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Scottish Parliament

Thursday 16 June 2022

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

General Question Time

The Presiding Officer (Alison Johnstone): Good morning. The first item of business is general question time. In order to get in as many members as possible, I would be grateful for short and succinct questions and responses.

Real Living Wage

1. **Marie McNair (Clydebank and Milngavie) (SNP):** To ask the Scottish Government what progress is being made in encouraging employers to pay the real living wage. (S6O-01239)

The Minister for Just Transition, Employment and Fair Work (Richard Lochhead): Good progress has been made in promoting payment of the real living wage in Scotland. Last month, the number of living wage accredited employers increased to just under 2,700. That is proportionately five times higher than the figure for the rest of the United Kingdom and it means that some 55,000 workers have more wages in their pockets due to employer accreditation.

Under our regionally focused making living wage places scheme, we saw Edinburgh city, for instance, announce its accreditation as a making a living wage place in November last year, during living wage week. Our living hours accreditation scheme continues to grow, with four accredited employers having achieved living hours accreditation since its launch, late in 2021.

Marie McNair: I welcome the continued efforts to promote a living wage. The minister will agree that an unambiguous commitment from employers to pay the living wage and recognise trade unions in the workplace is a strong platform for being a decent employer and providing a fair and productive work environment. Does the minister agree with me and the Scottish Trades Union Congress that the Scottish Parliament must have control over employment law in order to be able to fully embed decent employment rights by setting a real living wage and ending the exploitative use of zero-hours contracts?

Richard Lochhead: Marie McNair is right. It is, of course, timely to raise that issue, given that we have just experienced a pandemic, with its implications for many employees in Scotland, and we are now facing a cost of living crisis. Now is the time to reflect on the powers that the Parliament

has to support workers and ensure that they receive a decent wage for their work.

Eighty-five per cent of Scots receive a real living wage. However, if we had employment powers, we could do a lot more to ensure that 100 per cent of Scottish employees got a decent wage. The other issues that Marie McNair mentioned could also be addressed if the Parliament had the powers to do so.

Scottish National Investment Bank (Missions)

2. **Paul Sweeney (Glasgow) (Lab):** To ask the Scottish Government whether it will provide an update on the delivery of the missions of the Scottish National Investment Bank. (S6O-01240)

The Cabinet Secretary for Finance and the Economy (Kate Forbes): Over the past 18 months, the Scottish National Investment Bank has built an operational structure, recruited more than 60 staff, delivered investment commitments of over £200 million to 16 projects across all three of its missions, and leveraged in over £450 million of additional private funding.

Paul Sweeney: In the light of Professor Ross Brown's warnings on 23 May that the Scottish National Investment Bank will continue to flounder and will ultimately fail if its missions remain so broad and incoherent, will the Scottish Government commit to providing the bank with a clear mission to drive high-value-added industrial growth in advanced manufacturing in Scottish-owned firms instead of investments in things such as a forestry fund that is aimed at high-net-worth clients who are seeking tax-efficient structures?

Kate Forbes: I will make two caveats. If I recall correctly, all members agreed that the Scottish National Investment Bank should retain operational independence and all parties agreed on the missions that were set for it. As a start-up, the bank has done an incredible job not just in building its operations but in ensuring that the pipeline of investments goes out the door.

In the past 18 months, the bank has made eight investments in the net zero mission, four investments in the place mission and four investments in the innovation and people mission. One question that I have for Mr Sweeney is: which mission does he think we should drop instead of adding more missions for it?

School Pupils (Free Laptops or Tablets)

3. **Murdo Fraser (Mid Scotland and Fife) (Con):** To ask the Scottish Government whether it will provide an update on progress towards its commitment to deliver a free laptop or tablet to every school child in Scotland. (S6O-01241)

The Cabinet Secretary for Education and Skills (Shirley-Anne Somerville): We are committed to ensuring that every child has access to a device and connectivity by the end of this parliamentary session. We have already provided £25 million to councils, resulting in over 72,000 pupils receiving a device and 14,000 receiving an internet connection.

We know that a number of local authorities have also invested in technology. They have indicated that, in total, almost 280,000 devices have been, or are in the process of being, distributed to learners.

This is a complex and ambitious commitment, and we are currently looking at the available infrastructure in schools to support the wider roll-out of technology. We are working in partnership with local government colleagues and have convened a joint partnership board with the Convention of Scottish Local Authorities to oversee the work.

Murdo Fraser: During the period of Covid restrictions, we had pupils doing home learning who would have benefited from access to a free laptop or tablet. Many of them did not have that access.

The cabinet secretary is now saying that the programme will not be completed until the end of this session of Parliament. That means that there are pupils currently in secondary 2 or S3 who will be leaving school without benefiting from the programme. Is the cabinet secretary being serious in saying that we will have to wait another four years before that commitment is delivered?

Shirley-Anne Somerville: Our manifesto made it very clear that the commitment was for the parliamentary session, and that is what we are committed to. I would contrast that with the recent Tory manifesto for the local government elections, which contains no timescales and no commitment for a device for every child. The Tories had an opportunity to lay out their alternative; they did not. In the meantime, we will get on with delivering on our manifesto commitment.

Police Scotland (Mental Health)

4. Alexander Stewart (Mid Scotland and Fife) (Con): To ask the Scottish Government what it is doing to support the mental health and wellbeing of officers and staff within Police Scotland. (S6O-01242)

The Cabinet Secretary for Justice and Veterans (Keith Brown): It is essential that mental health and wellbeing support is provided to police officers and staff at the point of need, and I welcome the initiatives that are being undertaken by Police Scotland—the employer—to support its workforce.

The Scottish Government has provided funding to the Lifelines Scotland wellbeing programme, which provides tailored online resources for blue-light responders, volunteers and their family members. That includes the provision of £97,864 in this financial year. We are considering a proposal from Lifelines for further funding support in 2022-23.

Alexander Stewart: Official statistics indicate that officers and staff within the force have missed over 77,000 days during 2021-22, and the Scottish Police Federation has stressed that levels of officers and staff are reaching a critical stage and that officers are leaving in droves. The Scottish National Party Government has handed Police Scotland a further real-terms budget cut of 8 per cent. What action is being taken to reverse that decline and to do all that we can to maintain, retain and support our police force?

Keith Brown: Had Alexander Stewart done his homework, he would have found out that the reason for the reduction in police force numbers is to do with the 26th UN climate change conference of the parties—COP26—and with Covid, both of which have limited the police's ability to undertake training of new officers at Tulliallan, because it was being used for other purposes. The police will tell him that.

Alexander Stewart asked what else we are doing. We are going to pay our police officers more than the Tories pay the police officers whom they have control over; we are going to have more police officers per head of population than there are in England and Wales; and we are going to oppose the Tories' imposition of a 5.2 per cent cut in our budget this year, which limits how much we can do.

We are doing the things that help police officers—unlike the Tories, who have undermined and underresourced the police in England and Wales.

Willie Rennie (North East Fife) (LD): Two years ago, one third of officers were saying that they were going to work mentally unwell. We have already heard that thousands of work days have been lost over the past two years because of mental health issues, yet ministers said that they were very satisfied with the mental health support that was being provided. This week, when I spoke to Calum Steele from the SPF, he told me that the situation is still dire. When will ministers stop being satisfied and get on with improving the service?

Keith Brown: I have mentioned the work that we have done through the initiatives that we have funded for the police for this year, which we are considering funding again for next year. Willie Rennie will know that officers also have access to Police Scotland's 24/7 employee assistance

programme—the EAP—and the trauma risk management programme.

We are not saying that everything that can be done is being done—as Calum Steele would argue, we should continually look to improve the services that we provide, and we recognise the special pressures that Covid has presented for the police. The police have done a fantastic job throughout the Covid period, and we want to continue to support them. We are not saying that we have done all that can be done—that is the responsibility of the employer, Police Scotland, with a role for the SPA. However we will continue to help them wherever we can to protect the wellbeing of our officers.

Home Energy Scotland (Support Capacity)

5. Mark Griffin (Central Scotland) (Lab): I draw members' attention to my entry in the register of interests. I am an owner of a private rented property in North Lanarkshire.

To ask the Scottish Government what the support capacity of Home Energy Scotland was before that was increased by 12,000 households. (S6O-01243)

The Cabinet Secretary for Net Zero, Energy and Transport (Michael Matheson): In 2021-22, Home Energy Scotland had capacity to provide advice and support to more than 120,000 unique households, through more than 400,000 advice interactions. As a result of increased funding in 2022-23, Home Energy Scotland advisers have the capacity to provide support to 132,000 unique households through 440,000 advice interactions.

Mark Griffin: Although the cabinet secretary has mentioned that that figure has increased to 132,000 unique households, the capacity to reach low-income, potentially fuel-poor, clients has not increased proportionately with that increase of 12,000 households. Action will be critical this summer, with the price cap set to go up in the autumn. Has the Government written to every group that is eligible for the warmer homes Scotland grant since the cap went up in the spring, and how many installations does the Government expect to deliver from those 44,000 calls?

Michael Matheson: I think that the member's question relates to the 440,000 calls or interactions. Obviously, that is a demand-led service that depends on the needs and the circumstances of individuals, and what the best route of support might be for them.

In relation to those who are most vulnerable, with Home Energy Scotland we have been able to augment access to the energycarers service, which specifically helps people who are most vulnerable and who may not be able to take advice and support by telephone or through online

services. A care adviser will visit those people and provide advice and support to them in their homes. That service is particularly targeted at people who are extremely vulnerable, in order to meet the types of concerns that the member has.

However, if the member has a particular issue or an experience from a constituent where he believes that we could take further action, I would be more than happy to look at that in order to make sure that we are doing everything that we can to support households.

Fiona Hyslop (Linlithgow) (SNP): The cabinet secretary will be aware that older people will be the most vulnerable when it comes to facing spiralling energy bills, as they have fixed incomes and often live in older, energy-inefficient housing. According to Age Scotland, 55 per cent of over-55s whom they surveyed were unaware of the Scottish Government's schemes to assist with energy efficiency.

What steps is the Scottish Government taking in order to ensure that the increased resource that has been made available to Home Energy Scotland includes more proactive targeting of houses where older people live?

Michael Matheson: I am always open to looking at what more we can do to help to promote Home Energy Scotland's work. The principal way that much of its work is taken forward is through trusted partners such as health and social care organisations, food banks, charities and local authorities. They provide the vast majority of the referral pathways into Home Energy Scotland.

As I mentioned, we have augmented the support for Home Energy Scotland to provide energycarer services to people who are most vulnerable and may not be able to take advice online or over the phone. However, again, if the member has any specific examples of constituents who have not been able to access services, or believes that there is further action that we can take to promote those services, I am always open to looking at those matters.

Transport Links (Rural Areas)

6. Rhoda Grant (Highlands and Islands) (Lab): To ask the Scottish Government how it is strengthening transport links to rural areas. (S6O-01244)

The Minister for Transport (Jenny Gilruth): The Scottish Government's ambitions for future transport infrastructure investment in rural areas are highlighted in the 45 recommendations in the second strategic transport projects review, or STPR2. The recommendations include continued investment in ferry replacements and port upgrades to improve their resilience and reliability. We also intend to consider two potential fixed links

in the Western Isles, as well as a link between Mull and the mainland. STPR2 provides the necessary evidence base that is required to help secure the future funding of those projects, including those that have potential to transform the way we travel in rural areas.

Rhoda Grant: As a result of ScotRail's emergency timetable, it is impossible for people from Caithness to get the train to attend hospital appointments in Inverness. The reimbursement mileage is woeful, at 15p a mile, and does not adequately cover their costs. How will the minister ensure that no patient is missing out on healthcare as a result of the lack of public transport in the area?

Jenny Gilruth: As the member will know, ScotRail's emergency timetable has arisen as a result of drivers refusing to work on their rest days. I am very grateful that the Associated Society of Locomotive Engineers and Firemen has since recommended that the pay deal is accepted; it will now go to members for a referendum.

I have asked ScotRail to look at how we might be able to reinstate the normal timetable as quickly as possible, noting, of course, that ScotRail has already reintroduced a number of services.

On the specific point that Miss Grant raised about reimbursement, I would be happy to address that with ScotRail and, having noted some of her concerns in that area, to write to her with more detail.

Evelyn Tweed (Stirling) (SNP): Bus passengers across rural Stirling are experiencing last-minute cancellations, especially on services X10, 38 and 52. First Bus has advised that there is a shortage of bus drivers. Can the Scottish Government advise on what more can be done to address those shortages and other issues that are affecting the industry?

Jenny Gilruth: There is currently a shortage of heavy goods vehicle drivers for buses and lorries as a result of the pandemic creating a backlog in testing and training. That has been exacerbated by Brexit, which has prevented people from the European Union from coming to Scotland to work freely.

With regard to our representations, we have repeatedly sought a formal role in determining which occupations are on the shortage occupation list, but the UK has denied us that. Bus drivers are not included in the SOL. I understand that the UK Government will be reviewing the list later in the year, and we have asked for full involvement in that process.

The current position is clearly causing issues for local and national bus services across the country.

We have provided up to £210 million of funding to support bus services during the pandemic and an additional £40 million to support recovery for this year. In addition, I have asked Transport Scotland for urgent advice on why it appears that so many services are now being cancelled as a result of shortages and on how the service changes are impacting on communities more broadly.

Graham Simpson (Central Scotland) (Con): First, I take the opportunity to congratulate the minister on her recent marriage. [Applause.]

The minister mentioned funding. The network support grant plus has been keeping bus operators afloat, in particular in rural areas, but it is due to end next month. Industry experts have said that that could lead to a cut of 20 per cent on some routes, as well as rising fares and depot closures.

Bus operators are calling for the fund to be extended at its current rate by three months, as that would allow passenger levels to recover. Will the minister agree to that?

Jenny Gilruth: I am aware of the issues that the member has raised, and I thank him for his good wishes.

Some of the funding that is associated with the support grants is related to the pandemic, and it was always due to come to an end at some point. However, I have asked officials in Transport Scotland to see what more we might be able to do to support rural bus services.

Bracken Control (Asulox)

7. Jim Fairlie (Perthshire South and Kinross-shire) (SNP): To ask the Scottish Government what its position is on the continued use of Asulox for bracken control. (S6O-01245)

The Minister for Green Skills, Circular Economy and Biodiversity (Lorna Slater): An emergency authorisation for the use of the herbicide product Asulox for bracken control has been submitted for 2022. The Health and Safety Executive is considering the application on behalf of all the United Kingdom Administrations, and that process is on-going.

I have spoken to stakeholders directly over the past week, and I understand the difficulties that are associated with bracken control and the key role that Asulox currently plays. As part of those discussions, I have indicated that it is important for Government to work with stakeholders to explore options for more sustainable forms of bracken control in the future.

Jim Fairlie: I am happy to hear that the minister has met with stakeholders, and I am reassured that she is aware of just how damaging bracken is, not just to the environment but to animal health,

and because of the potential for very serious accidents involving land managers when trying to manage bracken using land-based methods such as bracken busters on challenging hill land.

I have been asked by constituents to emphasise to the minister that, while the HSE continues its deliberations on whether to grant the extension, they will be looking to the Scottish Government to protect their interests, the environments that they manage and the health and wellbeing of them and their staff.

Will the minister meet me urgently to discuss what assurances she can give to my constituents, who are in the position of having a serious on-going bracken problem to deal with, but who have no safe method of doing so other than aerial-applied asulam?

Lorna Slater: I would be very happy to meet the member to discuss this important issue, and I understand the concerns that he and his constituents are raising. I reassure him that in considering the emergency application for the use of Asulox, I have sought out views from stakeholders, including those who currently use Asulox for bracken control. Last week, I met NFU Scotland, NatureScot, Scottish Forestry and the RSPB to hear their views, and they have all made their positions clear.

I will continue to work closely with stakeholders and the other UK Administrations to explore options for sustainable forms of bracken control.

The Presiding Officer: That concludes general question time. Before we move on to First Minister's question time, I invite members to join me in welcoming to the gallery Mr Max Hiegelsberger, President of the State Parliament of Upper Austria. [*Applause.*]

First Minister's Question Time

12:00

Scottish Independence Referendum

1. Douglas Ross (Highlands and Islands) (Con): The Scottish National Party Government has said that it wants to hold another divisive independence referendum in October next year, but Nicola Sturgeon cannot even say whether ferries will float by then; she will not have closed the school attainment gap by then; she will not have returned national health service services to normal by then; and she will not have cleared the court backlogs by then.

Why should all those pressing issues play second fiddle to another divisive independence referendum next year?

The First Minister (Nicola Sturgeon): First, I welcome Douglas Ross's line of questioning. It is at least an implicit—if not yet an explicit—recognition that people in Scotland will have their say on independence in line with the democratic mandate that this Parliament has.

The second point is that the case for independence is not distinct or separate from the big challenges that Scotland, in common with countries across the world, is facing right now. Instead, independence is part of the solution to those challenges. It is about how we equip ourselves better as a country to meet those challenges and fulfil our potential.

Independence is not the distraction that Douglas Ross wants to pretend that it is. Instead, it presents an alternative to a failing United Kingdom system—a failing UK system that gives us a Prime Minister right now with no democratic or moral mandate in Scotland; that has given us a Brexit that we did not vote for; that is giving us the highest inflation in the G7 and the lowest projected growth in the G20, with the sole exception of Russia; that is constraining our public finances and tying the hands of the Scottish Government; and, of course, that give us the obscenity of a Government that tries to shore up its own base by deporting vulnerable people to Rwanda, which is utterly immoral.

Independence is an alternative to that. It would give this Parliament additional powers to navigate those challenges and meet the full massive potential of this country.

Douglas Ross: What a depressing answer from the First Minister—never once responding to the points about education, our NHS or the justice system—[*Interruption.*]

The Presiding Officer: We will hear Mr Ross, thank you.

Douglas Ross: —never once responding to the pressing issues for people across Scotland right now, which will be playing second fiddle to an independence referendum, because we know that the First Minister cannot focus on improving our country when she is trying to divide it all over again.

We can see right now what happens when this SNP Government is distracted: the census was a shambles, because the constitution secretary—who is looking up to the sky, maybe for divine inspiration—was too busy updating the “UK bad” bar charts to actually count the number of people in Scotland. That is what happens when time and resources are not thrown squarely behind things that really should matter. Mistakes are made and the people of Scotland are the ones who suffer.

Let us look at Scotland’s NHS. Waiting lists are continually hitting record highs across our health service, from accident and emergency to cancer diagnosis. Patients are waiting years for essential treatment. Why does Scotland’s NHS not deserve the First Minister’s full focus right now?

The First Minister: Those issues have my full focus. However, since Douglas Ross has raised them, I will take them on point by point, and he should listen carefully.

First of all, though, he talks about bar charts. What every one of the bar charts in the publication that we produced on Tuesday this week shows is that when 10 comparator countries across Europe—with different characteristics but all independent—are compared with Scotland, they are wealthier, they are fairer and they have better wellbeing than Scotland as part of the UK. They make the case for Scotland becoming an independent country.

Let me set out the ways in which the Government is using our current powers, and in doing so making the case for more powers. Let us look at the economy. In the most recent quarter, Scotland’s gross domestic product grew; in the rest of the UK, GDP contracted. Unemployment right now is lower in Scotland than in the rest of the UK. Unlike the rest of the UK, Scotland has a positive trade balance in goods with the rest of the world. We have the position as the top-performing—[*Interruption.*]—

The Presiding Officer: We will hear the First Minister.

The First Minister: —economy in the UK for inward investment outside of London.

The Presiding Officer: Will hear the First Minister. Thank you.

The First Minister: Business research and development is up under this Government by 99.5 per cent, compared with under 30 per cent in the rest of the UK.

Let us turn to schools. According to the Organisation for Economic Co-operation and Development, Scotland has the highest proportion of 25 to 65-year-olds in the UK with post-secondary education. Of all UK nations, we have the highest number of teachers. We have the highest number of schools per 100,000 pupils. On the last exam day, we saw higher passes at the highest level in the history of devolution. On access to university, the independent commissioner for fair access says that Scotland has “set the pace” with regard to fair access across the UK—and, of course, we have free tuition in Scotland.

On justice, recorded crime is at one of the lowest levels since 1974—down 41 per cent under this Government.

Lastly, on health and social care, we have record staff numbers.

The Presiding Officer: Briefly, First Minister.

The First Minister: We have higher staff numbers than in other parts of the UK, and we have the best-paid staff anywhere in the UK.

If that is what we can do with the powers of devolution, imagine how much better we can do with the powers of independence.

Douglas Ross: The First Minister’s answers are as selective as her bar charts. Yet again, there is nothing about the attainment gap. What happened to that being the First Minister’s number 1 priority?

There have now been two questions about the NHS and two answers that never mentioned our NHS, because those issues are put on the back burner.—[*Interruption.*]

Those issues are put on the back burner.

The Presiding Officer: Members!

Douglas Ross: For the SNP and the SNP Government, those issues are put on the back burner because they have set a date for an illegal referendum in just 16 months’ time. Nicola Sturgeon is distracted all over again, and we know what happens next.

Every time the SNP campaigns for another referendum, Scotland’s drug deaths spiral. The First Minister has admitted that herself.—[*Interruption.*]

The Presiding Officer: Members!

Douglas Ross: She took her “eye off the ball”, and people lost their lives. The latest figures show that Nicola Sturgeon’s drug deaths scandal

remains the worst in Europe. We have brought forward a solution that we could implement straight away. Our right to recovery bill now has cross-party support. Nicola Sturgeon's Government could throw its weight behind it and we could pass that bill now, this year.

Why should a referendum bill be passed before the First Minister sorts out Scotland's drug deaths scandal?

The First Minister: On drug deaths, I have said—and people who have been listening to earlier First Minister's question times will have heard me say—that we will look very sympathetically at Douglas Ross's bill when he publishes it. We cannot do that until the bill is published.

I hope that we can find consensus and agreement. Some concerns have been raised by experts about what might be in the bill; other experts have voiced real support for it. The willingness to work together is there.

