took the time to share their experiences with them. The results tell us that we must empower LGBT+ people to seek treatment for their alcohol use when it is needed.

I must admit that I had not particularly made the link between the LGBT+ community and alcohol culture but, as soon as it is pointed out, the link is very clear. LGBT+ people have been so pushed to the outskirts of society for so long that they have found gay bars and gay clubs a safe space in which to be themselves and in which to socialise, so undoubtedly alcohol has become an integral part of the culture.

It is vital that the experience that LGBT+ people receive when seeking treatment should be non-judgmental and person centred. On that note, I was going to mention as a wee aside the work that was done with NHS Scotland boards to launch the NHS Scotland pride badge. I am not sure whether Emma Roddick or other members are aware that that has a wee link with the Highlands because it was developed by a paediatrician now working in London, Mike Farquhar, who is from Inverness.

The NHS Scotland pride badge showcases our commitment to fostering an environment that is open and tolerant and inclusive for all. Racism, homophobia, biphobia, transphobia and any form of bigotry have no place in our NHS. Our health system is based on the core values of care, compassion, openness, honesty, dignity and respect for everyone. I am delighted that that badge launched in June 2021 to coincide with pride month in Scotland. It encourages open and constructive conversations on difficult issues pertaining to ethnicity, age, sex, and sexuality. I think that it is a very useful tool in our NHS.

It is vital that the experience that people receive when they seek treatment should be non-judgmental and person centred, as I said. We have set out a national mission to improve lives and save lives, at the core of which is ensuring that every individual, no matter what their sexual or gender identity is, should be able to access the treatment and recovery that they need. Increased investment from the national mission on tackling drug-related deaths is being used by alcohol and drug partnerships across Scotland to support people who are facing problems because of alcohol and drug use.

However, more can and must be done to get people into appropriate treatment quicker in order to reduce harms and help with recovery. There should be no shame or stigma in reaching out for support, and the voices of those with lived and living experience are critical to this process.

Jamie Greene: I forgot to make a plug in my speech—there is always a plug, isn't there?—for

organisations such as the LGBT Foundation or even FRANK, which has a dedicated LGBT service. It is fine if services are aimed at the LGBT community, but my question is about what happens when people interact with regular public services. Is there any perceived conflict over whether medical professionals or service providers, who have quite a mixed view according to the report, should be asking these types of questions? Is it appropriate to ask someone who comes asking for alcohol support whether they are LGBT+, for example?

Maree Todd: I am not going to give a clinical opinion during this debate, but let me say that I am very clear that our services need to be open and welcoming to all. It is vital and lifesaving that they are. There are many communities—we talked at committee last week about some of the health inequalities experience. SHAAP has done another brilliant piece of work on people living in socioeconomic deprivation. Paul O’Kane mentioned that people regularly say that alcohol services appear to be targeted at middle-aged men; women feel excluded from them too. We want services that are open and welcoming to all and we want people who need help to be able to ask for it easily and to get help easily.

We are working with the United Kingdom Government and the other devolved Administrations on reviewing and updating clinical guidelines for alcohol treatment. That guidance will look to introduce new approaches to treatment and support the development of alcohol-specific treatment targets.

We are working with Public Health Scotland to review the evidence on the current delivery of alcohol brief interventions. That work is in the early stages, but it is critical to ensuring that alcohol brief interventions are as effective as possible. We are also exploring the evidence around managed alcohol programmes and are delighted to be able to contribute to the running and evaluation of the model that has been piloted in Glasgow by the Simon Community; homeless people are another community who are often missed in the targeting of our services.

Many of the recommendations in the report are for our alcohol service providers, and I encourage them to act on them to ensure that their services are as inclusive as possible. Like Evelyn Tweed, I note that the report discusses the harmful impact of targeted marketing of the LGBT+ community. We know that there is a direct link between exposure to alcohol marketing and consumption of alcohol. I personally find that deeply troubling and I am determined to cut down on the volume of alcohol advertising and promotion that young people in particular see and to reduce the appeal that alcohol has to them. This is why we are

planning on consulting on a range of new measures to restrict alcohol advertising and promotion in Scotland in the autumn. That consultation will be vital in helping us to consider whether new legislation is needed.

The Government’s long-term goal is to create a Scotland where everyone can flourish, and improving health and reducing health inequalities are vital if we are going to achieve that. Unfortunately, we know that the pandemic has exacerbated pre-existing inequality in society and has had a big impact on the mental health of some groups, including the LGBT+ community. That is why the mental health transition and recovery plan commits to making the mental health of those groups a priority, including better understanding and responding to the needs of the LGBT+ community.

I absolutely agree with Pam Duncan-Glancy that, for many people, the twin issues of alcohol and mental health are so closely intertwined that it is impossible to treat one without the other. We are well aware that people need person-centred and holistic care to recover. Both Angela Constance and I are working to deliver that.

Pam Duncan-Glancy: In doing that, will the minister look at the practice of people attending mental health services having used substances at the time and at whether there is an option to divert them on to a different path so that they do not leave the services?

Maree Todd: Certainly, we are more than happy to look at that and, if the members writes to me with specific instances, I am more than happy to pick that up with her. I know that Angela Constance is also working in that area.

We need to create the conditions that nurture health and wellbeing, and that responsibility needs to be shared widely across many organisations, sectors, communities and individuals. The potential impact of that combined talent, expertise and commitment is huge. We work with a wide range of third sector organisations, including the registered charity Stonewall Scotland, to ensure that the voices of those with lived experience help to shape policy and practice to improve outcomes for LGBT+ communities.

I will just pick up on a couple of issues that Emma Harper raised. We have staff training for NHS colleagues to address any issues that they might have in terms of equality, diversity and inclusion, and we are more than happy to promote that further.

Emma Harper’s final question was about rural areas and, of course, like her and Emma Roddick, I am from a rural area. I recognise the challenges both in delivering services in rural areas and in finding ways to socialise other than through

alcohol, and I am determined to make progress on that issue by tackling the long-term relationship with alcohol that we have in Scotland. I am under no illusions about the enormity of that task, but by continuing to work together, learning from our recent experiences, and building on our successes, I am confident that we can make lasting changes that reduce alcohol consumption and its associated risks, which will improve the health and wellbeing of everyone in Scotland.

The Deputy Presiding Officer: Thank you very much. That concludes the debate and I close this meeting of Parliament.

Meeting closed at 18:26.

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