Of course, we are investing £250 million over this session of Parliament to tackle drug deaths and, although there is no room for complacency, we have seen in recent statistics a reduction in the number of suspected drug deaths over the months to March 2021.

Going back to other aspects of Douglas Ross's question, he said, bizarrely, that in my previous answer I did not mention the NHS or the attainment gap; I mentioned both. I pointed to the commissioner for fair access. A core part of tackling the attainment gap is to reduce that inaccess to university, and the independent commissioner has described our progress as an "unambiguous success". I also mentioned the NHS—the fact that we have record staff numbers and the best-paid staff anywhere in the UK.

Lastly, Douglas Ross should really stop—there is a real desperation at the heart of his approach to independence. It is very telling, is it not, that he is so terrified of the substantive debate on independence—so terrified of the verdict of the Scottish people on independence—that he is reduced to somehow trying to pretend that democracy in Scotland is illegal.

It is not a question of whether this Government respects the rule of law; we do and always will. The question is, is Douglas Ross a democrat? I think that the glaring answer to that is no.

Douglas Ross: The First Minister's priorities are all wrong at the worst possible time. It is a crucial moment right now for public services and our economy. We have just gone through a pandemic, war in Europe has hiked energy prices and there is a global cost of living crisis. It is time for us all to pull together and focus on improving

public services, creating jobs, restoring schools, fighting crime and supporting our NHS.

Scotland has the potential to rebuild stronger. A focus on our recovery is what the Scottish people overwhelmingly want, not a referendum. We need a strong Government for all of Scotland, but we are getting a weak campaign group for the nationalist minority that values grievance over governing. Why is the SNP's obsession with a referendum next year more important than the priorities of people across Scotland right now?

The First Minister: Independence is about ensuring that we can better meet the priorities of the Scottish people and deal with those challenges. What Douglas Ross needs to reflect on is that so many of the challenges that he has outlined are being exacerbated right now in Scotland because we are not independent.

We were taken out of the European Union against our will. Brexit is why we are suffering the highest inflation in the G7 and the lowest growth of the G20 apart from Russia, and why we are seeing constrained budgets. That is Brexit and that happened to Scotland because we are not independent. People across the country are paying the price of it right now. Independence is the solution.

Lastly, because we are not independent, we currently have a Prime Minister whom even Douglas Ross—well, this is the case today; it might not be tomorrow—does not think is fit for office. The ethics adviser—the second ethics adviser to Boris Johnson who has resigned—said this morning that the Prime Minister

"has placed him in an impossible and odious position."

Douglas Ross seems to agree with Christopher Geidt that Boris Johnson is putting him in an odious position. The difference between Douglas Ross and Christopher Geidt is that Christopher Geidt has the decency and honour to resign.

Audit Scotland Report (Covid Spending)

2. Anas Sarwar (Glasgow) (Lab): Today, Audit Scotland has published the latest in a series of damning reports uncovering the Scottish National Party Government's failures. It shows that the Government made more than 300 spending announcements during the Covid pandemic, but failed to monitor how that money was spent. More than 40 per cent of the additional funding for health and social care that came through Barnett consequential has not been spent.

The First Minister said at the election that her priority was Covid recovery, but Audit Scotland says that there are billions of pounds of Covid money being "held back" while our public services, businesses and workers are crying out for support.

Why is Covid recovery no longer the First Minister's priority? Why has that money not been spent? Will the First Minister guarantee that every penny will be spent on rebuilding Scotland?

The First Minister (Nicola Sturgeon): That is not what this morning's Audit Scotland report shows. It is a very good and positive report, and we will pay very close attention to the recommendations that it makes.

Let me share some of what the Audit Scotland report actually says. The Scottish Government spent more on dealing with the pandemic—£15.5 billion—than was allocated through consequentials from the United Kingdom Government. The report goes up only to December 2021 and not to the end of the financial year so, of course, at that time some of the money remained unallocated. Also, the pandemic is, of course, not completely behind us, so we need to continue to support the economy and our public services without consequentials.

The report also says that the Scottish Government

“managed its overall budget effectively”;

that it “developed specific schemes” that were unique in the UK—they did not exist anywhere else in the UK; that it acted with the essential “urgency” and “speed”; that it

“relied on established systems ... to detect”

and reduce fraud in the system; and that it worked well with partners across the country.

The report suggests some lessons that we should learn. As is the case with all aspects of the pandemic, we will ensure that we learn those lessons.

Anas Sarwar: Not for the first time, the First Minister is denying the reality. The report refers to money that was committed but has not been spent, and it makes it clear that although it is a good thing to build reserves, using emergency money to do so is not. It is the equivalent of taking out a payday loan and putting it in a savings account. It does not work and it is not good for Scotland.

This is not the first time that Audit Scotland has highlighted the Government's incompetence. As is typical with the Scottish National Party Government, there is a culture of contempt for anyone who dares to ask a difficult question or to expose an inconvenient truth. Even when it is one of the SNP's own members, the party closes ranks and gives them a slap on the wrist.

In the face of uncomfortable truths about its financial mismanagement, SNP figures openly talk of “clipping the wings” of Audit Scotland. The SNP has already cut Audit Scotland's budget by nearly

a fifth since it came to power and the spending review makes it clear that there will be year-on-year cuts to come. Is not it the case that Nicola Sturgeon is cutting Audit Scotland's budget because it makes it harder for it to do its job and harder for it to expose the Government's failures, and because it makes it easier for her to get away with it?

The First Minister: Oh, dear. I thought that Anas Sarwar might have done some basic homework before coming to the chamber. I have some news for him: the Scottish Government does not set the budget for Audit Scotland. The budget for Audit Scotland is independently funded through the Scottish Parliament; the audit fees from public bodies pay for it. *[Interruption.]* I thought that Anas Sarwar might have known that—*[Interruption.]*

The Presiding Officer: Members! *[Interruption.]* Mr Swinney! Members! I am sorry; I cannot hear a word that the First Minister is saying, and I am sure that we would all like to hear what is being said.

The First Minister: I am not sure that Anas Sarwar will want to hear this, but I certainly want him to hear it. The figures in the spending review in relation to Audit Scotland are illustrative because we have to have illustrative figures, but they do not replace the independent processes whereby Parliament scrutinises and determines the budget of Audit Scotland. That is basic stuff that I thought a leader of an Opposition party would have known.

The reserves were fully utilised as part of the 2021-22 budget management process. They were transparently allocated within the budget revisions, and they include the £134 million of Covid funding that was specifically ring fenced for health. No money that is currently in the Scottish reserves relates at all to Covid-19 business support funding. Again, that is basic stuff that I thought a leader of an Opposition party would have known.

Anas Sarwar accuses me of being selective in my quoting of the Audit Scotland report. I have it here and I will read from page 4 of the actual report. It states:

“The Scottish Government worked collaboratively and at pace with local and UK government to direct significant public spending in difficult circumstances. It is critical that lessons are learned about what worked well, and what

needs to “improve”.

The second point that it makes is that

“the Scottish Government streamlined governance arrangements to direct funds quickly”,

and it goes on to say that

“it is hard to see how some financial decisions were reached”,

but that is because we were acting quickly, because there was a global pandemic.

Thirdly, it says:

“The Scottish Government directed a large proportion of funding to councils and other public bodies who had existing systems and local knowledge to enable them to spend quickly.”

The Presiding Officer: Briefly, First Minister.

The First Minister: Fourthly, the report says:

“The Scottish Government has managed its overall budget effectively”.

Yes—it says that some Covid-19 funding remains unspent, but that is because the report does not go to the end of the financial year. Again, that is really basic stuff that I thought the leader of the Opposition would have known.

Anas Sarwar: Nicola Sturgeon can be as condescending as she likes. We are used to it.

However, the reality is that she is selectively quoting from one page when the report makes it clear that it is not clear where the Covid recovery money is going to be spent, and that there are billions of pounds of reserves sitting in integration joint board accounts or local government accounts. That is money that should be spent on the recovery.

On the spending review, the report makes it clear that year after year there is a standstill budget for the Scottish Parliament and Audit Scotland. That means, in real terms, year-after-year budget cuts for Audit Scotland, which means that its wings are clipped.

It is no wonder that Nicola Sturgeon wants to hide and distract from her failures. She is not focusing on the rising child and pensioner poverty that is happening on her watch. She is not focusing on the drugs deaths that have more than doubled on her watch. She is not focusing on the attainment gap that is still wide open on her watch, and she is not focusing on the 700,000 people on national health service waiting lists on her watch. What do we get? Instead of the Nicola Sturgeon whom we saw during the pandemic, we see a return to the Nicola Sturgeon who wants to divide our country and to pit Scot against Scot. After 15 years of this Scottish National Party Government and eight years as First Minister, when will she stop pretending that she is in Opposition and start governing for the people of Scotland?

The First Minister: Forgive me, Presiding Officer, but when Anas Sarwar comes to the chamber and makes basic errors, it is not “condescending” to point them out. It is not my job to hide the incompetence of the leader of the Scottish Labour Party; it is my job to put facts in front of the Scottish people.

Anas Sarwar talks about this Government’s use of our own powers and he mentioned child poverty. I remind him that Scotland is the only part of the United Kingdom that has a child payment specifically to lift children out of poverty. If Anas Sarwar was prepared not to continue to support welfare powers lying in the hands of Tory Prime Ministers and Chancellors of the Exchequer, and would instead help to get them into the hands of this Parliament, we could do more—and he just might have a scrap more credibility.

On Scotland’s right to choose, Anas Sarwar is entitled—although why he would want to do it is beyond me—to team up with the Tories again to oppose independence. That is democracy. What he is not entitled to do is stand in the way of the Scottish people’s democratic right to choose. His position has him at odds with the trade union movement and the Scottish Trades Union Congress. It has him at odds with the constituency that he would like to represent, where 60 per cent of voters backed parties supporting a referendum. It has him at odds with his own party’s membership, as a third of Scottish Labour voters support a second referendum on independence, and with his own MSPs, including Alex Rowley and Monica Lennon. Even Jackie Baillie has said that Labour was wrong to do a deal with the better together campaign in the previous campaign. However, most fundamental is that Anas Sarwar’s absurd position puts him at odds with any basic notion of democracy, which is why he will continue to struggle so badly.

Scottish Breastfeeding Week 2022

Natalie Don (Renfrewshire North and West) (SNP): How is the Scottish Government supporting Scottish breastfeeding week, and what steps are being taken to promote the breastfeeding friendly Scotland scheme?

The First Minister (Nicola Sturgeon): Scottish breastfeeding week 2022 is being promoted with a programme of daily events and is supported by national health service boards and third sector partners. The highlight of the week was a breastfeeding celebration event that was held yesterday, at which Maree Todd thanked more than 120 delegates from health boards and the third sector. At that event, we also launched important resources for promotion and protection of and support for breastfeeding in Scotland. A theme that is running throughout the week is promotion of the breastfeeding friendly Scotland scheme. Work continues to promote and expand the scheme from commercial premises including shops and cafes, to early years and school settings, and to our local authorities.

Baby J (Independent Review)

Russell Findlay (West Scotland) (Con): Baby J was 11 weeks old when he died in West Lothian. In his short life, he suffered multiple broken bones and other injuries that, in a ruling, a judge said could only have been inflicted by his parents. A social worker and a nurse wanted baby J to be placed on the child protection register before he was born, but they were overruled. The judge has expressed surprise that the council did not instruct a serious case review into his death.

That tragedy happened in 2014, but news of it has emerged only thanks to *The Sunday Times*. No one has been held to account, and serious questions remain unanswered. Will the First Minister commit to ensuring that a full and independent review now takes place and that its findings are made public?

The First Minister (Nicola Sturgeon): The circumstances are tragic and horrific, and I convey my deep condolences to the loved ones of baby J. In such circumstances, it is really important that all lessons be learned fully. There are already independent processes in place to ensure that that is the case. Of course, I will satisfy myself that all the necessary processes are in place to ensure that all the lessons that need to be learned from the case—clearly, lessons do need to be learned—are learned and that, within the bounds of confidentiality for families, any findings of any of the processes are put into the public domain.

Juvenile Idiopathic Arthritis

Pam Duncan-Glancy (Glasgow) (Lab): This week is the first-ever juvenile idiopathic arthritis week. I thank members for their support in promoting it and for wearing purple. I also thank the activists who have shared their personal stories.

One in 1,000 children in Scotland has JIA. I ask the First Minister to join me in thanking organisations such as Versus Arthritis and clinicians who are working tirelessly for the work that they do to support people who are living with JIA in Scotland. What more can the Scottish Government do to raise awareness of the condition?

The First Minister (Nicola Sturgeon): I thank Pam Duncan-Glancy for raising this important issue. The first JIA awareness week is a step forward. It is really important and I am delighted to support it.

I am also delighted to accept the invitation to pay tribute to organisations such as Versus Arthritis, which do fantastic work to raise awareness of the issues that people with JIA experience and to support people who are in those circumstances. I give a commitment to continue to

work with charities and similar organisations to ensure that we do as much as possible to support people. I would be happy to ask the Cabinet Secretary for Health and Social Care to discuss those issues with Pam Duncan-Glancy, so that we consider everything possible to increase support.

Green Free Ports (North-East Scotland)

Jackie Dunbar (Aberdeen Donside) (SNP): Aberdeen International Airport Ltd, Port of Aberdeen, Peterhead Port Authority, Aberdeen City Council and Aberdeenshire Council have put together a bid to bring a green free port to the north-east of Scotland. That bid has the potential to boost gross value added income by £7.5 billion, bring 30,000 jobs to the north-east of Scotland and usher in a new era of investment, innovation, regeneration and opportunities for the people who need them most across the region.

I am aware that the First Minister cannot support any particular bid, but will she give a commitment that the Government will give serious consideration to the bid, and will she join me in recognising the huge benefit that it could bring to the north-east of Scotland? [*Applause.*]

The First Minister (Nicola Sturgeon): We can hear the north-east contingent in Parliament loudly and clearly.

All bids will be treated extremely seriously. I advise the Parliament that bids for green free port status close on 20 June. All bids will be assessed jointly by the Scottish Government and the United Kingdom Government, with ministers jointly selecting the winning bids. As it is a competitive process, I cannot comment on individual bids at this stage, as Jackie Dunbar indicated. However, I recognise the strong support that she has given to the north-east bid, which is, of course, of great interest to her constituents.

I look forward to receiving strong bids from around Scotland from everyone with ambitious plans that will bring real benefits to Scottish businesses, workers and communities and that will have a positive and lasting impact on Scotland's economy. A clear contribution to achieving net zero through decarbonisation plans is a core requirement of green free ports. Applications should also demonstrate how they will deliver fair work, or they will not be supported by the Scottish Government.

I take the opportunity to wish all bidders well in the process.

NHS Greater Glasgow and Clyde

Annie Wells (Glasgow) (Con): My constituent Briege Ward-Foley, who suffers from spina bifida, had bladder surgery in April 2019. Since the initial operation, her bowel problems have worsened and

the only option is further surgery. Briega is admitted to hospital on a four-weekly basis, as her bowels do not function without a nasogastric tube, but that treatment is damaging and is becoming less effective over time. That experience has taken an immense physical and mental toll on her, and she needs urgent assistance.

Briega's consultants have informed her that they are prepared for surgery. However, NHS Greater Glasgow and Clyde continues to delay her vital surgery. What action can the First Minister take to assist my constituent in getting her surgery as quickly as possible?

The First Minister (Nicola Sturgeon): I thank Annie Wells for raising the issue. As, I hope, she will appreciate, I do not know the details of her constituent's case other than those that she has just shared with me in Parliament. If she is willing, and if she has the consent of her constituent, to share all the details of the case and any additional relevant information with the Cabinet Secretary for Health and Social Care this afternoon, I will ensure that the case is looked into as a matter of urgency and that we liaise with the health board and give a detailed reply to her as quickly as possible.

Police Pay

Pauline McNeill (Glasgow) (Lab): This week, Calum Steele of the Scottish Police Federation described the police pay offer of £565 as "derisory". He said that police officers are disgusted at the offer and are considering taking action to demonstrate the "palpable anger" that members of the SPF feel. Such a low offer has been made despite the fact that the police have done an exemplary job in the pandemic, and despite the crime figures that the First Minister referred to earlier. I am sure that she gives the police some credit for those figures.

The offer comes despite warnings from the SPF that more than 800 police officers are expected to take early retirement—a higher figure than we would expect—because they feel overworked and undervalued. They refer to constant cancellation of their rest days and annual leave.

If the Government takes the issue seriously, what is the First Minister doing to make sure that police officers do not feel undervalued by the Government? What is she doing to make sure that we encourage police officers to stay in the service and not take advantage of early retirement? We need those officers on the front line.

The First Minister (Nicola Sturgeon): I pay tribute to police officers and support staff across the country, whose service is exemplary. I give them enormous credit for their contribution not only to the handling of the pandemic, but to the wellbeing of our country.

Pauline McNeill is right to say that the figures that I cited earlier, which show that our crime rates are among the lowest since the 1970s, are in large part down to the efforts of the police. That is why we have a higher number of police officers than we had when the Scottish National Party took office. We have a higher number of police officers proportionately than other parts of the United Kingdom, and the starting salary for police officers is higher in Scotland than it is elsewhere in the UK.

I want all public sector workers to get the fairest possible pay increases, particularly at this time of soaring inflation. Pay negotiations across the public sector are under way, and it is obvious that the Scottish Government—within the very limited resources that we have—is seeking to secure as much fairness as possible. Unlike a Government elsewhere in these islands, we value deeply the contribution of public sector workers.

Specifically in relation to the police, police officer pay is negotiated through the police negotiating board. That has been the case for many years, and that process is on-going in relation to pay for 2022-23. It would not be appropriate for me to cut across that. Following Scottish Police Authority board approval in late May, formal negotiations with trade unions commenced on 2 June. That process is on-going, and I hope that it delivers—I would say this about all groups in the public sector—the fairest possible outcome in the circumstances that we are in.

Northern Ireland Protocol (United Kingdom Government Proposed Legislation)

3. Maggie Chapman (North East Scotland) (Green): To ask the First Minister what the Scottish Government's analysis is of the potential risks to Scotland's economy of the United Kingdom Government's proposed legislation to override the Northern Ireland protocol. (S6F-01224)

The First Minister (Nicola Sturgeon): The Scottish Government was not consulted by the UK Government before it took that action, which risks a hugely damaging, self-inflicted trade war in the middle of a cost of living crisis and which might well breach international law.

The UK Government is risking sanctions such as targeted tariffs that would deeply harm Scottish businesses, which are already dealing with an uncertain and unnecessarily bureaucratic environment, thanks to Brexit. It is also very likely that the UK Government's action will end discussions across a range of other important issues, including access for our scientists and researchers to the European Union's horizon programme.

Brexit has already made the cost of living crisis much worse, but, by sparking a trade war, the UK Government risks exacerbating that crisis significantly. I hope that common sense and decency on the part of the UK Government quickly prevail.

Maggie Chapman: By seeking to override parts of the Northern Ireland protocol, the UK Government is putting the economic wellbeing of the north of Ireland behind its desire to impose its Brexit-infused British ideology on people. Such unilateral action also damages trust in politics. As the First Minister has said, we know that Brexit is already damaging Scottish businesses. Indeed, some in the north-east, in my region, have decided to stop all international business due to Brexit.

What can we do to ensure that any actions by the EU in response to the UK Government's riding roughshod over international treaties does not further damage Scotland's economy? Does the First Minister agree that independence for Scotland is now very clearly the best route to securing our country's position as an outward-looking and internationally responsible European nation?

The First Minister: Maggie Chapman's question is absolutely correct, as is everything that she said. Let us not forget that the Northern Ireland protocol was negotiated and signed by the UK Government. It is also a protocol that is now benefiting Northern Ireland, whose economy is doing better than those of the other countries in the UK. If I, as First Minister of Scotland, could get a protocol that would allow Scotland to continue to trade freely across the single market, I would take it in a heartbeat. That is the reality.

We also have a UK Government that is showing no respect for the rule of law, for international law or for the basic norms of our democracy. Earlier, I quoted from the letter from Christopher Geidt, the now-resigned ethics adviser to the Prime Minister. Let me quote another line from it. I do not know whether it refers to the Northern Ireland protocol, but it may do. Lord Geidt says that, this week, he was

"tasked to offer a view about the Government's intention to consider measures which risk a deliberate and purposeful breach of the Ministerial Code."

That is how the UK Government is now behaving.

Actually, I slightly disagree with Maggie Chapman. I do not think that independence is now the best route to securing our status in the European Union as an outward-looking country—it is now our only route to doing that.

Responsible Access (Countryside)

4. **Emma Harper (South Scotland) (SNP):** To ask the First Minister, in light of summer officially commencing next week on 21 June, what action the Scottish Government is taking to promote responsible access to Scotland's countryside. (S6F-01223)

The First Minister (Nicola Sturgeon): It is very pleasing to see that summer may have unofficially commenced already in Scotland. Long may it continue.

NatureScot is the lead Scottish Government public body for access to the countryside. It works with the national parks and other key partners on raising awareness of the Scottish outdoor access code. Last year, NatureScot's traditional and social media activity saw more than 15 million impressions, driving more than half a million page views on the Scottish outdoor access code website. A further campaign is already under way for this summer. It will inform campers of their responsibilities, including around people and pet behaviour, and good practice in relation to fires and waste disposal.

Emma Harper: More people will be enjoying Scotland's bonnie countryside, but it so important that they do so responsibly. As the First Minister will know, the Dogs (Protection of Livestock) (Amendment) (Scotland) Act 2021, which is based on my member's bill, is now law and increases penalties for those who allow dogs to worry or attack livestock. Will she join me in encouraging everyone to follow the Scottish outdoor access code and to keep their dogs under control when they are in the countryside? Will she also join me in commending the vital work of the Scottish partnership against rural crime?

The First Minister: Emma Harper has made important points. Of course, everyone should follow the access code. Indeed, it is worth pointing out that access rights apply to dog walking only if the dog is under proper control.

I also commend the vital work of the Scottish partnership against rural crime. Its livestock attack and distress campaign, which has the slogan "Your Dog—Your Responsibility", aims to educate dog owners about the new legislation and is key to awareness raising and bringing an end to the associated unnecessary suffering for all involved. Police Scotland and farming and crofting stakeholders combine their efforts to address such crimes, and the Scottish Government also campaigns with the Scottish SPCA. The small minority of people who do not treat livestock with respect and care must be held accountable, and the consequences must appropriately reflect the severity of their crimes.

Nuclear Fusion Technology (Investment)

5. Craig Hoy (South Scotland) (Con): To ask the First Minister whether she will provide an update on the Scottish Government's policy regarding investment in nuclear fusion technology. (S6F-01214)

The First Minister (Nicola Sturgeon): We are aware of the increasing interest in the development of fusion energy, which of course is different from traditional nuclear energy. We should never close our minds to new technology. It is clear, though, that there is still a very long way to go on fully understanding both the risks and the opportunities that fusion energy technology presents.

The Scottish Government's position on traditional nuclear energy has not changed and will not change. We do not support the building of new nuclear power stations in Scotland, and therefore that will not feature as part of our wider energy strategy review, which is due to be published later this year.

We will continue to assess any such new technologies based on safety, value for consumers and contribution to Scotland's low-carbon economy and energy future.

Craig Hoy: I thank the First Minister for that answer, but I note that she is non-committal on fusion and will still use the planning system to shut down Scotland's traditional nuclear energy industry.

Scientists at the UK-based Joint European Torus have set a new record for the amount of energy produced in its quest to produce nuclear fusion. That offers the potential of virtually unlimited supplies of safe, low-carbon, low-radiation energy. Why will the First Minister not give a guarantee that her Government will allow Scotland to benefit from that technology when it becomes commercially available? Is caving in to the anti-science, anti-nuclear dogma of the Greens yet another price that she will pay for them propping up the Scottish National Party's plan for an illegal wildcat referendum next October? *[Interruption.]*

The Presiding Officer: Members.

The First Minister: There is a real obsession on the Tory benches today. I think that they might be feeling a wee bit under pressure and uncomfortable because they know that a referendum will be legal and it is coming.

On the issue at stake, however, yes—I am noncommittal on fusion energy. It would be irresponsible to be anything other than that, because there is an awful long way to go before any of us fully understands either the risks or indeed the opportunities that that technology might

present. It will probably be decades before we could see any plants operating, and a lot of understanding needs to be built along the way. We will not close our minds, but neither will we jump to conclusions while that work has to be done.

Our position on traditional nuclear energy is well known. Let me quote the chair of the Nuclear Consulting Group:

"The central message, repeated again and again, that a new generation of nuclear will be clean and safe is a fiction. The reality is nuclear is an extremely costly and inflexible technology with the potential to cause significant harm."

We have massive renewables potential, and this Government is going to focus on making sure that we fully realise that.

National Health Service (Use of Locums)

6. Jackie Baillie (Dumbarton) (Lab): To ask the First Minister what the Scottish Government is doing to tackle the reported growing use of locum staff in the national health service. (S6F-01228)

The First Minister (Nicola Sturgeon): The use of temporary staffing in the NHS, be that locum, agency or bank staff, is a very small fraction of NHS staffing. Temporary staff were vital during the height of the pandemic, not least to deliver our vaccination programme. The majority of the temporary staffing cost comes from the NHS staff bank, who are of course NHS staff members on NHS rates of pay.

Every health system has to make some use of temporary or agency staffing. Let me illustrate that. In 2021, agency spending in NHS England was 23 per cent higher than in Scotland. In Labour-run Wales, agency spending was 79 per cent higher than in Scotland.

NHS staffing in Scotland is at a record high level and, as set out in our recent workforce strategy, we are committed to growing the NHS workforce further.

Jackie Baillie: I thank the First Minister for her response, but I remind her that, of course, people in this chamber are responsible for the NHS in Scotland. Perhaps she should spend her time focusing on that, because agency spend has risen to £423 million in 2021-22, which represents a 30 per cent increase on the previous year. We have had a pandemic, but most of that increase is down to the increasing level of vacancies for nurses, doctors and consultants.

The First Minister may be aware that, currently, nurses are quitting the NHS to work for private agencies that then, in turn, place them back in the NHS to cover staff shortages. They can earn more in a weekend than they do all week working in the NHS. The consequence is more vacancies and more money being wasted on sticking-plaster

solutions. What action will the First Minister take to end the costly and growing use of agency staff in our NHS?

The First Minister: First, I am responsible and this Government is responsible for NHS Scotland, but as I have said before—I am sorry to disappoint Labour, as I am sure that I will also say this again—if Labour comes to the chamber to say that it would do things so much better, it is perfectly reasonable to look at the record in the part of the United Kingdom where Labour is currently in government and draw our own conclusions on whether that is true or not.

Secondly, we have a record number of workers in our NHS—even taking account of vacancies; I am talking about staff who are currently in post. The number has increased under this Government by almost 30,000.

Jackie Baillie: But demand is growing.

The First Minister: Yes, demand is growing. We have had a pandemic. That has meant that some workers in our NHS have been off sick, due to having Covid, and that additional things—most of all, the vaccination programme—have had to be undertaken. I do not know what Jackie Baillie is suggesting. Should we just have left those posts somehow unfilled and not had those services delivered? Is that what a Labour Government would do? If that is the case, people will certainly draw conclusions from that.

I come to my final two points, Presiding Officer. The majority of temporary staffing comes from the staff bank. Those are NHS staff on NHS contracts at NHS rates of pay. Jackie Baillie asked me what action we are taking. We have already acted to ensure that there is a record number of staff in our NHS—higher, proportionately, than in England or Wales—and we will continue to grow the NHS workforce so that it can meet the demands of the people of Scotland in the years to come.

The Presiding Officer: That concludes First Minister's question time. There will be a brief pause before we move to the next item of business, which is a members' business debate in the name of Christine Grahame.

Men's Sheds

The Deputy Presiding Officer (Liam McArthur): I ask those leaving the chamber and the public gallery to do so as quickly and as quietly as possible, because we are still in session.

The next item of business is a members' business debate on motion S6M-03064, in the name of Christine Grahame, on "Men Don't Talk". The debate will be concluded without any question being put. I invite members who wish to participate to press their request-to-speak buttons now or as soon as possible.

Motion debated,

That the Parliament recognises the work that has gone into producing the one-act play, *Men Don't Talk*, by Clare Prenton, who is based in Peebles; understands that Clare based this play on the experiences of those involved with Peebles Men's Shed and conducted a number of workshops with members to inform the storyline, which was written and developed over two years; further understands that it explores the myth that men do not talk, in a fictional Men's Shed setting, discussing such issues as loneliness, alcoholism and recovery, loss of a life partner, caring for a partner with dementia, post-traumatic stress disorder (PTSD) from previous service in the Armed Forces, and where the next supply of jaffa cakes is coming from; notes that this was made possible by funding from the Peebles-based charity, Inspiring Life—Evie Douglas Memorial Fund, which was set up by Freda Douglas in memory of her daughter Evie; congratulates those involved, on the play coming to fruition in January 2022, with a rehearsed reading at The Eastgate Theatre in Peebles, employing a professional cast of three actors and the services of one local amateur, who helped with the stage direction, in front of an audience of over 70 people; believes that projects such as this celebrate community collaboration and are an important part of raising awareness of issues around mental health, particularly among those in society who may be less comfortable in engaging in conventional support for this, and considers that organisations such as Men's Sheds are a vital support for many in Scotland's communities.

12:50

Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (SNP): I thank the Presiding Officer for the pause to allow members to enter the chamber.

It is with great pleasure that I lead my debate on men's sheds. I add that this is not the first time, as I led a debate on the same topic in 2019, and contributed to another in 2021. I thank members for signing the motion and, in advance, for contributing today. I also welcome to the gallery members of the Peebles and District men's shed and the Penicuik and District men's shed, which are in my constituency. I visited both pre-Covid and hope to do so again. There are also sheds in Lauder and Galashiels.

All men's sheds have much in common, and their members have a wide range of experience, which is very handy—for example, there may be

an accountant who can search out funding streams; a retired lawyer, if you are lucky—although not many people say that about lawyers—who can help with the legal stuff; and men with experience of trades. Collectively, they make a powerful functioning organisation.

The name “shed” is so apt. I recall that my father had his own one-man shed plonked right in the middle of the back garden. He would retreat there from our large and noisy family with the Sunday papers and sit in the open doorway at peace with the world, or he would disappear inside to make sledges for us that were so heavy that they would not move through the snow. There were also shelves that were constructed to survive an earthquake. Woodwork was not a talent of his, but he was happy. When men’s sheds came on the scene, I immediately recognised the benefits.

The play “Men Don’t Talk” by Clare Prenton was born out of discussions with Peebles men’s shed members, and it prompted me yet again to highlight again the importance of men’s sheds. Men talk there, and the play explores what they talk about, including a range of small, medium and large issues. By “large”, I mean issues of loneliness, bereavement, dementia and so on—all discussed while they hammer away at bird boxes, planters and garden benches that are mostly for community use, accompanied, of course, by the obligatory cups of tea and coffee and biscuits. Lest I forget, I should make it plain that Peebles men’s shed also provides for women members.

I thank the Scottish Men’s Sheds Association for its briefing, and note that there are 201 known men’s sheds and developing groups across Scotland—129 open sheds, 47 that are in development and 25 that are proposed. The pandemic meant that some sheds have gone, but post-pandemic there is an even greater need for them, as we can see from the sheds that are proposed and in development. Incidentally, the SMSA has an excellent website to guide those interested in the dos and don’ts of establishing a shed.

I now welcome more people to the public gallery—you missed a bit, but you can see it online later.

There is no dispute that men’s sheds do a power of good, and I am not just talking about bird boxes and benches. The companionship is good for body and soul, and is much needed, especially after the last two dreadful years.

I know that you would have wanted to take part in this debate, Deputy Presiding Officer, so I thought that I would say what you would have said; besides, I have family connections to Orkney through a sister, which I think gives me sufficient authority to deputise for you. I am deputising for

the deputy—how nice. Here is the jist of what you told me.

Orkney men’s shed, like others, found securing premises difficult, but having at last found a location in Finstown, which is midway between Stromness and Kirkwall, and thus central and ideal, it has had to relocate to Stromness.

A hard-working team of volunteers led by Morgan Marcus has quickly enabled Orkney men’s shed to prove its worth to members and the wider community. The concept is making its way north of the Galt, with plans for the Sanday men’s shed well advanced. Given the risks of isolation and poor mental health, there is no reason at all why that model could not be replicated on other islands, albeit tailored to meet the circumstances, demand and personalities in each community.

I trust that, if I run out of time, I will get a little more time for that.

However—the minister will know where I am going with this—funding for sheds has to be raised through the Big Lottery Fund and so on. That is time consuming and exhausting, and finding suitable premises is a common challenge—it is not just a challenge in Orkney. That was true in Peebles, where premises were secured in the former ex-servicemen’s club, and in Penicuik, where, after years, a place has just been secured in the YMCA. Local authorities can help with that, and they often do.

The Scottish Government is quite right to face up to the challenges of the population’s health and wellbeing, especially the health and wellbeing of older people. Keeping folk fit in body and mind is not only the right thing to do; it can save more than pennies for the public purse, especially the health budget. Therefore, it seems to me—I am glad that the minister is listening—that there is a requirement for a more proactive role for Government in supporting the men’s shed movement. I am aware that there was a meeting with the SMSA earlier this year to discuss a new funding strategy for men’s sheds. A trilateral funding approach in the budgets of the Minister for Public Finance, Planning and Community Wealth, the Minister for Equalities and Older People, and the Minister for Mental Wellbeing and Social Care was looked at.

I understand that the minister has responded to a request for three-year funding, and I appreciate that the Scottish Men’s Sheds Association is disappointed to receive only one-year funding. However, these are extraordinary times, and there are severe financial pressures on all budgets. As my mother used to say, “It’s better to get something than nothing.” I note that the minister has suggested that the Scottish Men’s Sheds Association should apply for funding to explore the

upcoming social isolation and loneliness fund. I encourage it to do that.

If allowed, I will be back again in a year's time in another men's shed debate looking to see that more funding is secured for that very important organisation and all the individuals who give up their time to develop men's sheds throughout Scotland.

I am glad that the minister is listening, and I hope that the Deputy Presiding Officer is happy.

The Deputy Presiding Officer: Thank you very much, Ms Grahame. It is always a pleasure to be able to put words in your mouth.

There is, quite understandably, a lot of demand to speak in this debate, and I am conscious that business will resume at 2 pm, after lunch. We do not have an awful lot of time, so I would be grateful if members stuck to their four-minute allocation.

12:58

Audrey Nicoll (Aberdeen South and North Kincardine) (SNP): I thank Christine Grahame for lodging an important motion, which eloquently describes the commitment behind creating the "Men Don't Talk" one-act play. The storyline development, the issues that the play explores and the funding support have all helped to create an opportunity to raise awareness of mental health and the vital role of men's sheds in many of Scotland's communities. What struck me about the motion is the really creative and positive relationship between the Peebles men's shed, the playwright Clare Prenton, the Inspiring Life—Evie Douglas Memorial Fund, and the Eastgate theatre in Peebles, which clearly brought significant positive benefits to everyone involved in the project.

Age Scotland has described a men's shed as

"a safe social space for all men with time on their hands, to come together to socialise"

and undertake

"purposeful activities ... for themselves or for their ... community."

It continued:

"sheds aim to provide positive views of aging and later life, tackle loneliness and isolation and help older"

men

"to be as well as they can be."

I am sure that most—if not all—MSPs who have supported Christine Grahame's motion will have a special relationship with men's sheds in their constituencies and regions. My Aberdeen South and North Kincardine constituency hosts three sheds, which I will drop into over the summer.

Earlier this year, I spoke about the Portlethen and District men's shed in a speech about veterans and mental health and wellbeing. Cliff and John, who are both shedders and veterans, are testimony to the role that the shed plays in helping men to access their social network of friends.

Recently, my colleague Jackie Dunbar lodged a motion to celebrate global intergenerational week. In that debate, I spoke about the work of one shedder who has created doodle boards for a local primary school, putting his practical skills to very good use, recycling materials such as wood and supporting children to learn while developing their sensory practice.

However, the reach of that particular shed is much wider, as evidenced by the dementia-friendly garden that they maintain, the planters that they have made for their local railway station and the benches that they are currently making—out of mahogany, no less—to be placed outside the local chemist for older people to sit on when they are waiting for their prescriptions. Those are all activities that enable men to come together with their peers, neighbours and even strangers, and talk.

Of course, the context of today's debate addresses the scenario not so much of "Men don't talk" as maybe also "Men don't want to talk or don't feel able to talk."

A recent American study on the role of men's sheds in health promotion for older men highlighted the importance of an informal, male-friendly and safe shed environment that helps them to open up and talk about health issues in a comfortable and secure way.

By sharing their individual health and illness experiences with their peer group, men gain social support, which helps them to deal with their health issues, and in particular their mental health issues. I have it on good authority that my friends at the Portlethen men's shed are more than happy to talk quite frequently about their waterworks, including the number of times they go to the loo in the evening and which treatment works best—wonderful stuff.

The study also suggests that a successful men's shed must be supported by the availability of good shed facilities and, as Christine Grahame highlighted, sufficient funding and a management arrangement driven by shedders that enables them to make their own decisions—for example, which projects they want to work on.

I thank Christine Grahame for lodging the motion and I look forward to visiting Portlethen men's shed, Cove and Altens men's shed and Culter and District men's shed during recess for a bit of summer talk.

13:02

Miles Briggs (Lothian) (Con): I welcome Christine Grahame's guests to the public gallery and thank her for securing this debate and for the opportunity that it has given Parliament to discuss men's health week as well as Clare Prenton's play "Men Don't Talk" and the work of men's sheds in general across Scotland.

As Christine Grahame has outlined, Clare Prenton produced the one-act play "Men Don't Talk" after conducting a number of workshops with groups from the men's shed in Peebles. That work shows the huge benefit of men's sheds, which I hope that we can all acknowledge today. "Men Don't Talk" highlights the work that men's sheds such as Peebles and District men's shed do and helps to dispel the myth that men do not talk. Rather, men talk in a place and at a time when they feel comfortable to do so, which is why men's sheds and other community projects are so essential to all our communities.

The debate is taking place during men's health week, which is about raising awareness of health problems that disproportionately affect men. Men's shed organisations across the country are indeed a vital source of support, friendship, relief and comfort to many and provide that strong support network that men often feel—particularly in today's technologically driven world—that they are not necessarily connected to. It is important that that human contact is really looked at.

Men's sheds provide an excellent opportunity to act early in the work that needs to take place to address people's depression, relationship breakdowns and male suicide, particularly for men in Scotland from the poorest social backgrounds, who are often the most vulnerable due to issues around unemployment and poor social conditions.

The figures surrounding mental health and suicide among men in Scotland are shocking—we have had many debates on that—and I think that men's sheds have a positive role to play in that jigsaw of how we find a solution.

In Scotland today, more young people under the age of 29 die by suicide than from all types of cancer combined. In 2020, 71 per cent of all suicides recorded were men, further illustrating the disproportionately high number of suicides among men in Scotland.

In my Lothian region, between 2016 and 2020, more than 500 people died from suicide, with 389—70 per cent—of those being men, which aligns with the national average. I recently met with the Scottish Men's Sheds Association at its Banchory headquarters to discuss the challenges that face the charity, the work that it can do to help to turn around some of those problems, and the

role that it needs to play in helping us to address them.

Anyone who has interacted with a men's shed will know how their work is making a huge impact on local men in every community, and that the model is working well in rural and urban Scotland. Edinburgh and the Lothians, which I represent, are fortunate to have a number of men's shed associations operating in the area, but we need to look at how we can further expand them, which I think is an important part of what this debate can help to achieve.

The debate shows how members' business debates can drive change. The member has managed to do that because, yesterday, the minister responded to the Scottish Men's Sheds Association to indicate that the Scottish Government will make available £75,000 of core funding. As Christine Grahame has outlined, that is fine for staffing, but we need a future commitment on support. I hope that the debate can help the three-year funding request that was put forward and rejected to be revisited, and that ministers will look towards the development of a future sustainable financial package, because it is hugely important for that to happen if men's sheds are to be sustainable and expanded.

With just under 3,000 individual members and a pre-Covid engagement of about 10,000 members across Scotland, the Scottish Men's Sheds Association is the largest and fastest growing member-led men's health charity in Scotland—we should celebrate that. Therefore, it is vital that we look towards how its work will be expanded.

I thank Christine Grahame and Clare Prenton for bringing the work of men's sheds to the attention of the Parliament. I will close with an important quote from another woman, the actress Glenn Close, that sums up the issue quite nicely. She said:

"What mental health needs is more sunlight, more candour, and more unashamed conversation."

I sincerely hope that, by next year, when we celebrate the 10th anniversary of the first men's shed in Scotland, and when, I hope, the pandemic will be behind us, we can tackle issues of men's health and wellbeing with more sunlight, more candour and more unashamed conversation.

The Deputy Presiding Officer: I know that it is not in keeping with members' business debates to be too strict on time limits, but we are under the pump, because business is starting at 2 o'clock. If members could stick to their four minutes, I would be very grateful.

13:07

David Torrance (Kirkcaldy) (SNP): I thank my colleague Christine Grahame for securing this important debate.

We all know that most men don't talk as much as they should, but why not? In the past, men were not encouraged to talk about their feelings. In fact, they were often actively discouraged from doing so. Over the years, men have been conditioned not to talk about their fears, emotions or feelings.

I believe that two simple words have had the greatest detrimental effect on how comfortable men feel talking about their problems and experiences: "man up". The inference of that phrase is that men should be strong, should not show their feelings, should not cry and are expected to get through their problems on their own. The words are often thrown around without any thought being given to the damage that they inflict, not just to the person on the receiving end but to wider society and to future generations.

Historically, men have been taught to hide their physical, mental and emotional pain, and society has made it difficult for men to discuss topics of personal importance, favouring instead impersonal matters such as sports or popular culture. It is encouraging to see that our younger generations appear to be more open to talking about mental health, thanks in part to the media presence that mental health now has, and to social media, which can be a lifeline for people who feel isolated. I am reassured to see just how far things have progressed since I was a boy, but there is still much work to be done to challenge the cultural stereotype that exists in our society and to avoid the trap of toxic masculinity.

Startling research from the men's health charity Movember finds that nearly a third of men say that they feel pressure to be manly or masculine. To maintain the appearance of manliness, the research finds that 38 percent of men do not talk to others about their feelings, and that almost three in 10 men have never shown emotion or cried in front of others. That pressure to repress emotion can have devastating consequences on mental health, and may even stop some men from seeing a healthcare professional about physical or mental health problems.

That inability or unwillingness to reach out to friends, family or health professionals can have devastating results. The statistics surrounding the issue of male suicide are truly heartbreaking to read. Figures from National Records of Scotland show that one in four men have thought about taking their own life; in 2020, 71 per cent of all suicides were men; in every year since 1985, more than 70 per cent of people dying from

suicide have been male; and 43 per cent of men wish that they could talk more to others about their personal problems. It can be a vicious cycle: men don't talk about mental health because there is a stigma, but until more men talk about it, the stigma will remain.

That is why organisations such as men's sheds are very important. They provide a safe and supportive environment that fosters discussion and encourages shoulder-to-shoulder chats. They cater to the unique needs of men, while recognising that many men find it difficult to discuss their personal thoughts and feelings head-on.

As I have mentioned in the chamber previously, my constituency is the home of the Kirkcaldy and District men's shed. On the previous occasion that I stood here highlighting its invaluable contribution to the local community, I described how its members had been victim to a robbery in which their equipment, tools and electrical generators were stolen, rendering them powerless. I am delighted to report that they have not only recovered from that crime; they have gone from strength to strength. The group has now secured and moved into its own premises, and as a result membership has increased greatly in recent months.

The group's community open day last month was a great success, with a number of men coming along to find out more about what it does. It was great to see the local reaction to national issues. In Kirkcaldy, there are now a number of groups that address men's mental health, including Pete's man chat movement and Andy's Man Club, all of which are helping to reaffirm the message that, "It's okay to talk".

We must continue to challenge, change and empower our fathers, brothers, sons and friends so that all their voices are heard, and so that future generations of men and boys will grow up feeling confident in talking about and expressing their emotions, asking for help when they need it and discussing topics that they never dared to discuss before. When men get together and start to talk about the issues that really matter, the results can be astounding.

13:12

Paul O'Kane (West Scotland) (Lab): I thank Christine Grahame for bringing the debate to the chamber. From what we have heard, I am in no doubt that the play "Men Don't Talk", by Clare Prenton, goes a long way towards dispelling the myths that persist in our society that men don't talk, and the stigma that persists around how men deal with their feelings. I congratulate Clare Prenton on that important piece of work. The fact

that she went into a community and worked hand in hand with a men's shed to inform the play can only mean that it gives a piercing insight into the worries and angst of so many men, even if that sometimes extends to discussing who is next to do the dreaded trip to the shops.

I agree with Christine Grahame that projects such as "Men Don't Talk" are an excellent example of community collaboration and play an important role in raising awareness in society among those who may be less comfortable in engaging with conventional support. If the performance travels further north at some point in time, I think that we would all be delighted to attend a showing. Perhaps we could even do so in the Parliament in the future.

In my community, we are fortunate enough to have access to our own men's shed just down the road in Barrhead. It is a community that the minister knows well—indeed, he and I have visited that excellent facility. We have not yet been encouraged by the members to take up woodwork, but that may well happen in the future—although I am not entirely confident about my abilities in that regard.

The community men's shed in Barrhead does so much more than provide a space for crafting and woodwork. It provides a lifeline to many in our community, and enables older people—both men and women—to come together and share a space with one another. The Barrhead men's shed does amazing work, and we can all learn so much from its members' example of kindness and respect to all. Every time that I have visited, I have felt that warmth and kindness, and the real buzz that exists around the place with people coming together.

Jackie Dunbar (Aberdeen Donside) (SNP): Will the member take an intervention?

Paul O'Kane: I do not know whether I have time.

The Deputy Presiding Officer: You would have to take it in your allotted time.

Paul O'Kane: I will not, if that is okay, so as to keep on the right side of the Presiding Officer.

I will share with members a few quotes that have come directly from the members of the shed in Barrhead. I think that these quotes typify what the shed means to them. One person said:

"It may just be a shed to you, but to me—it's my Sanctuary."

Another said:

"The men's shed has been my life saver since my wife died."

From those quotes, it is clear to me that we need to do as much as we can to provide support for

these organisations, which, for some people, are indeed a lifeline.

As other members have said, it is not rocket science. It is a model that has, in some ways, always been around, but the difference that it makes is huge. As Christine Grahame said, we need to think about the preventative spend aspect, particularly with regard to the savings to the health budget.

We have heard from other members about the issues of funding and the sustainability of men's sheds. Sustainability of funding is crucial, and I know that it worries many people who are active in the men's shed movement. We have heard about some of the national issues that the Scottish Men's Sheds Association is experiencing, and I hope that the minister will pick up on those in his concluding remarks.

There are also issues at a local level in relation to support and the funding for leasing the buildings that men's sheds occupy, with councils sometimes dragging their heels when it comes to making decisions on future support. We need to explore further the asset transfer framework in the Community Empowerment (Scotland) Act 2015. The men's shed in Barrhead has raised issues about the validation certificate and the length of time that it can take to have that confirmed, the uncertainty that it creates when it comes to applying to funders, and the group's desire to have a sense of control over the buildings that it occupies. I am conscious of time, so I hope that the minister will be able to respond to that issue, or perhaps take it offline with me.

Next year, the Scottish men's shed movement will celebrate the 10th year since the first ever men's shed opened in 2013. Since then, from Barrhead to Ullapool, the movement has gone from strength to strength, and that should be celebrated. I look forward to us all coming together in the Parliament next year, with perhaps even more guests from men's sheds from across the country, to celebrate that milestone.

The Deputy Presiding Officer: Thank you, Mr O'Kane. I am sure that if you can operate a kettle, you will be very welcome in the Barrhead men's shed.

13:16

Ruth Maguire (Cunninghame South) (SNP): I thank Christine Grahame for bringing this important topic to the chamber and highlighting the positive impact of men's sheds. I also welcome the shedders who are in the gallery, and I congratulate Clare Prenton, Inspiring Life and the gentlemen of Peebles and District men's shed, who collaborated to create and produce "Men Don't Talk".

According to the Scottish Men's Sheds Association, there are 127 established men's sheds in Scotland, three of which are in my constituency. They are Three Towns men's shed, Irvine Harbourside men's shed and Irvine Newtown men's shed, which, in September 2019, along with Garnock Valley men's shed, created the Ayrshire men's shed network.

A man's shed might conjure up the image of a lone man making or mending items by hand, content at the bottom of his garden, and away from the family, as Christine Grahame said. However, what we are talking about today is a wee bit different. Men's sheds are about social connections, friendship building, sharing skills and knowledge, banter and, of course, a biscuit or two.

We all know that men's health can be overlooked, with men being more predisposed to physical illness and injury, on top of being vastly more susceptible than women to mental health problems and suicide. It is often reported that men are less likely to access professional interventions. Men's sheds raise awareness and encourage shedders to look after themselves and seek help when needed.

The Three Towns men's shed, in conjunction with other organisations, co-ordinated a very successful men's wellbeing event, which featured the Prostate Scotland virtual toolbox workshop to raise awareness of prostate disease.

The Scottish Shedder, the official free magazine of the Scottish Men's Sheds Association, not only promotes news from men's sheds across Scotland to showcase their successes, but includes a health section, which promotes topics from first aid to the benefits of physical activity and support services. It also includes personal stories from men on how becoming a member of their local shed helped to turn their lives around.

With an increase in online activities and the use of social media, one particular area of concern for men is social isolation and loneliness. As I am sure we can all understand, that was exacerbated during lockdown, when there were limited social interactions and community spaces were closed.

Organisations such as Age Scotland herald men's sheds for offering opportunities to interact meaningfully with others. What is more, many sheds get involved in community projects such as restoring village features, helping to maintain parks and green spaces, and building things for schools, libraries and individuals in need.

At the end of last year, Irvine Harbourside men's shed were made aware of a young apprentice joiner in the town who did not have any tools. It quickly stepped in to help by gifting a tool bag and basic toolkit to get him started. It also recently

made planters and a bookshelf for the Puffer cafe at the Scottish Maritime Museum in Irvine.

The Three Towns men's shed runs evening classes that provide basic do-it-yourself skills, camera skills and painting and decorating advice, which allow members to share their skill set with the wider community.

Irvine Newtown men's shed turned pallets donated by a local business into fabulous benches, decorations and planters for the garden at Dreghorn library.

Men's sheds are vital. They are community spaces for men to connect, converse and create. They help reduce loneliness and isolation and take into consideration differing male behaviours and the attitudes towards men's physical and mental health. More importantly, they are fun and I wish them all the best.

13:20

Maggie Chapman (North East Scotland) (Green): I thank Christine Grahame for lodging her motion and securing the debate.

The patriarchy does not hurt only women. The myth of masculinity, which a 2013 study of men's sheds described as

"physical dominance, emotional control and achievement through paid work"

completely fails to respect or acknowledge the reality of men's lives, emotions, relationships, needs and experiences. It is perhaps no coincidence that the men's shed movement originated in Australia, a repository of so many patriarchal fantasies, or that it has taken such root in Scotland, where we are, I hope, beginning to recognise that all of us, regardless of gender, can talk, feel and cry.

As a member for the North East region, I am fortunate to represent the members of many wonderful men's sheds. We have men's and community sheds in our cities, from Lochee in Dundee to Bridge of Don in Aberdeen; in towns across Aberdeenshire and Angus, from Banchory to Brechin and from Fraserburgh to Forfar and in many village and rural communities. Some, such as the Carse of Gowrie men's shed, which meets in Dundee's technology park, bring the city and countryside together.

Whatever their setting, men's sheds fulfil the same core functions, providing a place for people to meet and talk, to share skills, projects and ideas and to be active in the company of others. Some, such as the Westhill shed, host talks by experts in local history and health issues, while the one in Inverurie has a music group. The connections between activity, social relationships and good physical and mental health are well established,

and men's sheds play a vital role in supporting their members' wellbeing, in body, mind and spirit.

Men's sheds benefit more than their own members. They provide huge benefits to their local communities, as analysed by the Gable Endies men's shed in Montrose, and to the wider world. Many of the concepts that we discuss in this Parliament and the changes that we want to see happen are already being dealt with quietly, practically and wisely by men's sheds.

Reuse, repair and recycle is not just an aspiration for the men's sheds of the North East, it is a daily reality. Across the region, tools, machines and furniture are rescued, refurbished and returned to active use and love. Peterhead men's shed even refits boats, while the one at Ferryhill is linked with the Railway Heritage Trust.

Men's sheds meet community needs in immediate and practical ways. In Turiff, they built children's picnic tables and Banff and Macduff built a mud kitchen, both for local primary schools. That positive relationship with local schools is replicated in many communities through teaching and doing woodworking, gardening and more.

Men's sheds have long addressed the crises of food insecurity and poverty. Ellon men's shed, like many others, has a polytunnel and raised beds, while Alford produces vegetable and herb plants for sale. Men's sheds can address global needs too: in Broughty Ferry hand tools are collected, refurbished and shipped to Malawi, where they are a vital resource for communities. It is inspiring.

As we have heard, men's sheds themselves face challenges, both institutionally and to their individual members. The Covid pandemic has had a deeply damaging effect on capacity, with many still waiting to resume their previous projects. Health issues, both physical and mental, the cost of living crisis and growing pension poverty limit many men's engagement with their local sheds. There are also challenges of inclusion, while some communities that could benefit from men's sheds are yet to be reached.

In reflecting on the wonderful achievements of men's sheds in the North East, across Scotland and the world, we should ask ourselves how we can do more. How can the decisions that we make in this Parliament, the priorities that we decide upon and the messages that we send support and extend the vital work of men's sheds, now and into the future? I look forward to continuing the discussion.

13:24

Marie McNair (Clydebank and Milngavie) (SNP): It is a pleasure to speak in the debate, and I congratulate Christine Grahame on securing it

and giving the Parliament the opportunity to commend the positive contribution made by men's sheds to the wider community. I agree with Christine that men's sheds are a vital support to Scotland's communities and I am pleased to have signed and to support the motion in her name.

As the member for Clydebank and Milngavie, I am pleased to advise the Parliament that I have two men's sheds in my constituency: the men's shed in Clydebank and the Milngavie and Bearsden shed in Bearsden. The Milngavie and Bearsden shed is in the pagoda of the King George V park in Bearsden, and it was only after an extensive search that the group's initial trustees identified the former tennis changing rooms—that is, the pagoda—as a possible home. After a year of negotiations with East Dunbartonshire Council, they got the keys of the derelict building in April 2018, and the building itself has been lovingly restored by the group with the support of a grant from East Dunbartonshire health and social care partnership.

The shed in Clydebank was formerly some school huts in the grounds of Dalmuir community centre, and the group has recently managed to secure another hut from West Dunbartonshire Council and is in the process of refurbishing it. It is great to see these derelict buildings being brought back into use.

I have had the privilege of visiting both sheds and have spent an enjoyable time listening to my constituents tell me how the resource plays such an important part in their lives. Some of the men told me that attending the men's shed gave them a purpose, and it is clear that our local communities gain tremendously from them, too. I particularly want to thank Mick Wilson for hosting my visit to Clydebank and Hamish Livingstone at the Milngavie and Bearsden shed. It was wonderful to meet them and the other men who were there. We had a great chat and a really enjoyable day.

I came away from those visits, clear about the good that these facilities are doing for my constituents. The support was there when they needed it most, frequently as an antidote to social isolation and poor mental health. In both of my visits, the men talked about the mental and physical health benefits of attending the sheds. Some of them had recently retired, which meant that they had a lot of time on their hands compared to when they were working. Attending the shed helped reduce their social isolation and gave them an opportunity to speak to other men and, indeed, to be creative—and, oh boy, are they creative. They come from many trades—there are, for example, ex-joiners and painters—and they can turn their hands to absolutely anything and do it effortlessly.

Covid-19 placed such a strain on mental health and unfortunately increased social isolation, and I admired the way in which the men tried to keep in touch during that time. Having made lasting friendships, they recognised the importance of that contact, and their feelings of relief and happiness were obvious when they finally got to meet again in the shed with the easing of the Covid-19 restrictions. It was an honour to be invited to the re-opening celebration of the shed in Clydebank, and I was pleased to show my support for their community endeavour.

The commitment of the men's sheds to our community is widely recognised and highly valued. Both sheds are very connected to the wider community; for example, the Milngavie and Bearsden shed in East Dunbartonshire has supported Milngavie in bloom with a floral arrangement outside the Fraser centre, and the men have also constructed an outside canopy for Gavin's Mill and helped Bearsden in bloom. In Clydebank, the men are very active in their community, supporting local groups, particularly Old Kilpatrick Food Parcels. Both organisations help each other in kind, and the way in which they are there for each other sets a really great example of how to foster community spirit.

I am pleased to have this opportunity to thank both men's sheds in my constituency; indeed, we are very fortunate to have two of them. I have nothing but the highest praise for them and, as a constituency MSP, I will be a very strong supporter of them.

The Deputy Presiding Officer: I am conscious of the number of speakers who still want to contribute to the debate, so I am minded to accept a motion under rule 8.14.3 to extend the debate by up to 30 minutes.

Motion moved,

That, under Rule 8.14.3, the debate be extended by up to 30 minutes.—[Christine Grahame]

Motion agreed to.

The Deputy Presiding Officer: That is excellent. Of course, it is not an invitation to members to go beyond their four minutes.

13:29

Paul Sweeney (Glasgow) (Lab): Challenge accepted, Presiding Officer.

It was a pleasure to support the motion when it was lodged by the member for Midlothian South, Tweeddale and Lauderdale. I am delighted that the motion achieved enough support for a debate in the chamber, and I congratulate the member on that. I also congratulate all those who were involved in producing "Men Don't Talk". I hope that they are rightly proud of their work and that they

continue to enjoy much success in such a worthwhile endeavour.

I am also grateful for the opportunity to pay tribute to men's sheds across Scotland—more specifically, in Glasgow and, in particular, the Springburn park men's shed in north Glasgow, with which I have had a close association in recent years. Led by the fantastic Tom Bennett, it took over an abandoned Romney hut at a council depot in the park and was formally established as a men's shed in August 2018. Since then, it has grown exponentially as a supportive environment for men in the local area, as well as a wonderfully creative and generous community initiative.

Springburn park men's shed is a wonderful example of the ideals and missions of the general men's sheds project in Scotland: to provide valuable services in the community and a means for men to share their skills and knowledge with others. The men's shed has worked brilliantly with local business to reuse excess material in order to benefit the community, such as in the construction of new mental health wards at Stobhill hospital, which is just half a mile away. Surplus materials, including portakabins, were used to extend the men's shed complex and build a community library, tea station and kitchen facilities. The men's shed has grown arms and legs thanks to construction companies such as BAM Construct UK supporting it in such a practical and meaningful way. The men's shed has used those investments by private businesses and the council to secure positive impacts for the community across all generations. For example, the men's shedders regularly visit primary schools to install outdoor play equipment, including mud kitchens—I am not sure what those are, but they are, apparently, very popular with children. The men's shed also offers a handyman service for elderly and infirm people on Mondays and Fridays, which is really important and is booked up until August.

That is a real issue that we need to face in our communities. As statutory services face real financial pressure and council budgets for housing and garden maintenance are cut back, an increasing reliance on that sort of good will is building up informally in communities. Although I deprecate cuts to public services, we must recognise the importance of community resilience, and the men's sheds are a fantastic example of where community good will can come to the fore and help to ensure that people's wellbeing and lives in the community are sustained. That is particularly important for those who are infirm and unable to fully maintain their properties. Springburn park men's shed also provides fantastic one-off projects for great local causes, including building a Santa's sleigh for a local children's hospice and providing garden furniture to the Marie Curie hospice at Stobhill hospital. The

projects were all well received and the organisations were grateful for that work.

Members across the chamber have raised points about what the play “Men Don’t Talk” means in essence. It is about how men’s mental health must be treated differently, particularly with regard to men from an older generation. Purpose, fulfilment, satisfaction, self-esteem, companionship and friendship are the key attributes of men’s sheds, and they are so important. That also has to be understood in the context of our wider mental health and care strategies in Scotland. We have a tendency to overmedicalise things, but we must recognise that the normalisation of these softer approaches is critical to avoiding costs elsewhere in our public services, particularly in the national health service.

I hope that the minister will take on board this opportunity for cost avoidance, because the often precarious nature of the funding that men’s sheds get is not helpful. There can be a virtuous rather than vicious circle in how we approach the funding of these great community assets. It is not just about maintaining our properties and ensuring resilience in our communities; it is also, fundamentally, about ensuring the resilience of a generation. Men’s sheds build connections and skills across generations and with young people, and they ensure that we have a more robust and resilient community across Scotland.

13:33

Paul McLennan (East Lothian) (SNP): I thank Christine Grahame for securing the debate this afternoon.

Last night, I hosted the Scottish Mental Health Partnership, which launched a paper on the forthcoming Scottish mental health strategy refresh. Last week, I held a similar event with the Scottish Social Prescribing Network, which looked at the role of link workers and other professionals in that sector. At both events, there were discussions about how to engage with men, who sometimes find it difficult to talk.

There are a number of men’s sheds in East Lothian, including those in Dunbar, East Linton, Macmerry, North Berwick and Haddington. As has been mentioned, there are around 10,000 shedders in Scotland, across all our local authorities.

The Scottish Men’s Sheds Association website states:

“Men’s Sheds respond to men’s need for camaraderie and provide opportunities to work together in a way that contributes meaning to their lives and their communities.”

The Scottish Men’s Sheds Association also partners with other organisations. For example,

this week, the association teamed up with Scotmid to offer Scottish men’s sheds a promotional opportunity in 35 Scotmid stores during men’s health week. Scotmid stores offered a full-day exhibition space to accommodate a 6-foot table and up to two shed representatives.

Moray-based professional theatre company Right Lines Productions will also be partnering with Edinburgh festival fringe this August, as part of the Pleasance Theatre Trust’s Edinburgh national partnerships programme. It has a brand new production that will debut at the Edinburgh festival fringe, which is called “Man Shed”. The show is prefaced with the following:

“How does a man find his purpose when he grows old and major life events come thick and fast? Should he retire to the solitude of The Shed as usual and escape from the world, or get out and try something new? When the familiar rules no longer apply, is it too late to change the habits of a lifetime?”

The play is described in this way:

“Man Shed is a bitter-sweet one-man theatre piece which explores the joy of sheds, the pain of loss and the comfort of friendship. The play has been inspired by Men’s Sheds around the world, but more specifically by the work of the Scottish Men’s Sheds Association.”

The play runs throughout August at the Pleasance theatre, and I encourage members to see it if they possibly can.

Another fantastic organisation that helps with men’s mental health is Andy’s Man Club, which is a men’s mental health charity that offers free-to-attend talking groups for men and that challenges the stigma around men’s mental health. Andy’s Man Club was set up by Luke Amber after the tragic loss of his brother-in-law Andy in 2016. He and Andy’s mum, Elaine, wanted to prevent other families from going through what they had gone through. The idea was that, to prevent families going through the same thing, they had to help other guys—and Andy’s Man Club was born. Last week, I watched a group of men take part in the Dunbar civic week parade under the banner of Andy’s Man Club. I was humbled to attend one of its meetings, where, as men, we all talked openly about our mental health issues.

There is still stigma associated with talking about men’s mental health—feelings of weakness, being a burden or embarrassment—and that is what prevents men from speaking out. Men’s sheds and Andy’s Man Club are helping to pave the way for men to know that it is okay to talk. It takes strength and courage to open up about your struggles. The men’s shed movement and Andy’s Man Club do an amazing job in helping men to know that they can talk to someone.

13:36

Alexander Burnett (Aberdeenshire West) (Con): I thank Christine Grahame for securing the debate.

I am very supportive of the men's sheds in my constituency and I want to take the time to thank Jason Schroeder, chief executive and founder of the Scottish Men's Sheds Association. He operates the SMSA from an office in Banchory, which I am delighted to personally support—I refer members to my entry in the register of members' interests.

Westhill and District men's shed is also in my constituency. It was the first ever men's shed set up in Scotland, in 2013. It now welcomes over 300 members and was voted Scottish men's shed of the year in 2021 and received a Queen's award for voluntary service during the pandemic.

For many, men's sheds are a life support, providing a space for men to engage with one another and overcome challenges such as loneliness and the stigma around mental health. Sadly, since the pandemic, we have lost some sheds. That is due to post-Covid fatigue of shed trustees and financial pressures.

However, the pandemic has shown the real need for new healthy male places to socialise, with eight new shed groups requiring support in the past few months. It is disappointing, therefore, to hear that men's sheds are not receiving proper long-term support from the Scottish Government. Despite the positive meeting that the Scottish Men's Sheds Association had with the minister back in February, when he spoke of trilateral portfolio funding possibilities, there were no assurances of support—despite him being chased—until yesterday. Some may say that that assurance was cynically timed, to give the minister something to say in today's debate.

The support that we are about to hear about is for just £75,000. That is for only one year and, at just 17 per cent of what was requested, it falls well short of what is required to prevent a collapse of the men's shed movement. The minister went as far as to tell the Scottish Men's Sheds Association to seek alternative funding next year. I have only one question for the minister: was £25,000 each really the most that he, Christina McKelvie and Kevin Stewart could spare from their budgets, and today, will he commit to supporting sheds beyond March next year?

13:39

The Minister for Public Finance, Planning and Community Wealth (Tom Arthur): I join colleagues in congratulating and thanking Christine Grahame for once again bringing a debate on men's sheds to the Parliament. Like my

colleagues, I welcome the shedders in the gallery and I commend everyone involved in the play, "Men Don't Talk".

It is testament to the positive impact that men's sheds have on communities across Scotland that we are again debating them. I very much welcome today's debate as an opportunity to demonstrate their positive impact on health and wellbeing, support for older people, especially but not exclusively men, and their enabling of resilient communities, as Paul Sweeney articulated.

As Maggie Chapman highlighted, the original movement started in Australia in the 1980s and was set up to improve men's health and provide a place where men could socialise and talk shoulder to shoulder. Today, there are more than 900 sheds in Australia, with other countries adopting men's sheds worldwide.

Here in Scotland, the movement started in 2009 and, by 2013, we had our first five sheds. Today, as members have heard, that number is more than 200. That is in no small part down to the vision of Jason Schroeder, who is the chief executive and founder of the Scottish Men's Sheds Association. He started the men's shed movement in Scotland in 2009 after being inspired by a talk about men's sheds by Dr Neil Bruce, chairman of a New Zealand men's shed.

In 2014, Jason created the SMSA and the Scottish Government became involved in 2015. Those early discussions led to Scottish Government funding of the new SMSA in 2015-16, which helped establish and grow the movement. Our support played its part in enabling Jason to become the executive officer of the SMSA in 2016 and continue the growth of an organisation that touches on every corner of Scotland, with 2,899 members and 10,627 shedders and supporters. Jason has played his highly commendable part in that growth, building the association into a team of four, with him as chief executive officer, a communications and public relations officer, a development officer and an administrator.

We have continued to back the SMSA with sustained support. Earlier this week, against the backdrop of an exceptionally challenging financial environment, I wrote to Jason with an offer of core funding for 2022-23. That said, the SMSA must be able to adapt to the demands of an ever-increasing number of sheds and help to sustain and keep existing sheds open. We are committed to helping Jason respond to those needs and to building a sustainable business model for the SMSA that can attract a wider range of funders and reduce dependency on Scottish Government support alone. For example, it could be about tapping into the upcoming social isolation and loneliness fund, which is an integral part of our programme for government commitment to invest

£10 million over the next five years to tackle social isolation and loneliness across Scotland's communities.

We recognise that men's sheds provide more than just a physical place for activities; they enable a space for people to talk to each other. For example, in Scotland, men's sheds have provided vital support to veterans who have missed comradeship and a sense of belonging. Challenges with mental health have touched every aspect of life in Scotland and it has never been more important to continue talking about mental wellbeing. We must use such opportunities to prevent and address mental health issues with the same commitment, passion and drive that we have in relation to physical health problems.

Many mental health problems are preventable and almost all are treatable. People can either fully recover or manage their conditions successfully and live lives that are as healthy, happy and productive as possible. The range of activities found in men's sheds plays into that preventative health agenda. They also benefit their wider communities in a range of ways, such as through making buddy benches for schools, as we heard about, and providing classes in operating tools or craft projects. I have still to take up—as Mr O'Kane has—the offer of those particular instruction opportunities in Barrhead. Perhaps that is something that we can do together. In response to Mr O'Kane's specific ask with regard to the community asset transfer process, I am more than happy to meet him to discuss that in more detail.

Alexander Burnett: The minister has very eloquently gone over all the benefits that sheds provide, but he has also finished talking about funding and not committed to funding beyond March next year. Will he revisit that question?

Tom Arthur: As the member knows, we have set out broad parameters for our public spend within our revenue spending review. Specific budget decisions are taken during the budget process but, even with the RSR, there is obviously still a great deal of uncertainty about what our financial position would be.

I recognise the nature of members' business debates and I do not want this to descend into something overly political, but the independent Scottish Fiscal Commission has already stated on the record that we are operating within the context of a 5.2 per cent real-terms reduction in our budget and that, unfortunately, means that we are challenged in how much support we can provide, however much we wish to do so. I will touch on funding matters further on in my remarks.

Considerable Scottish evidence has been gathered to support the growth of men's sheds and it complements international research. For

example, men's sheds provide positive views of ageing and later life. Mr Sweeney talked about the importance of intergenerational solidarity and I am conscious that men's sheds can provide that.

The evidence is referred to in the Scottish Government-funded study, "The Shed Effect", by Age Scotland. That highlighted that 76 per cent of those surveyed agreed that their physical health improved, and 79 per cent felt that their mental health improved as a result of shed involvement. Those benefits are also felt in the wider community, with savings to our health and social care systems. SMSA research showed that, for every £1 spent on Westhill men's shed, there was a return of £9.34 in health and social care and community learning outcomes.

Many other community projects can achieve similar positive outcomes. In response to the pandemic and in recognition of the value of grassroots wellbeing projects, last year we launched our communities mental health and wellbeing fund. Through that, we have provided £21 million to more than 1,800 local projects to deliver activities and programmes, with a further £15 million being invested this year. The fund tackles the impacts of social isolation, loneliness, and mental health inequalities on adults.

I am particularly pleased that men's sheds across Scotland are also supported. Those include Portlethen men's shed in Aberdeenshire, which was mentioned by Audrey Nicoll, which used funding to broaden services in response to increased numbers following the pandemic, and the Forfar men's shed, which used funding to build a new community allotment.

The communities fund is one element of a range of work that we are doing to support positive mental health and wellbeing in Scotland. Central to that is the refresh of our mental health strategy. Alongside delivering effective services, we have an opportunity to place increasing emphasis on prevention and early intervention, and that will enable us to build on the creative projects that people, communities and services have undertaken before and during the pandemic.

I am conscious of time so, in concluding, I return to the key point that Christine Grahame made: this is the third time that men's sheds have been debated in the chamber, and we can all welcome that. We all recognise the important role that they play. This is a debate that needs to move on from simply saying that men's sheds are great things, and that is something we all agree on. We now need to know who will join us in support of this great initiative. Partners such as local authorities, the third sector, the national health service, the private sector and community workers alike can all play a role in developing funding and supporting the SMSA and the men's shed movement. Let us

build on what has been achieved and take men's sheds in Scotland to the next level so that all our communities can benefit from them.

The Deputy Presiding Officer: That concludes the debate and I suspend the meeting until 2 o'clock.

13:48

Meeting suspended.

14:00

On resuming—

Point of Order

Stephen Kerr (Central Scotland) (Con): On a point of order, Presiding Officer. On Tuesday this week, the Cabinet Secretary for the Constitution, External Affairs and Culture was asked in the chamber by my colleague Oliver Mundell what the proposed date would be for the cabinet secretary's party's illegal "Scexit" referendum. He declined to give a specific answer, even though he knew full well that he was proposing to hold it in October 2023, as he revealed in a media interview the next day—in fact, on "Good Morning Scotland" on BBC Radio Scotland.

Presiding Officer, I have lost count of the number of times that you have asked the Scottish Government to make significant announcements to the Parliament, in the first instance, and not to the media. Despite the Minister for Parliamentary Business's conclusion that Tuesday's last-minute referendum announcement was not significant, it contained a very significant policy announcement. Indeed, the Scottish Government has made it its normal practice to wilfully ignore Parliament and to choose instead to run the country through media appearances and spin.

Presiding Officer, do you view that as being in order? If not, what can we do, as parliamentarians, to heighten scrutiny of a Government that does not even attempt to disguise the disrespect and disregard that it has for the Scottish Parliament?

The Deputy Presiding Officer (Annabelle Ewing): I thank Stephen Kerr for his point of order.

It is the case that announcements on important matters should be made to the Parliament before they are released to the media. The intended date of a referendum is, of course, a matter that is of interest to Parliament.

Members will be aware that the First Minister has indicated that she will provide an update to Parliament before recess. I hope that no further information appears elsewhere before that update is provided.

Scottish Parliamentary Corporate Body Question Time

14:02

The Deputy Presiding Officer (Annabelle Ewing): The next item of business is Scottish Parliamentary Corporate Body question time. Should any member wish to ask a supplementary question, they should press their request-to-speak button during the relevant question, or enter the letter R in the chat function. Succinct questions and answers would be much appreciated.

Edinburgh Low Emission Zone

1. Mark Ruskell (Mid Scotland and Fife) (Green): To ask the Scottish Parliamentary Corporate Body, as an employer located in the zone, how it will help to meet the objectives of the Edinburgh low emission zone. (S6O-01248)

Maggie Chapman (Scottish Parliamentary Corporate Body): The Edinburgh low emission zone was introduced by the City of Edinburgh Council in May 2022. Those who travel to the Parliament go through the LEZ. The objectives of the LEZ are cleaner air, healthier people and active travel options.

The Scottish Parliament has a sustainable travel plan, which encourages active travel and lower carbon emissions from commuter, business and visitor travel to the Scottish Parliament building. Walking, cycling and public transport are all encouraged, and over 80 per cent of regular building users use one of those as their main mode of transport. We provide secure bike storage and changing facilities, interest-free bike loans, including for electric bikes, and bike maintenance facilities. We have plans in place to encourage more car sharing instead of individual journeys. We are also investing in electric charging points in our car park; we have 16 currently, and have plans to increase that number.

Mark Ruskell: Today is clean air day, and it is really important that the Parliament, as an institution, takes the lead on tackling the huge public health crisis that is killing thousands of people every year. I welcome what Maggie Chapman has said about the work that Parliament is doing as a cycle-friendly employer.

However, will the SPCB also look at the allowances system? Is it right that the Parliament should reimburse mileage claims for journeys that are taken within low emission zones in cars that are actually banned under the regulations that the Parliament has approved?

Maggie Chapman: That is an interesting idea that we should consider—especially given our net

zero ambitions. That is something that the corporate body and Parliament as a whole can certainly consider. We currently base reimbursement on Her Majesty's Revenue and Customs rates that are set out in legislation, so we would need to see what is possible and what changes, if any, could be made to our scheme.

I undertake, however, to raise the matter at forthcoming corporate body meetings and to consider whether we can incentivise members to shift away from using carbon-emitting vehicles, including those that would be charged under the LEZ scheme.

Members' Expenses Scheme (Funding for Legal Services)

2. Brian Whittle (South Scotland) (Con): To ask the Scottish Parliamentary Corporate Body when it last reviewed the requirements for members to access legal services funded through the members' expenses scheme in order to ascertain whether the current criteria are fit for purpose. (S6O-01249)

Jackson Carlaw (Scottish Parliamentary Corporate Body): I begin by acknowledging that I understand the particular circumstance that Brian Whittle has been facing as an MSP, and the discussions that he has had with me and the corporate body, which remain on-going.

In general terms, the corporate body reviews the reimbursement of members' expenses scheme in each parliamentary session to ensure that it remains fit for purpose. We last reviewed the scheme in 2019 and revisions to it were introduced at the beginning of this session. The corporate body also has a legal advice scheme for members, which is separate from the members' expenses scheme. It was last reviewed in 2016.

Neither review highlighted any need for a change to the underlying principles or criteria for access to legal services. The operation of both schemes has demonstrated that their scope is sufficient to address the needs of a large majority of members, although we understand and accept that particular circumstances can arise in which the corporate body scheme does not meet needs. There are opportunities for members to consider one-off applications to the corporate body in those circumstances.

Brian Whittle: As Jackson Carlaw said, he is aware of the situation that I have been facing. It has come to my attention that the current legal services provision for members is available to defend a member only if a legal action is taken against them. It does not support a member taking legal action to recover funds that have been paid to a third party through the scheme, if a dispute occurs. That, in effect, means that in the event of,

say, a landlord not returning a deposit or a contractor failing to rectify an issue with a product after it has been paid for, a member cannot, if necessary, pursue a court action to recover public funds. Does the corporate body believe that that is an acceptable situation? If not, will it agree to review the position on future provision of legal services?

Jackson Carlaw: I am sympathetic, as is the corporate body, to the particular situation in which the member has found himself. We understand, however, that it is the only time that such an experience has been faced by a member. Therefore, there is not a view in the corporate body at the moment that a much wider review of the scheme is needed as a consequence. However, as I said earlier, there is the opportunity for an exceptional application to be made to the corporate body, where that is felt to be appropriate.

Menus (Scottish Produce)

3. Jim Fairlie (Perthshire South and Kinross-shire) (SNP): To ask the Scottish Parliamentary Corporate Body what steps it is taking to ensure the availability of Scottish produce on the menu in the Scottish Parliament. (S6O-01214)

Maggie Chapman (Scottish Parliamentary Corporate Body): The catering services at the Scottish Parliament are provided through our contract with Sodexo. We monitor the percentage of fresh Scottish produce that is used in our services, and last year approximately 60 per cent of fresh produce that was used by our services was produced in Scotland.

We invite many of our suppliers in to showcase their produce on site and to speak to members and staff directly. That is perhaps most notable during Scottish food and drink fortnight, which we participate in annually. We regularly support and organise events on site that promote Scottish produce. Last month, we held our Scotland in spring dining evening in the Holyrood room, which showcased seasonal produce such as accredited Scottish lamb and locally grown berries and asparagus.

Jim Fairlie: How is the Scottish Parliamentary Corporate Body monitoring the carbon footprint, including from food miles, from its sourcing and product supply?

Maggie Chapman: We have carbon auditing and monitoring as part of all our Scottish Parliament operations. I undertake to write to the member with more details about the specific processes for our food and drink.

Occupational Health (Chairs)

4. Elena Whitham (Carrick, Cumnock and Doon Valley) (SNP): To ask the Scottish Parliamentary Corporate Body whether an assessment has been made of the chairs in the MSP block for use by members and staff, in relation to occupational health and the latest standards. (S6O-01251)

Christine Grahame (Scottish Parliamentary Corporate Body): Our office furniture contracts require suppliers to ensure that chairs meet all relevant standards in force at the time of purchase. We inspect chairs at regular intervals to ensure that they remain in safe condition and replace them when they reach end of life. If a member or member of staff feels that they require support for a particular health concern, they can contact the people and culture office—formerly human resources—for support. If necessary, a workplace assessment can be arranged with our occupational health provider.

Elena Whitham: Could we seek a further update as to the date of purchase, as I am sure that Christine Grahame will appreciate that human factors and ergonomics engineering is an ever-changing and evolving discipline?

Christine Grahame: I do not have the date of purchase to hand and I do not even know whether the chairs were all purchased at the same time, but I will endeavour to find that out and to advise the member in writing. Chairs are replaced if they do not pass an inspection, which is in line with our environmental policy.

Crèche (Reopening)

5. Natalie Don (Renfrewshire North and West) (SNP): To ask the Scottish Parliamentary Corporate Body whether it will provide an update on the reopening of the Scottish Parliament crèche. (S6O-01247)

Maggie Chapman (Scottish Parliamentary Corporate Body): In March of this year, the SPCB agreed to procure a new provider to re-establish and run the on-site crèche facility here at Holyrood. The decision was taken in order to maintain our commitment to accessibility by continuing to provide childcare for visitors and passholders to the building who have young children. Officials have completed all the procurement requirements and they are ready to go out to market later this month. The SPCB expects to award the contract in October 2022. In line with Care Inspectorate guidance, we have allowed for a six-month mobilisation period and intend the new service to open in spring 2023.

Natalie Don: As the corporate body is aware, the provision of a high-quality crèche service allows MSPs, parliamentary staff and visitors to

have the childcare facilities that they require to perform their duties.

As we return from a long period of hybrid working, we need to ensure that staff and members are supported fully with that transition. I am a new member and a mother to young children, and the crèche has not been in use since I was elected more than 12 months ago. What efforts have been made to prioritise the reimplementation of the service?

Maggie Chapman: The SPCB has had detailed conversations about this issue. One of the challenges that we had was that the crèche service was ceased because of lockdown and the closure of Parliament at the start of the pandemic. Changes to Care Inspectorate guidance mean that we have had to change how the crèche operates, which is why we have needed to retender. I understand and appreciate the difficulties that the situation has caused for the member and perhaps other members in the past year.

We hope to have a contract approved in October this year and the crèche up and running by spring next year.

Parliamentary Functions (Applications)

6. Stephen Kerr (Central Scotland) (Con): To ask the Scottish Parliamentary Corporate Body whether it has explored the possibility of creating apps for parliamentary functions. (S6O-01250)

Maggie Chapman (Scottish Parliamentary Corporate Body): Parliament already provides a few mobile-friendly applications and services to support members in their roles and to support parliamentary business. Examples of those services include the questions and motions mobile application, which allows members to raise questions and to raise and support motions at any time and from any location on any device with a browser and an internet connection.

In addition, the digital voting application was developed and delivered, along with other aspects of the hybrid Parliament, in response to the pandemic to ensure that members could continue to participate in parliamentary business, using mobile devices from wherever they had internet access.

Officials are in the early stages of work to understand how we can improve the digital delivery of information and services to members, and input from members has been, and will continue to be, sought to ensure that that work is a success.

Stephen Kerr: I am talking about actual apps.

According to my staff, I am supposed to put money in a jar whenever I mention Westminster—there is quite a lot of money in that jar, I can tell

you. Down south, there are excellent standalone apps—actual apps—which enhance the functions of Parliament. We at the Scottish Parliament should have that too. Business papers, Scottish Parliament information centre briefings, broadcast footage, questions, motions, voting records and even division bell push notifications could be included as features in such a set of apps. Sadly, our current reliance on web apps or email notifications is outdated. They are simply not as effective as standalone apps.

Does the SPCB accept that moves in that direction would make Parliament more accessible for Holyrood staff and, more importantly, the voters who keep us here, and is it open to looking into the proposal further?

Maggie Chapman: We are more than open to input from members and others as we start to consider exactly what information members need to carry out their business and what information should be available, and in what forms, to members of the public.

Traditionally, we have produced apps that can run on any device, rather than specific apps for Apple and Android devices. There are significant cost-saving reasons for that. Being able to run applications off a web-based platform means that we do not need to maintain relationships with individual app providers, and tendering of those individual apps can be expensive—it is much more costly than tendering for a web-based version. However, we will take on board the member's comments and include them in our conversations about how we further develop the support that we provide.

The Deputy Presiding Officer: That concludes Scottish Parliamentary Corporate Body questions. There will be a short pause before we move to the next item of business.

Portfolio Question Time

Constitution, External Affairs and Culture

14:17

The Presiding Officer (Alison Johnstone): The next item of business is portfolio question time, on constitution, external affairs and culture.

Historic Environment Scotland Assets (Cowdenbeath)

1. **Annabelle Ewing (Cowdenbeath) (SNP):** To ask the Scottish Government what recent discussions it has had with Historic Environment Scotland about the reopening of assets in the Cowdenbeath constituency. (S6O-01231)

The Minister for Culture, Europe and International Development and Minister with special responsibility for Refugees from Ukraine (Neil Gray): I note Annabelle Ewing's swift transition, Presiding Officer.

I have regular discussions with Historic Environment Scotland about the health and safety challenges of Scotland's properties in care. As regards the Cowdenbeath constituency, I understand that the main castle area of Aberdour castle will remain fenced until a tactile inspection has been completed. However, Historic Environment Scotland aims to have some areas at the site reopened to the public as soon as possible. Historic Environment Scotland would be more than happy to offer Annabelle Ewing a site visit to learn at first hand from its experts about the situation there.

Annabelle Ewing: I thank the minister for that helpful answer. In fact, it is not just parts of Aberdour castle that are closed to the public and have been so since the start of the pandemic but Inchcolm abbey and St Bridget's kirk in Dalgety Bay. Obviously, that is impacting negatively on the local economy. Although I would, of course, like to take up the opportunity to meet Historic Environment Scotland. I also ask the minister to use his good offices to ensure that all three sites are opened as soon as possible and to provide a bit of clarity to what "as soon as possible" might mean.

Neil Gray: I congratulate Annabelle Ewing on the way in which she is, quite rightly, advocating on behalf of her constituents and her constituency—I would expect nothing less of her.

I recognise the impact on local businesses and communities of access restrictions on historic sites, which Annabelle Ewing has rightly outlined, and I absolutely share the frustrations of members

and our constituents regarding continued closures. As I am sure that we all accept, the safety of visitors and HES staff must take priority, and I will pass the member's specific concerns, including those about community engagement, to Historic Environment Scotland.

HES is working hard to prioritise sites effectively in the inspection schedule and to keep public access in place where it is safe to do so. I am pleased to see that some sites, such as, this week, Doune castle, have now partially opened, but I recognise that there is further to go in the member's constituency.

Scottish Government Overseas Offices

2. **Alexander Burnett (Aberdeenshire West) (Con):** To ask the Scottish Government whether it will provide an update on the work of its overseas offices. (S6O-01232)

The Cabinet Secretary for the Constitution, External Affairs and Culture (Angus Robertson): Scotland's international network creates domestic opportunities, attracts investment and ultimately benefits the people of Scotland. I am pleased to see, in the Constitution, Europe, External Affairs and Culture Committee's recent report on the Scottish Government's international work, cross-party enthusiasm for the excellent job that Scotland's international offices do day to day. Building on my response to the committee's report on 6 June, I will follow up with the committee in the coming weeks in greater detail on the work that our international offices are currently doing and what they will be focused on in the months ahead.

Alexander Burnett: Although I recognise that the Scottish Government's overseas offices perform a function in seeking to promote Scottish businesses and culture abroad, the fact is that the Scottish National Party Government appears to be misusing that resource to pursue a foreign policy that is distinct from the rest of the United Kingdom's and discuss independence with foreign Governments, all at taxpayers' expense. Will the cabinet secretary confirm whether he has met foreign Governments to discuss independence and, if so, on how many occasions he has done that?

Angus Robertson: Alexander Burnett would benefit from visiting some of the offices. I do not know whether he has been to any or spoken to any of the staff in them and satisfied himself about what they have been doing. They are highly professional representatives of Scotland. They benefit the economy of Scotland on inward investment, and they promote the culture of Scotland and Scotland's relations with the rest of the world. They do a tremendous job.

If I as cabinet secretary or other ministers of the Scottish Government hold conversations with others, of course we discuss the Government's policy. That is what we have been elected to do. The member should not seek to undermine the professionalism and effectiveness of Scottish Government offices around the world. It really is not worthy of him.

Paul McLennan (East Lothian) (SNP): The latest Ernst & Young attractiveness survey Scotland showed Scotland leading the way in the UK when it comes to securing foreign direct investment in spite of the significant challenges posed by Brexit and the pandemic. Given the findings of the report, can the cabinet secretary provide any further information about the work that the Government's international offices are undertaking to attract investment to Scotland?

Angus Robertson: I thank Paul McLennan for that sensible question. The EY results are fantastic for Scotland and underline the strength of our inward investment offer, with the growth in Scotland's FDI performance outpacing that of Europe and the rest of the UK.

Scotland has maintained its position as the UK's most attractive FDI location outside London for nine of the past 11 years and for the seventh year running. The Scottish Government and its delivery partners, Scottish Development International and Scottish Enterprise, will continue to focus support on attracting the high-quality inward investment required to deliver our ambitions in policy areas such as energy transition, focusing on ScotWind, hydrogen and the decarbonisation of transport. Scotland's international network is vital in supporting that work. The Scottish Government will continue to promote and showcase our world-leading capabilities on the international stage at events such as the Dubai expo, the 26th United Nations climate change conference of the parties—COP26—and the world forum for FDI.

Census 2022

3. Russell Findlay (West Scotland) (Con): To ask the Scottish Government whether it will provide an update on Scotland's census 2022. (S6O-01233)

The Cabinet Secretary for the Constitution, External Affairs and Culture (Angus Robertson): Following the end of the census collection period, National Records of Scotland is now focused on planned post-collection quality control and assurance work, which includes the census coverage survey, the second-largest social research exercise in Scotland after the census itself. NRS is confident that the national return rate and coverage across the country, coupled with the aforementioned post-collection quality control and assurance work, will provide a credible, high-

quality census output. The agency is working with a number of statisticians and global experts in census and administrative data to help to steer its statistical and methodological work over the next few months.

Russell Findlay: I sincerely thank the cabinet secretary, who is a very important MSP indeed, for providing a humble member such as me with that answer.

With trains, ferries, Rangers prosecutions, trams, Prestwick, Burntisland Fabrications, national health service disasters, policing scandals and now the Scottish National Party's shambolic census, hard-working Scots always end up footing the bill for the SNP's world-beating incompetence. Will the cabinet secretary tell them whether he or anyone else will pay the price for the £30 million census debacle?

Angus Robertson: The member must forgive me, but I am not sure which question he was talking to in his peroration.

The increase in census costs to raise the return rate from the 70s to 88 per cent constituted 4 per cent of the budget for the census round. Frankly, that is—relatively speaking—an affordable and reasonable amount to spend on raising the census return rate to provide what the experts have described as a "solid foundation".

Given that all public services rely on a census return rate that provides such a solid foundation, we should all take the opportunity to thank the 2.3 million households that took part in the census and the great many people who worked on it, including those who worked as enumerators, of whom there were more than 1,000, particularly in the last month, to ensure our securing of a "solid foundation", which independent international experts have described the census as being.

Bill Kidd (Glasgow Anniesland) (SNP): Although some of the rhetoric in the chamber will draw attention away from this fact, it is important to acknowledge, as the cabinet secretary mentioned, that 2.3 million households returned the census. That is an enormous proportion of the population. The data that has been collected from that immense exercise will deliver real and tangible advances in the delivery of local public services.

Can the cabinet secretary put on record some examples of how census data directly translates into inclusive service planning for Scotland's communities?

Angus Robertson: The census remains the best way to gather vital information that Government, councils, the national health service and a range of users in the public, private and third sectors need. The results help local

authorities, businesses and Government to plan a wide range of vital public services to improve the lives of people who live and work in Scotland.

The information that has been collected from the census helps us to understand who stays in Scotland, who they stay with and what sort of accommodation they stay in, which allows decisions to be made about where money should be spent in local communities on things such as schools where our children are educated, roads that we drive on every day and healthcare that we rely on. The census is a very important piece of work, and I am delighted that it has reached the return rate that it has, given the challenges that were faced through the census collection period.

Independence (Currency)

4. Willie Rennie (North East Fife) (LD): To ask the Scottish Government what its policy is for the currency of an independent Scotland. (S6O-01234)

The Cabinet Secretary for the Constitution, External Affairs and Culture (Angus Robertson): Scotland will continue to use the pound sterling at the point of independence, establishing an independent Scottish currency as soon as is practicably possible through a careful, managed and responsible transition when an independent Scottish Parliament chooses to do so.

Willie Rennie: I, too, am honoured that the minister has felt able to answer my question.

In 2014, the policy of the Scottish National Party was a monetary union. Now, Ian Blackford wants sterlingisation, but the SNP conference rejected the leadership's position, describing it as a "dangerous experiment". Coalition partner Lorna Slater said that it would be "catastrophic". Patrick Harvie said that it would prevent Scotland from joining the European Union. Alex Salmond wants a Scottish pound. Alyn Smith wants the euro. The independence movement is like two bald bankers fighting over a 50p. If they cannot agree on the currency, why on earth should the public?

Angus Robertson: There is literally no answer that I could give to Willie Rennie that would satisfy him. We are on different sides of the independence debate.

If we cannot agree on that, it would, at least, be nice for us to be able to agree, as democrats, that the issue is one on which the people should be able to decide.

United Nations Treaty on the Prohibition of Nuclear Weapons

5. Bill Kidd (Glasgow Anniesland) (SNP): To ask the Scottish Government what its position is,

regarding the potential impact on Scotland, on the upcoming first meeting of states parties to the UN Treaty on the Prohibition of Nuclear Weapons in Vienna. (S6O-01235)

The Cabinet Secretary for the Constitution, External Affairs and Culture (Angus Robertson): The Scottish Government is on record supporting the principles of the Treaty on the Prohibition of Nuclear Weapons, and has welcomed countries such as Ireland ratifying the treaty.

However, Scotland will not be able to share its views and support like-minded partners at the first meeting of the states parties to the treaty in Vienna later this month, which is due to be opened by the United Nations secretary general. Scotland is not a sovereign independent country—yet. The United Kingdom Government's opposition to the treaty means that it has chosen not to attend as an observer. Only with independence can Scotland's interests be properly represented on the international stage.

Bill Kidd: It is long established that an independent Scotland will be free of nuclear weapons on the basis that such indiscriminate weapons of mass destruction and mass murder are morally abhorrent and should in no circumstances be used.

Despite the United Nations Treaty on the Prohibition of Nuclear Weapons having made the use and stockpiling of such weapons illegal, the UK Government, as the cabinet secretary mentioned, is not engaging in next week's first meeting of states parties in Vienna. I will be attending, as part of the International Campaign to Abolish Nuclear Weapons' parliamentarians for the TPNW delegation, thereby ensuring that a Scottish voice and our position on this consequential matter can be heard.

Will the cabinet secretary advise how quickly Scotland will sign up to the TPNW in the event of its becoming an independent country?

Angus Robertson: I share my colleague's disappointment that the UK Government is not engaging with this important process. I understand that a number of countries that are not parties to the treaty, including NATO member states, will be attending as observers. I welcome that commitment to multilateralism and a willingness to engage on these crucial issues. I am also glad to hear that the member will join a delegation of parliamentarians in Vienna.

As the First Minister and I have said this week, the Scottish Government will be publishing further papers setting out the prospectus for independence, which will include our position on treaties.

Local Culture (Economic Contribution)

6. Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (SNP): To ask the Scottish Government what contribution local culture, evidenced in museums such as the Trimontium Museum in Melrose and the National Mining Museum Scotland in Newtongrange, makes to the local and wider Scottish economy. (S6O-01236)

The Minister for Culture, Europe and International Development and Minister with special responsibility for Refugees from Ukraine (Neil Gray): The Trimontium Museum and the National Mining Museum are fine examples of how the cultural sector can contribute to both the local and wider economies.

I recently attended the official opening of the refurbished Trimontium Museum and viewed its fine collection of items from the Roman period and the iron age. I was also able to thank the trustees for their incredible work there. I look forward to visiting the National Mining Museum, which is home to around 95,000 items of national significance and which attracts 48,000 visitors each year and generates £1.3 million for the local economy.

The Scottish Government continues to provide core funding to Museums Galleries Scotland, which supports 430 museums and galleries across Scotland.

Christine Grahame: Very small communities such as that in Tweedsmuir, which is high in the Borders hills, can make a huge difference to the regeneration of their areas. Is the minister aware of the regeneration of the Crook Inn, which closed in 2006 after more than 400 years of continuous operation? The work is being done in phases, the first of which is the establishment of the Wee Crook, a licensed bistro, which will certainly boost the local economy. Will he accept my invitation to see the project for himself—not necessarily to go to the licensed bit, but just to visit the project?

Neil Gray: I am never spared the fun with Christine Grahame. In response to a previous question from her, I took up her invitation to go to Trimontium. I was grateful to accept her hospitality and to go along to the reopening with her on that special occasion. I agree that historic properties such as the Crook Inn in Tweedsmuir are really important to local heritage and a community's sense of place. If Christine Grahame would like to write to me with further details, I will be more than happy to consider her very generous invitation. I look forward to learning more about the restoration of that historic building and the tremendous work that has been undertaken by the local community.

Sharon Dowey (South Scotland) (Con): Christine Grahame makes a good point, but, all

too often, spending on culture is the first thing that councils cut when funds are tight. For example, in Midlothian, which is in Christine Grahame's constituency, the Scottish National Party-run council has cut the funding for museums and galleries from £83,000 in 2016-17 to £10,000 in 2020-21. It is the same story in other SNP council areas, such as East Ayrshire and Glasgow. How does the minister expect our culture sector to grow locally when SNP councils are slashing spending on culture across Scotland?

Neil Gray: With reference to the Trimontium Museum in Melrose and the National Mining Museum in Newtongrange, I have regular conversations with local authority culture conveners. I hope to see them again when they are reappointed in order that we can take a partnership approach to ensuring that our culture offering is strong and that we are able to work together to achieve our shared priority of people being able to enjoy our cultural facilities not only for the wellbeing of those communities, but for our own personal wellbeing as we recover from the pandemic.

European Countries (Relationships)

7. Liam McArthur (Orkney Islands) (LD): To ask the Scottish Government what priority it attaches to developing relationships with other European countries. (S6O-01237)

The Cabinet Secretary for the Constitution, External Affairs and Culture (Angus Robertson): The Scottish Government attaches a high priority to developing relationships with other European countries, which is why we want to rejoin the European Union. That will be made possible only by Scotland becoming an independent country.

Our recently published "Scotland's Global Affairs Framework" sets out the values and principles that underpin the Scottish Government's international work and the basis on which the Scottish Government will prioritise its European and wider international activity.

The Scottish Government will continue to take a positive and proactive role in engaging with European partners on shared challenges and opportunities where Scotland is well placed to offer expertise and share best practice.

Liam McArthur: The Erasmus programme is a fantastic initiative that allowed us to forge relationships with our European friends and opened the world for Scottish universities and Scottish students. It was a needless casualty of Brexit. However, the Welsh Government has already committed £65 million to its scheme, with young people from Wales preparing to go abroad from September. Assuming that he believes that I

have a sufficient electoral mandate, I ask the cabinet secretary to confirm whether the Scottish scheme will be up and running for the next academic year or whether thousands of young Scots will continue to miss out on the opportunity of a lifetime.

Angus Robertson: I thank Liam McArthur for that follow-up question. As I have indicated in answer to his colleague from North East Fife, the loss of the Erasmus programme is, indeed, a tragedy. Its replacement has been a matter of discussion between the Scottish Government and the European Commission, and we will continue to make progress on that. I hope—and I think—that we all agree that we need to do everything that we can to ensure that young people from Scotland and young people from the European continent are able to continue in the educational exchange that existed while we were part of the European Union.

That might give Liam McArthur cause to consider that the best future for Scotland is in re-establishing all the programmes that were established with the European Union, and the only way of doing that is by rejoining the European Union. I would be delighted to welcome him if he were to join that campaign.

Foyso Choudhury (Lothian) (Lab): One of the best ways to develop relationships with European countries is through educational ties. When my colleagues have asked the Scottish Government recently about delays to the replacement for Erasmus, they have instead been told about the plan for Scotland to rejoin the EU. While the Scottish Government waits for that theoretical solution, thousands of very real students are missing out on educational opportunities in Europe. The Scottish Government is limiting the opportunities of a generation with its gamble on future EU membership, which it cannot guarantee. Why will the Scottish Government not follow the example of the Welsh Labour Government and bring forward a replacement for Erasmus now?

Angus Robertson: I think that it was only this week that we had confirmation from the British Labour Party that it is not going to seek membership of the European Union for the United Kingdom. That disappoints a great many people, perhaps including some of Foyso Choudhury's colleagues—and perhaps even him.

I have already given an answer to his Liberal Democrat colleague in relation to the Erasmus scheme, in particular.

Foyso Choudhury talked about Scotland rejoining the European Union and “theoretical” opportunities. I say to him that this is not a theoretical opportunity. If one is a member state of the European Union, one can with great ease play

a full part in the Erasmus programme. Perhaps he is one of those on the Labour benches who actually represent the 30 per cent of Labour voters who are in favour of Scottish independence, and he can join us in the campaign when the referendum is under way.

Independence Referendum (Legal Advice)

8. Alex Cole-Hamilton (Edinburgh Western) (LD): To ask the Scottish Government whether it has now published all the legal advice it has received in relation to a second independence referendum. (S6O-01238)

The Cabinet Secretary for the Constitution, External Affairs and Culture (Angus Robertson): We have released the legal advice required under the commissioner's decision, as it does not merit the time and expense required for an appeal. Although we disagree with the decision, we have published precisely what the commissioner specified. In line with the ministerial code, I do not intend to comment on the content of other legal advice.

Alex Cole-Hamilton: I am kind of grateful for that reply, but the Scottish Information Commissioner's ruling about this could not have been clearer. In it, he states:

“a second independence referendum in Scotland is of significant public interest for a substantial portion of the Scottish population.”

He goes on to say that the request to release the information

“should be considered one of the exceptional circumstances which outweighs the in-built public interest in maintaining the exemption”

on confidentiality. However, he was not talking about the legal advice as to whether the Government could road test a question with the Electoral Commission; he was talking about the central legality around the propositions that are open to the Scottish Government in pursuing its objective of holding an independence referendum next year. Does the cabinet secretary not realise that, by withholding the legal advice on that central legality, he is holding not only the Scottish Information Commissioner but this Parliament in contempt?

Angus Robertson: As I have already made clear, in line with the ministerial code, I do not intend to comment on the content of other legal advice. Incidentally, that position has been held by Liberal Democrat ministers in this Parliament and by Liberal Democrat ministers at Westminster. I have no plans to depart from that position today.

Role of Incineration in Waste Hierarchy

The Presiding Officer (Alison Johnstone):

The next item of business is a statement by Lorna Slater on the role of incineration in the waste hierarchy. The minister will take questions at the end of her statement, so there should be no interventions or interruptions.

14:40

The Minister for Green Skills, Circular Economy and Biodiversity (Lorna Slater):

Finding better ways to manage the waste that our society is creating, and ways to reduce its total amount, are a key part of moving towards our vision for Scotland's circular economy and of tackling the twin climate and biodiversity crises. Delivering that vision requires radical action over the next decade. This is an exciting time, as we accelerate our move towards a zero-waste circular economy in Scotland.

In November, I set out a range of actions that we would take in the short term, including introducing a circular economy bill, delivering Scotland's deposit return scheme and undertaking a review of the role of incineration in Scotland's waste hierarchy. I am pleased to say that the complementary consultations on proposals for a route map to deliver a circular economy in Scotland and on proposals for legislation in a circular economy bill have now been published. I hope that all members will take the opportunity to feed into those consultations and encourage their constituents to do the same.

Our primary focus is on preventing material and products from becoming waste, through recycling and processing. However, it is equally critical that we correctly manage the unavoidable and unrecyclable waste that we produce, as we move to a circular economy.

Scotland's progress in reducing emissions in the waste and resources sector over the past 20 years has been striking. In 2019, waste and resources sector emissions were more than 30 per cent lower than in 2011, and 73 per cent lower than in 1998. Together, we have taken significant strides in reducing the amount of residual waste that we produce, through efforts to tackle our throwaway culture and promote recycling. However, Scotland still produces around 4.5 million tonnes of residual waste—black bag waste that typically goes to landfill or incineration.

Policies such as the Scottish landfill tax and the forthcoming ban on the landfilling of biodegradable municipal waste have been successful in diverting waste away from landfill and encouraging action

further up the waste hierarchy. Indeed, in 2020, Scotland exceeded the European Union target for diverting biodegradable municipal waste from landfill. However, we are not reusing or recycling as much of that material as we would like and, recently, there has been an increase in the amount of household waste that has been incinerated, which has closely matched the reduction in such waste going to landfill.

We can and must do better. Around 60 per cent of residual waste in our black bags from homes and businesses around Scotland consists of recyclable materials. Our on-going policies and the additional measures that are proposed in our consultations will make it easier for householders to recycle the right materials, and will reduce the numbers of unrecyclable products on the market, which will drive down the amount of residual waste that we produce.

However, it is important to recognise that, as we transition to a circular economy, we will still produce residual waste that needs to be managed in a way that minimises environmental impact without hindering our progress towards a circular economy. That is why, in November last year, I appointed Dr Colin Church to lead an independent review of the role of incineration in the waste hierarchy. I am grateful to Dr Church for undertaking that review, and to all those who took the time to provide evidence and engage in conversations with him during its course.

Dr Church set the detailed scope for the review within agreed parameters, which included a prioritisation of the national capacity requirements for municipal residual waste; consideration of the societal impacts of residual waste treatment, including health and community impacts; and consideration of how emissions from existing infrastructure could be reduced.

Members will be aware that on 10 May we published Dr Church's report, which sets out some valuable findings and recommendations. I hope that members agree that the scope and approach that Dr Church adopted has provided a robust report that provides a solid evidence base to inform discussions and decisions on how we manage municipal residual waste in a way that minimises environmental impacts.

The review makes 12 recommendations that are based on key findings around capacity, the strategic planning of waste infrastructure, data and community engagement. We support and will take action to deliver all of Dr Church's recommendations for the Scottish Government. Many of the recommendations are also relevant for local authorities and the wider waste industry. I encourage local authorities and industry to consider what actions they will take and how they

could work with us to respond to relevant recommendations.

The review also makes two provisional recommendations on decarbonisation, pending the completion of further detailed analysis of options to decarbonise existing residual waste infrastructure. That work has been commissioned and is expected to be delivered by the end of the year. I am pleased that Dr Church has agreed to remain in his role as independent chair, and I understand that he is planning to hold additional stakeholder engagement sessions for that work. I am sure that he will shortly let stakeholders know how they can get involved.

We have published our response to the 12 full recommendations and I will provide a summary of some of the key areas today. Although it is clear from the report that incineration has a role to play in managing, in a sanitary way, unavoidable and unrecyclable waste, the review rightly recognises that the only way to stop any negative environmental impacts from residual waste is to prevent that waste from arising in the first place.

Our draft route map sets out proposals to minimise the amount of residual waste that we produce, move to a circular economy and greatly reduce the need for incineration in Scotland. In relation to the incineration capacity that we need in Scotland, Dr Church found that although there is likely to be a temporary undercapacity of residual waste treatment in Scotland in 2025, when the ban on landfilling biodegradable municipal waste comes into force, Scotland faces the real risk of overcapacity by 2027 if all the incineration plants that have planning permission are built to schedule. Based on those findings, the review recommends that no further planning permission is granted to incineration infrastructure within the scope of the review—that is, incinerators that treat municipal waste—with some exceptions.

We accept that the risk of overcapacity is real and unpalatable, and that further action is required. That is why we will work within existing statutory frameworks to set out clearly that the Scottish Government does not support the development of further municipal waste incineration capacity in Scotland, with very limited exceptions. New national planning policy will be introduced through national planning framework 4, which will be presented to the Scottish Parliament for approval later this year.

In addition, the notification direction, requiring local authorities to alert ministers to planning applications for new incineration facilities and notify ministers if they are minded to grant planning permission for incineration facilities, will remain in place. There will of course be some very limited exceptions to that. The review highlights the challenges that rural and island communities

face in dealing with their residual waste. We will continue to support all local authorities in making the most appropriate provisions for the landfill ban.

The review also recommends that the Scottish Government takes a more strategic approach to planning and deploying waste management facilities, and as part of that, develops a cap to indicate the residual waste treatment capacity that is required in Scotland. We will identify options to develop such a cap as part of a residual waste plan, which we will publish by 2024. It is imperative for planning decisions that the cap is robust, and the review noted challenges around data, recommending that the Scottish Government develops better waste management data, and improves its capacity to model future trends.

In response, we will build upon on-going work, including implementing a digital waste tracking service, and on-going and proposed compositional analyses by undertaking a feasibility study on modelling options to forecast future trends and develop an indicative cap.

I was disappointed to read the review's finding that communities do not always receive the authentic and committed engagement from local authorities and industry that they deserve. That is unacceptable. We will achieve our vision for a circular economy only by involving everyone in important conversations, particularly on waste management. In line with the review's recommendations, we will work with community groups and local authorities to facilitate the co-production of guidelines for effective community engagement by the end of 2023.

Our published response sets out in further detail additional actions that we intend to take to address the issues and recommendations that are set out in Dr Church's report. I intend to incorporate as many of those actions as possible into our final waste route map, taking account of any feedback that is provided through the on-going consultation.

I look forward to working with colleagues in the chamber and all stakeholders to develop and deliver our route map and circular economy bill and, together, accelerating our move towards a zero-waste circular economy in Scotland.

The Presiding Officer: The minister will now take questions on the issues that were raised in her statement. I intend to allow around 20 minutes for questions, after which we will move on to the next item of business.

Maurice Golden (North East Scotland) (Con): I thank the minister for advance sight of her statement, and I thank Dr Church for carrying out his review.

Incineration should be a last resort, but the minister confirmed in her statement that it is

business as usual for burning waste. There is a missed opportunity, and the minister has done the bare minimum on incineration by declining new planning permissions but being happy for the massive overcapacity that is already approved to go ahead. I warned the Government as far back as 2017, and even its own advisers at Zero Waste Scotland issued a warning, but the Government did not heed the warnings then, and it is not heeding them now. Instead, it is risking Scotland becoming the ashtray of Europe.

The Scottish National Party and the Greens now face the prospect of using taxpayer funds to buy out local authority contracts, or even of importing waste to feed the overcapacity. Not content with Scotland being the ashtray of Europe, the SNP could turn us into the dump of Europe, too.

We know that the minister accepts those arguments because, in her manifesto, she promised to

“Oppose the construction of new incinerators as they alleviate the pressure to reduce waste, cause air pollution and are bad for the climate.”

Can the minister explain why she has abandoned that promise and is content to allow the huge capacity that is already in the planning system to go ahead?

Lorna Slater: I feel that Maurice Golden has not understood what is being announced today. Last year, the Scottish Greens made a manifesto commitment to oppose the construction of new incinerators, and we have delivered on that—and more. As I have set out, we are fully implementing the recommendations of the independent review that I commissioned, which includes there being no further planning permission granted for incineration facilities, and the setting of an indicative cap. We will develop an indicative cap to support future planning and investment decisions, following the improvement in data.

The notification direction will remain in place. That means that local authorities will not be able to grant consent unless ministers have cleared them to do that. Maurice Golden might recall that a similar notification direction was used previously, and successfully, to give the effect of a moratorium on unconventional oil and gas extraction.

Colin Smyth (South Scotland) (Lab): I thank the minister for advance sight of her statement.

Although Labour welcomes Dr Church’s report and recommendations as far as they go, it should not have taken a review to tell the minister to implement her own manifesto commitments. That dithering has delayed further meaningful action.

The minister said that we will not see new national planning policy on incineration until NPF4

is presented to Parliament for approval later this year. Does she have confidence that the existing notification direction on planning permission for new incinerators is effective enough, given the fact that a new plant to burn waste plastics has been approved in West Dunbartonshire since publication of the review?

On Scotland’s appalling record on recycling, we saw the amount of waste that was being incinerated in the country increase, shockingly, by over 200 per cent between 2011 and 2020. Incineration of household waste increased by nearly 300 per cent.

Dr Church highlights that we will, from 2027, have overcapacity for incineration, even with a ban on planning permission for new plants, because existing plants for which permission has been granted will still be built. Slowing new capacity is one thing, but what will the minister do to reduce overcapacity?

Even though the report on the full environmental implications of existing incinerators has not yet been published, we know that our current incinerators are some of Scotland’s biggest polluters and need to be phased out sooner rather than later. That will not happen simply by banning the building of new incinerators.

Lorna Slater: We have launched a consultation into the development of a route map, which sets out our proposal to reduce residual waste. That is a position that we all want to get to. In order to manage the potential risk of overcapacity in the system, we will work within existing statutory and other frameworks that set out clearly that the Scottish Government does not, with very limited exceptions, support development of more municipal waste incineration capacity.

The notification direction, which will remain in place, requires planning authorities to alert Scottish ministers about new planning applications for incineration facilities, and to notify ministers if they are minded to grant planning permission for those facilities. I am sure that the member would agree with me that the best way to reduce the side effects and negative effects of dealing with residual waste is to ensure that we have the minimum amount of residual waste in the first place.

Elena Whitham (Carrick, Cumnock and Doon Valley) (SNP): As we move to a circular economy and improve our waste-prevention activities—for example, through the recent removal of single-use plastics—and with an ever-increasing awareness of the vital need to reuse, reduce and recycle our domestic waste, does the minister agree that Dr Colin Church’s report lays bare that incineration should be a transitional technology that helps to bridge the gap between mass landfill and a low-

waste, low-carbon and more circular economy? His capacity analysis shows that there is a real

“risk of long-term overcapacity beginning from 2026 or 2027, if all or most of the incineration capacity ... is built”.

With that in mind, does she agree that proposed developments that are still to be consented, such as the Killoch energy from waste facility in my constituency, should not be consented, as incineration infrastructure that is within the scope of the review.

Lorna Slater: The member’s description of incineration as “transitional technology” is quite right. Dr Church’s review makes it clear that incineration has a role to play in treating Scotland’s unavoidable unrecyclable municipal waste. However, that role is limited and we will, as we move to a circular economy, need significantly less residual waste treatment capacity.

Dr Church’s report also highlights that we need to mitigate the risk of overcapacity. The best way to do that is to ensure that we do not build more capacity than is necessary. I am aware that there is a live planning application with East Ayrshire Council. I cannot comment on the merits of the proposed development, because that could be prejudicial to the outcome of the decision-making process. However, under the current notification direction, if the council is minded to approve the application, it will be required to formally notify ministers, who would then consider whether to call in the application for their own determination or return it to the council to determine.

The Presiding Officer: Before I take the next question, I have to insist on shorter questions and responses, or I will be unable to take all members who are interested in the matter.

Liam Kerr (North East Scotland) (Con): Dr Church’s review also called for a reduction

“in the proportion of recyclable materials in the residual waste”

system. The Government’s 2013 recycling target was to recycle of 50 per cent of household waste. Statistics for 2020 show that only 42 per cent of that rubbish was recycled. That is the lowest level since 2013, which certainly is striking. When will Scotland reach the 2013 recycling target?

Lorna Slater: I thank the member for his interest in the matter. On 30 May, we launched our proposals to tackle the climate and biodiversity crises in Scotland by supporting our transition to zero waste and a circular economy. Those two consultations will help us in tackling the climate and biodiversity crises by preserving precious resources and cutting our waste. Together, the consultations set out key proposed actions and the tools that we need in order to meet the targets.

Audrey Nicoll (Aberdeen South and North Kincardine) (SNP): As the minister will know, an energy from waste facility is being constructed in my Aberdeen South and North Kincardine constituency, and will become a neighbour both to the Torry community and local businesses—some of which have significant energy costs associated with their nature and operation. The facility potentially offers an opportunity to provide cheaper heating to businesses, as well as to residents, via a grid network.

Can I ask the minister for her support in ensuring that that kind of opportunity is fully utilised by project stakeholders, given the impact that energy price hikes have had on businesses and Scotland’s hardest-hit families, including many of my constituents—

The Presiding Officer: I am afraid that that is an example of the kind of question that we do not have time for. If members could be markedly briefer, I would be very grateful.

Lorna Slater: We fully support the development of domestic and business heat networks. Dr Church concluded that promoting combined heat and power could play a role in decarbonising incineration facilities. We are providing £300 million, via Scotland’s heat network fund, to develop heat networks, which could, if they are well located, utilise waste heat.

Carol Mochan (South Scotland) (Lab): It is welcome that the Scottish Government has accepted the recommendations that were made in the review, although it remains unfortunate that the Scottish Greens have had to be forced, yet again, into backing a policy that they committed to supporting in their manifesto just last year. The announcement will be welcomed by campaigners who I have campaigned with many times at the Killoch site in Ochiltree, East Ayrshire. Given the report, surely the minister can categorically confirm that the notification direction on planning permission will mean that the proposed incinerator development at that site will not go ahead.

Lorna Slater: The member will know that I cannot comment on the merits of any particular proposed development. [*Interruption.*] I am not allowed to comment on any particular development; that is against the rules.

I know that many members on the Labour benches will feel frustrated as they watch from the sidelines as Greens in government take real, determined action to deliver a greener Scotland, but for once perhaps they should welcome progress, rather than manufacture complaints. The Scottish Greens made a manifesto commitment last year to oppose the construction of new incinerators. We have delivered on that, and more.

As I have set out today—

The Presiding Officer: Briefly, minister.

Lorna Slater: —we are fully implementing the recommendations that were made in the independent review that I commissioned, which includes granting no further planning permission for incineration facilities, and setting an indicative cap.

Liam McArthur (Orkney Islands) (LD): I add my thanks to Dr Church.

The Scottish Liberal Democrats exposed how the SNP Government's 2021 landfill ban was to be met by instead sending rubbish on lorries to be dumped in English landfill sites. Can the minister tell the Parliament whether, when the 2025 landfill ban comes into force in Scotland, rubbish will be exported to England for landfill or incineration?

Lorna Slater: I thank the member for that question. When considering solutions, the review made it clear that any short-term risks of undercapacity needed to be balanced with the long-term risks of overcapacity. The review also made it clear that incineration is not the only option for managing residual waste in the short term, and that the combined capacity of the facilities that are currently operating, are in development or have planning permission is more than enough to manage Scotland's residual waste. We will continue to work with local authorities to provide technical, legal and procurement support to ensure that they have a solution in place by 2025.

Collette Stevenson (East Kilbride) (SNP): Will the minister join me in congratulating the Dovesdale action group, which was successful in its campaign to block the construction of a new incinerator in South Lanarkshire? Can she set out whether the Scottish Government can ensure that planning processes consider the potential for air pollution to be carried to nearby settlements, as that was a huge concern for the people of East Kilbride?

Lorna Slater: Of course, the member will know that I cannot comment on any particular planning application. In considering the evidence, which included a rapid evidence review that was conducted by Public Health Scotland, the review found that all forms of residual waste treatment pose risks to human health and the environment, so all need to be properly regulated in order to manage those risks.

The review also found that there is no compelling evidence that incineration is any worse than any other options when it is regulated well. Indeed, given the current stringent emissions standards, the evidence is that the air quality impacts are probably small. That said, the best way to minimise the health risks of residual waste treatment technology is to reduce the amount of

residual waste that we produce through waste prevention, reuse and recycling.

Mark Ruskell (Mid Scotland and Fife) (Green): I am delighted that there has been an effective ban on approvals for new incinerators since November last year, and that that has now been made permanent. That is what I have been campaigning for with local communities since 2017. I am proud that, with Greens in government, we are finally seeing an end to the incinerator free-for-all. What guidance is the Scottish Government offering councils in order to ensure that they can now deliver the effective ban on new incinerator applications going forward?

Lorna Slater: I thank the member for that question, and for the huge amount of campaigning and effort that he has put into the issue for many years. Dr Church's review makes it clear that the best form of residual waste treatment is preventing waste from occurring in the first place. Right now, we are supporting local authorities to reduce the amount of residual waste that they produce—for example, through our £70 million recycling improvement fund to improve local authority recycling infrastructure. I have already awarded £20.3 million to 13 local authorities to increase the quantity and quality of recycling, which marks the beginning of one of the biggest investments in recycling in Scotland in a generation. We are also—

The Presiding Officer: Briefly, minister.

Lorna Slater: We are also working closely with local authorities to support those that do not currently have solutions for the forthcoming ban on landfilling biodegradable and municipal waste.

Stephanie Callaghan (Uddingston and Bellshill) (SNP): Can the minister expand on how the Scottish Government will work within existing statutory and other frameworks to set out clearly that it does not support the development of further municipal waste incineration capacity in Scotland?

Lorna Slater: As the member will know, we have launched a consultation on the delivery of our route map, which aims to reduce the amount of waste that we need. Through that proposal, we will consider a strategic approach for residual waste infrastructure and how local authorities interact with that to implement necessary residual waste handling.

We will ensure that we take opportunities to embed a strategic approach to infrastructure in any relevant interventions that are taken forward under our route map following consultation.

Dean Lockhart (Mid Scotland and Fife) (Con): In her opening statement, the minister referred to EU regulations. A number of changes have recently been made to EU regulations in the area

of incineration. Given the Scottish Government's stated policy of keeping pace with EU laws, can the minister explain what differences currently exist in this area between regulations in Scotland and regulations at the EU level?

Lorna Slater: The member is correct that we intend to stay aligned, where possible, with EU law. I am happy to write to him with specific details on that point.

Jackie Dunbar (Aberdeen Donside) (SNP): How can we ensure that any energy from the NESS plant that is currently being built in Aberdeen will be used to help folk out of fuel poverty?

Lorna Slater: We are providing grant funding through our low-carbon infrastructure transition programme to help develop a heat network that will distribute heat that is produced from the energy from waste plant to provide affordable warmth to consumers in the Torry area of Aberdeen.

Phase 1 is currently being constructed, and the Scottish Government will work closely with Aberdeen City Council as the network's development continues.

Monica Lennon (Central Scotland) (Lab): Despite the spin, the minister has left the door wide open for new incinerators. Underfunded planning authorities and battle-weary communities will have to continue to deal with the threat of new incinerators, including those that have been given consent but have not yet been built. Can she not at least be honest about that?

Lorna Slater: Again, I feel that the member has not understood the situation that we are in today.

The notification direction will remain in place. That means that local authorities will not be able to grant consent unless ministers have first given their authority to do so. I remind the member that a similar notification direction was used previously and successfully to give the effect of a moratorium on unconventional gas.

In implementing Dr Church's recommendations, we will implement an indicative cap to support future planning and investment decisions following improvements in the data.

The Presiding Officer: That concludes the ministerial statement on the role of incineration in the waste hierarchy.

Miners' Strike (Pardons) (Scotland) Bill: Stage 3

15:10

The Deputy Presiding Officer (Annabelle Ewing): The next item of business is stage 3 proceedings on the Miners' Strike (Pardons) (Scotland) Bill. In dealing with the amendments, members should have the bill as amended at stage 2—that is, Scottish Parliament bill 5A—the marshalled list and the groupings of amendments.

The division bell will sound and proceedings will be suspended for five minutes for the first division. The period of voting for each subsequent division will be up to one minute. Members who wish to speak in the debate on any group of amendments should press their request-to-speak buttons as soon as possible after I call the group.

Members should now refer to the marshalled list of amendments.

Section 1—Pardons for certain individuals convicted of certain offences committed during miners' strike

The Deputy Presiding Officer: Group 1 is on qualifying conduct. Amendment 3, in the name of Pam Duncan-Glancy, is grouped with amendment 6.

Pam Duncan-Glancy (Glasgow) (Lab): The right to protest, organise and rise to give workers a voice must be protected—then, now and always. For that reason, we welcome the Government's intentions behind the bill. We welcome the pardon and the extensions that have been secured during the bill process.

Amendment 3, in my name, seeks to use language that is more inclusive, which is the approach that the Scottish Labour Party has taken to the bill. We seek to ensure that the bill is as wide and encompassing as possible, which is what amendment 3 would achieve.

I also encourage members to support amendment 6, in the name of Richard Leonard. The amendment would reinforce the welcome extension of the offences that are covered. At stage 2, the Government included theft, and I suggest that amendment 6 is more relevant to the bill because it covers offences relating directly to actions that were carried out in the course of industrial action. We must ensure that those are included.

I move amendment 3.

Richard Leonard (Central Scotland) (Lab): Let me begin by thanking all those who join us in the public gallery today. I have come here to

speak in Parliament for them. I have come here to ask this Parliament to stand with them, and I have come here to call not simply for a symbolic act of Parliament—and a symbolic pardon—but for real justice: a moral justice, a practical justice, a meaningful justice and a financial justice.

Amendment 6 seeks to include in those who are to be pardoned the miners who were convicted of an offence under section 7 of the Conspiracy, and Protection of Property Act 1875. The 1875 act is an old and archaic act that goes all the way back to Benjamin Disraeli. In its time, it has been applied only rarely, although notoriously it was used to charge Des Warren, Ricky Tomlinson and the Shrewsbury pickets in 1973. It is a law that was also used during the miners strike in Scotland in 1984-85, but, as far as we can tell, only in Strathclyde, only in 16 cases and only to cover low-level offences that led to fines of only £50. For the avoidance of doubt, these were not acts of violence under section 7 of the 1875 act, which we are seeking pardon for; these were minor offences under section 7. The truth is that, if they had been committed in Fife or in the cabinet secretary's constituency of Clackmannanshire, they would have resulted in nothing more than convictions for breach of the peace.

Without amendment 6, those people who were convicted of breach of the peace would be pardoned but the 16 miners who were convicted under the 1875 act would not. That would be an inconsistency—an injustice within an injustice. It would be irrational and unjust not to include these offences among those to be covered by the pardon.

Alex Cole-Hamilton (Edinburgh Western) (LD): I assure Richard Leonard of the support of the Liberal Democrats for this important amendment. Does he agree that the use of that archaic act is symbolic of a time when the authorities were trying to up-tariff the criminality that they were trying to ascribe to local protest?

15:15

Richard Leonard: Yes, I agree with that analysis. The John Scott review looked in some detail at the policing of the dispute, and the bill—which I hope will become an act—has its roots very firmly placed in that review.

I will now turn briefly to Pam Duncan-Glancy's amendment 3. The strike ended 37 years ago, and all the pits have long since closed. I accept that, for new generations, this might seem like old history. However, for those of us who lived through it, in coalfield communities, it is still very real and very raw. Many of us joined miners support groups, back in 1984, and collected for the miners. We witnessed the strife and hardship that were

caused, and we witnessed the brutality of the state during that year. Therefore, it is right that those supporters who were convicted for non-violent activities in support of the strike are included in the pardon, as is proposed by Pam Duncan-Glancy.

Let me finish by declaring an interest. I was a delegate to the central region miners support group, which met every Thursday night in Stirling throughout the strike. I am reminded that other delegates to that support group included the parents of the Cabinet Secretary for Communities, Social Security and Equalities. Her parents were two of the nicest Stalinists I have ever met. I was not arrested—and, as far as I know, they were not arrested—so maybe there is no need to declare an interest after all. However, we stood firmly in solidarity with the miners, along with thousands of others. Those who did so took part in the same battle as the miners, to save those jobs and to save an industry, a class, a culture and a way of life. They should be covered by the bill, which is why I urge members to vote for Pam Duncan-Glancy's amendment 3.

Alexander Stewart (Mid Scotland and Fife) (Con): I am delighted to speak in support of one of the amendments in the group. The two amendments relate to “qualifying conduct”, which applies to the conduct that occurred during the 1984-85 miners strike.

Amendment 3, in the name of Pam Duncan-Glancy, would leave out “supporting or opposing” and insert “relating to” in section 1. The amendment provides slightly improved drafting for section 1, and we are happy to support the amendment.

Amendment 6, in the name of Richard Leonard, wishes to extend the scope of the bill. It already covers “breach of the peace”, “breach of bail conditions” and

“an offence under section 4(1)(a) of the Police (Scotland) Act 1967”.

We believe that the proposal to incorporate the Conspiracy, and Protection of Property Act 1875 would extend the scope of the bill too widely, as covering those penalties and provisions aimed at the avoidance of violence seems unnecessary. We will not support amendment 6 in the name of Richard Leonard.

Alex Rowley (Mid Scotland and Fife) (Lab): I rise to speak in favour of amendment 3, in the name of Pam Duncan-Glancy, and amendment 6, in the name of Richard Leonard.

This is a good day, because of the recognition and the pardon of miners who were sacked. Alexander Stewart spoke of violence. I was not a miner, but my dad was, and he was on strike in the 1984-85 strike. I toured the country with him

on the picket lines, and I say to Alexander Stewart that the violence that I saw was the violence of the state. That is why it is right that the miners who were unlawfully sacked for fighting for their jobs should have the pardon that is coming.

The amendments relate to the people and communities who supported the miners. I was brought up in a mining community, and the buses that left Kelty to go to the picket lines had many people on them who were not miners but who were there to support them. We should recognise that, which is what Richard Leonard's and Pam Duncan-Glancy's amendments would start to do.

However, 16 miners were convicted under an outdated law. I appeal to the minister—I look forward to hearing what he has to say—not to leave out those 16 miners, by supporting the amendments that have been lodged.

The Cabinet Secretary for Justice and Veterans (Keith Brown): Like Richard Leonard, I welcome those in the public gallery who are former miners and their representatives. As Alex Rowley has just said, this could be an extremely important and historic day for Scotland if we can pass the bill. I hope that we are able to pass it with one voice. We are all here to support justice—that is the whole purpose behind the bill.

As members may be aware, I did not support the amendment that Pam Duncan-Glancy lodged at stage 2 that sought to replace the reference to “supporting or opposing”, which was proposed by me, with a broader reference to “relating to” the strike. The matter was debated in committee, with the outcome that the reference to “supporting or opposing” was added to the bill at stage 2. Her amendment 3 brings the matter to the chamber for debate.

I have again listened carefully to Ms Duncan-Glancy's explanation of why the form of wording in amendment 3 is preferable to what was supported in the committee and is now included in the bill. I note the member's point about the bill covering only those who were in support of the strike, but I have discussed that very issue with the president of the National Union of Mineworkers, who is here today, and the union is perfectly comfortable with the new formulation.

A consequence of moving away from exclusively covering pickets, demonstrations and similar gatherings to covering disturbances in the community, as we did at stage 2, is that we need to recognise that people on both sides of the strike could have relevant convictions, remembering that the bill is about reconciliation. I therefore remain concerned that the broader wording that the member suggests is rather vague and might create uncertainty. In turn, that uncertainty could

make it harder for people to self-assess whether they qualify for the pardon.

The current reference to “supporting or opposing” makes clear the purpose of the activity that a person was engaged in, participating in or responding to during the miners strike, and personal matters are expressly excluded. I say to all members that, if we are going to have any real attempt at reconciliation, somebody who was against the strike also has to be covered for the same behaviours as those who were for it. As I say, I have discussed the matter with the NUM and, as I understand it, that formulation presents the union with no issues. On that basis, I cannot support amendment 3 and would urge other members to vote against it if Ms Duncan-Glancy presses her amendment.

I turn to Richard Leonard's amendment 6. Members may be aware that the committee had a cordial and constructive debate on the matter at stage 2. The limited data that was available suggested that, as has been mentioned, there were 16 convictions related to the strike under section 7 of the Conspiracy, and Protection of Property Act 1875, all of which took place in the Strathclyde region. Anecdotal evidence was put forward that similar conduct would have been prosecuted as a breach of the peace in other parts of Scotland. The offence, on conviction, carried a maximum fine of £50 or three months' imprisonment. There is no evidence that anyone was imprisoned as a result of the convictions.

The conduct that led to such convictions, even if a degree of violence was involved, could therefore be considered to be on the lower end of the scale and similar to conduct that was charged elsewhere as a breach of the peace. I was, therefore, sympathetic to calls for the offences to be included in the bill and had agreed to discuss that further with Richard Leonard ahead of stage 3.

We have, however, subsequently discovered—I have discussed this with Mr Leonard and with Nicky Wilson of the NUM—that the behaviour that was covered by the offence in section 7 of the 1875 act is now covered by an offence in section 241 of the Trade Union and Labour Relations (Consolidation) Act 1992. That means that the criminalisation of that behaviour forms part of the subject matter of the 1992 act, which, in turn, falls within the reservation of

“Employment rights and duties and industrial relations”

under the Scotland Act 1998. If that offence was to be added to the list of qualifying offences, we would make the bill vulnerable to a challenge—and not just a theoretical challenge—on the basis of its legislative competence. If that happened, it could risk delaying the bill's commencement and the coming into force of the pardon for everyone

affected. I am relatively confident that no member would wish to see that outcome, given that the bill will commence the day after royal assent if it is passed later today. However, I realise that that will be disappointing for those who support a more comprehensive pardon.

I have already informed Mr Leonard that I will explore whether the offence can be added to the legislation later, through a section 104 order under the Scotland Act 1998. However, that would require the consent of the United Kingdom Government to progress an order through the UK Parliament on our behalf. Therefore, matters that touch on compensation, which we will come to shortly, and on the Conspiracy, and Protection of Property Act 1875 constitutionally fall to the UK Government.

That does not mean that nothing can be done, but I feel that a more persuasive case could be made on both of those matters if we could come up with a common approach with the UK Government. I have already written to UK Government ministers, and I hope to meet them to discuss those matters. However, for the purpose of the debate, I am unfortunately unable to support amendment 6, and I urge other members to vote against it if the member elects to move it.

The Deputy Presiding Officer: I invite Pam Duncan-Glancy to wind up and to press or withdraw amendment 3.

Pam Duncan-Glancy: As my colleagues and I have said, the bill is of historic importance not just for the historical pardon, but for the signal that it sends to workers, including in the future, that they can and will be heard. That is why it is really important that we make the legislation as comprehensive as it possibly can be.

I press amendment 3.

The Deputy Presiding Officer: The question is, that amendment 3 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division. As this is the first division of the stage 3 debate, I suspend the meeting for five minutes.

15:26

Meeting suspended.

15:34

On resuming—

The Deputy Presiding Officer: We move to a vote on amendment 3. Members should cast their votes now.

The vote is closed.

The Cabinet Secretary for Education and Skills (Shirley-Anne Somerville): On a point of order, Presiding Officer. My voting app is not working. I would have voted no.

The Deputy Presiding Officer: Thank you, Ms Somerville. We will make sure that that is recorded.

Oliver Mundell (Dumfriesshire) (Con): On a point of order, Presiding Officer. I would have voted yes. I did not manage to cast a vote.

The Deputy Presiding Officer: I am sorry, Mr Mundell—did you say that your voting app was not working?

Oliver Mundell: Yes, the app was not working.

The Deputy Presiding Officer: Thank you, Mr Mundell. I will make sure that that is recorded.

For

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Balfour, Jeremy (Lothian) (Con)
 Bibby, Neil (West Scotland) (Lab)
 Briggs, Miles (Lothian) (Con)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Cameron, Donald (Highlands and Islands) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Choudhury, Foysol (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)
 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)
 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)
 Mundell, Oliver (Dumfriesshire) (Con)
 O’Kane, Paul (West Scotland) (Lab)
 Rennie, Willie (North East Fife) (LD)
 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)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)

White, Tess (North East Scotland) (Con)
 Whittle, Brian (South Scotland) (Con)
 Wishart, Beatrice (Shetland Islands) (LD)

Against

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, 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)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greer, Ross (West Scotland) (Green)
 Harper, Emma (South Scotland) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lochhead, Richard (Moray) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Gillian (Central Scotland) (Green)
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 Martin, Gillian (Aberdeenshire East) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 Matheson, Michael (Falkirk West) (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 Deputy Presiding Officer: The result of the division is: For 50, Against 65, Abstentions 0.

Amendment 3 disagreed to.

Section 1A—Pardons: qualifying individuals

The Deputy Presiding Officer: Amendment 1, in the name of Fulton MacGregor, is grouped with amendments 4, 5, 9 and 2.

Fulton MacGregor (Coatbridge and Chryston) (SNP): I, too, take the opportunity to welcome those sitting in the public gallery today, including those from Moodiesburn in my constituency. I see Willie Doolan, for example, who is an important figure in the mining community.

The Deputy Presiding Officer: Mr MacGregor, I think that I can see that your microphone is on, but perhaps you could adjust it so that we can all hear you much more clearly. Thank you.

Fulton MacGregor: Is that better now?

The Deputy Presiding Officer: Yes, I think that that is better.

Fulton MacGregor: Thank you. There was a constructive debate in the committee about the scope of the bill with regard to which individuals would qualify as eligible for a pardon. I was pleased to support the cabinet secretary's amendments at stage 2, which were agreed by the committee and sought to extend eligibility to individuals who were members of the household of a miner at the time that a qualifying offence was committed. I know that the cabinet secretary was happy to keep an open mind on such matters, despite his concerns about diluting the effect of the pardon.

Therefore, the intention behind my amendments is to extend, in a limited way, what is meant by "qualifying individual". Amendments 1 and 2, when taken together, seek to broaden eligibility for the pardon to an individual convicted of a qualifying offence who meets the other conditions of eligibility and who, at the time of committing such an offence, was a parent, sibling or child of a miner. "Miner" is defined in section 4.

Amendment 1 broadens eligibility to those categories of family members who were not, at the time of such an offence being committed, a member of the household of a miner. Amendment 2 defines what is meant by a "sibling" of a miner. It means:

"an individual who has at least one parent in common with a miner."

The intention is to capture half-siblings under the definition of a qualifying individual. A definition of “qualifying individual” is, of course, already given in section 1A.

I hope that all members would agree that it is important that wives, children, parents, siblings and other members of the household of a miner—those who, it could be argued, were close enough to a miner to be most directly affected by the impact of the strike—are able to be pardoned, subject to their meeting the other qualifying criteria. I am pleased that the Government has worked with me to introduce my amendments.

Pam Duncan-Glancy’s amendments in this group also seek to further broaden the formulation of “qualifying individuals”. She knows that I have some sympathy with her amendments. We have the same goal of expanding the definition of people who qualify. However, I believe that there is a risk that some of her amendments could dilute the effect of the bill for people who are most likely to have been directly affected by the impact of the strike.

I trust that the cabinet secretary and other members will take the view that my amendments seek to strengthen the bill without diluting the effect of it.

I move amendment 1.

Pam Duncan-Glancy: As has been said, the bill gives us an opportunity not just to pardon the people who were impacted during the miners strike but to signal that, in such a situation in future, the terrible treatment that workers endured just for standing up for their rights will not be tolerated or repeated. We would like to seize that opportunity and allow the bill to go further.

My amendments in this group seek to ensure that the bill fulfils its policy intent in the widest, most comprehensive way possible. That is why we seek to broaden the pardon beyond members of the household to other family members and friends who stood in solidarity with striking miners.

Amendment 4 seeks to add family members who might not have lived in the household. Amendment 5 seeks to add people who stood in solidarity with striking miners. Amendment 9 is a consequential amendment that defines the term that amendment 4 seeks to introduce.

As I have said, I was young at the time of the miners strike, but I know from my involvement in strikes now that, at times, you bring with you not only your household but your family, friends and supporters, and your trade union colleagues and those who are standing in solidarity with you. That is why I and Labour members so strongly believe that the pardon should include not only people in

the household but those who stood in solidarity with miners.

Now more than ever, it is crucial that workers know that they can have the support of other people without fear of losing their jobs or their livelihoods. We saw that in the 1980s, and we see it again today, in the situation of workers at P&O and those who are standing in solidarity with the National Union of Rail, Maritime and Transport Workers.

We need to have a workers movement that is fighting fit, and the bill signals that we believe in workers’ rights. Our amendments seek to strengthen the bill by recognising that the fight for workers’ rights is a fight for all of us. I urge members to support amendments 4, 5 and 9.

Alexander Stewart: Group 2 deals with qualifying individuals, who are defined in section 1A. The term “qualifying individual” means an individual who was a miner or who

“was, at the time of the commission of the offence, a member of the same household as a miner.”

A qualifying individual includes a deceased individual. Therefore, a pardon will apply posthumously as well as to the living. Amendments 1, 4, 5, 9 and 2 seek to extend the scope of the bill so that it incorporates a wider range of individuals. We believe that, in doing so, they go too far. Therefore, we will not support any of the amendments in this group.

Keith Brown: As Fulton MacGregor said, at stage 2, there was a constructive debate in committee on the scope of the qualifying individuals who would be eligible for the pardon. Throughout the process, it has been my approach to find compromise with the Equalities, Human Rights and Civil Justice Committee and other points of view. We went further than John Scott’s committee had proposed in trying to meet some of the concerns that members expressed.

As someone who was a trade union member for two decades and a branch officer and trade union official, I share Pam Duncan-Glancy’s view that people should be allowed, encouraged and supported to express solidarity with others who are in difficult circumstances. I would not quibble with that. I, too, was young—or younger—during the miners strike. As a student, I supported some of the activities that Richard Leonard talked about in relation to support funds for miners and so on.

15:45

At stage 2, amendments were agreed to that extended eligibility to individuals who, at the time of committing a qualifying offence, were members of the household of a miner. However, it was argued that eligibility should be extended to cover

more family members. I was happy to keep an open mind on that. Fulton MacGregor's amendments 1 and 2 seek to introduce a small extension to the definition of "qualifying individual" to cover the parents, siblings and children of a miner. I believe that broadening eligibility to those categories of close family members who—this is an important point—at the time of such an offence being committed may not have been a member of the same household as a miner will strengthen the bill without diluting its effect.

I recognise, of course, that there will always be uncertainty as to how many of the individuals who were convicted during the strike were a parent, a sibling or a child or even another member of a miner's household. However, I feel that it is important that those who were immediately close to a miner, and were arguably more directly affected by the impact of the strike, are able to be pardoned, subject to meeting the qualifying criteria.

I am therefore happy to support amendments 1 and 2, which have been lodged by Mr MacGregor. I urge all members to do the same.

Pam Duncan-Glancy's amendment 4, linked with amendment 9, introduces a definition of what is meant by "another family member". I know that the member wishes for the pardon to apply to a longer list of family members, some of whom might not have been immediately close to a miner. These matters were debated at stage 2, and I could not support the amendment that Ms Duncan-Glancy had lodged. I know that other committee members shared that view. I was pleased to be able to meet the member to discuss the matter afterwards. I recognise that she has refined the wording for stage 3, but my concerns remain.

As I indicated at stage 2, there is a risk that these amendments could have the unintended consequence of diluting the effect of the pardon for miners, for members of their households and, if the chamber were to agree to Mr MacGregor's amendments, for the parents, siblings and children of a miner. They were arguably the people most likely to have been directly affected by the impact of the strike, because of the normally very close nature of such relationships.

For those reasons, I cannot support amendments 4 and 9. I urge other members to do likewise if the member decides to move them.

Pam Duncan-Glancy's amendment 5 seeks to extend the pardon to individuals who, at the time of the commission of a qualifying offence, were supporters, in either a professional or a personal capacity, of the miners strike. I have been open to refining the detail of the bill in ways that enhanced it without diluting its main purpose. I responded

positively to the committee's recommendations at stage 1 so that household members of a miner could be included. I am also willing to support a small extension to cover certain very close family members who may not always be captured by the definition of household member in the bill.

I recognise the intention behind amendment 5. I agree that solidarity and standing up collectively for the cause that a person believes in is right. The definition of supporter as proposed by the member would, however, seek to extend eligibility to a considerable number of other people for whom I believe the connection to being directly impacted by the strike is less certain. I believe that the intention behind amendment 5 could create an even greater risk: that the effect of the pardon is diluted for miners, as for the immediate members of their households and, if Fulton MacGregor's amendments 1 and 2 are agreed to, for the parents, siblings and children of a miner who may have been convicted for actions that they took as a result of that impact.

Pam Duncan-Glancy: I thank the cabinet secretary for the conversation that we had during the period between stages 2 and 3. I understand the need not to dilute the relevance of the bill, which is absolutely and incredibly important. However, I also believe that it is important for people who stood in solidarity with miners at the time, and for those who will do so again in the future. It has been said that much of the bill's importance is symbolic. I feel that much of the symbolism of including people who were supporting miners at the time is incredibly important for the future of our workers' rights in this country.

I urge the cabinet secretary and members across the chamber to consider agreeing to amendment 5 on that basis.

Keith Brown: I can only repeat the points that I have made. We have a genuine point of disagreement. I think that the effect of extending the definition so widely would be to have an impact on those miners who will be subject to the pardon; I genuinely believe that it would start to dilute its effect. That is why, on one hand, I have tried to hold to that view and, on the other, tried to compromise where I can, by extending the definition to household and family members. I acknowledge that the member is part of the genesis of the amendments that Fulton MacGregor has lodged, but I have to have an eye on how effective the pardon will be and how its effects will be felt by miners themselves. I think that extending the definition too widely will dilute that effect.

I therefore cannot agree to amendment 5, unfortunately. I say "unfortunately" because it would have been ideal if the chamber were able to

agree on all these points. I hope that we will do so on creating the pardon itself. There is more work to be done if we are able to pass the bill. Doing so with a united front would be the most effective way.

The individuals who are mentioned in Fulton MacGregor's amendments are arguably the most likely people to have been directly affected by the impact of the strike. The category of "supporter" in amendment 5 is quite vague. It is not clear from the amendment what actions, if any, would qualify an individual to be a supporter, or whether it would all be down to the motivation for committing the relevant offence. The danger of creating that ambiguity and doubt is that it would add to the likelihood of the effect of the pardon being diluted. The amendment would make self-assessment more difficult than for household members or close relatives.

I cannot support amendment 5 for the reasons that I have mentioned. I urge members not to support it if Pam Duncan-Glancy elects to move it.

Fulton MacGregor: I welcome the debate that we have just had. However, I am disappointed that, despite my efforts, I have not received the Conservatives' support for my amendments. As this is my last chance to get their support, I say to them that my amendments represent common sense. They extend eligibility to people to whom it would already apply if they had lived in the same household. I say that as a last-ditch attempt to get the Conservatives' support.

Like the cabinet secretary, I have a lot of sympathy with Pam Duncan-Glancy's amendments. We have been in the same space trying to achieve the same thing, but I feel that her amendments are just a wee bit too wide. I hope that she does not mind me saying that. I therefore think that the cabinet secretary is right not to support them and not to dilute the bill at this stage. We have a really good and historic opportunity to pass a groundbreaking bit of legislation for the people who are affected, some of whom are in the public gallery today. I would not want the bill to be diluted in any way.

I press amendment 1.

The Deputy Presiding Officer: The question is, that amendment 1 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

The vote is closed.

Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (SNP): On a point of order, Presiding Officer. I am still trying to connect

to the digital voting platform. It is just not connecting. I would have voted yes.

The Deputy Presiding Officer: Thank you, Ms Grahame. We will make sure that that is recorded.

For

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Bibby, Neil (West Scotland) (Lab)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Brown, Siobhian (Ayr) (SNP)
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
 Chapman, Maggie (North East Scotland) (Green)
 Choudhury, Foyso (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 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)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 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)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greer, Ross (West Scotland) (Green)
 Griffin, Mark (Central Scotland) (Lab)
 Harper, Emma (South Scotland) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lochhead, Richard (Moray) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Gillian (Central Scotland) (Green)
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 Marra, Michael (North East Scotland) (Lab)
 Martin, Gillian (Aberdeenshire East) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 McKee, Ivan (Glasgow Provan) (SNP)
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 McNeill, Pauline (Glasgow) (Lab)
 Minto, Jenni (Argyll and Bute) (SNP)
 Mochan, Carol (South Scotland) (Lab)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 O'Kane, Paul (West Scotland) (Lab)
 Regan, Ash (Edinburgh Eastern) (SNP)

Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Sarwar, Anas (Glasgow) (Lab)
 Slater, Lorna (Lothian) (Green)
 Smyth, Colin (South Scotland) (Lab)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Collette (East Kilbride) (SNP)
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sweeney, Paul (Glasgow) (Lab)
 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)
 Villalba, Mercedes (North East Scotland) (Lab)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 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)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 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)
 Greene, Jamie (West Scotland) (Con)
 Gulhane, Sandesh (Glasgow) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Hoy, Craig (South Scotland) (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)
 McArthur, Liam (Orkney Islands) (LD)
 Mundell, Oliver (Dumfriesshire) (Con)
 Rennie, Willie (North East Fife) (LD)
 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)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 White, Tess (North East Scotland) (Con)
 Whittle, Brian (South Scotland) (Con)
 Wishart, Beatrice (Shetland Islands) (LD)

The Deputy Presiding Officer: The result of the division is: For 84, Against 31, Abstentions 0.

Amendment 1 agreed to.

Amendment 4 moved—[Pam Duncan-Glancy].

The Deputy Presiding Officer: The question is, that amendment 4 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division. This will be a 30-second division.

The vote is now closed.

Sue Webber (Lothian) (Con): On a point of order, Presiding Officer. I have no idea what is going on with my app. I would have voted no.

The Deputy Presiding Officer: Thank you. We will make sure that that is recorded.

Douglas Lumsden (North East Scotland) (Con): On a point of order, Presiding Officer. My app did not refresh. I would have voted no.

The Deputy Presiding Officer: Thank you, Mr Lumsden. We will make sure that that is recorded.

For

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Bibby, Neil (West Scotland) (Lab)
 Choudhury, Foysol (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 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)
 McArthur, Liam (Orkney Islands) (LD)
 McNeill, Pauline (Glasgow) (Lab)
 Mochan, Carol (South Scotland) (Lab)
 O’Kane, Paul (West Scotland) (Lab)
 Rennie, Willie (North East Fife) (LD)
 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)
 Wishart, Beatrice (Shetland Islands) (LD)

Against

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Balfour, Jeremy (Lothian) (Con)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Briggs, Miles (Lothian) (Con)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Brown, Siobhian (Ayr) (SNP)
 Burgess, Ariane (Highlands and Islands) (Green)
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
 Cameron, Donald (Highlands and Islands) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 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)
 Dowey, Sharon (South Scotland) (Con)
 Dunbar, Jackie (Aberdeen Donside) (SNP)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 Findlay, Russell (West Scotland) (Con)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallacher, Meghan (Central Scotland) (Con)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Golden, Maurice (North East Scotland) (Con)

Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greene, Jamie (West Scotland) (Con)
 Greer, Ross (West Scotland) (Green)
 Gulhane, Sandesh (Glasgow) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Harper, Emma (South Scotland) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hoy, Craig (South Scotland) (Con)
 Hyslop, Fiona (Linlithgow) (SNP)
 Kerr, Liam (North East Scotland) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lochhead, Richard (Moray) (SNP)
 Lockhart, Dean (Mid Scotland and Fife) (Con)
 Lumsden, Douglas (North East Scotland) (Con)
 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)
 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)
 Mundell, Oliver (Dumfriesshire) (Con)
 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)
 Ross, Douglas (Highlands and Islands) (Con)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Simpson, Graham (Central Scotland) (Con)
 Slater, Lorna (Lothian) (Green)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Collette (East Kilbride) (SNP)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 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)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 White, Tess (North East Scotland) (Con)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Whittle, Brian (South Scotland) (Con)
 Yousaf, Humza (Glasgow Pollok) (SNP)

The Deputy Presiding Officer: The result of the division is: For 24, Against 91, Abstentions 0.

Amendment 4 disagreed to.

Amendment 5 moved—[Pam Duncan-Glancy].

The Deputy Presiding Officer: The question is, that amendment 5 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division, which will be for 30 seconds.

The vote is closed.

For

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Bibby, Neil (West Scotland) (Lab)
 Choudhury, Foysol (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 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)
 McArthur, Liam (Orkney Islands) (LD)
 McNeill, Pauline (Glasgow) (Lab)
 Mochan, Carol (South Scotland) (Lab)
 O’Kane, Paul (West Scotland) (Lab)
 Rennie, Willie (North East Fife) (LD)
 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)
 Wishart, Beatrice (Shetland Islands) (LD)

Against

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Balfour, Jeremy (Lothian) (Con)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Briggs, Miles (Lothian) (Con)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Brown, Siobhian (Ayr) (SNP)
 Burgess, Ariane (Highlands and Islands) (Green)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 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)
 Dowey, Sharon (South Scotland) (Con)
 Dunbar, Jackie (Aberdeen Donside) (SNP)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 Findlay, Russell (West Scotland) (Con)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallacher, Meghan (Central Scotland) (Con)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Golden, Maurice (North East Scotland) (Con)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Gray, Neil (Airdrie and Shotts) (SNP)

Greene, Jamie (West Scotland) (Con)
 Greer, Ross (West Scotland) (Green)
 Gulhane, Sandesh (Glasgow) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Harper, Emma (South Scotland) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hoy, Craig (South Scotland) (Con)
 Hyslop, Fiona (Linlithgow) (SNP)
 Kerr, Liam (North East Scotland) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lochhead, Richard (Moray) (SNP)
 Lockhart, Dean (Mid Scotland and Fife) (Con)
 Lumsden, Douglas (North East Scotland) (Con)
 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)
 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)
 Mundell, Oliver (Dumfriesshire) (Con)
 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)
 Ross, Douglas (Highlands and Islands) (Con)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Simpson, Graham (Central Scotland) (Con)
 Slater, Lorna (Lothian) (Green)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Collette (East Kilbride) (SNP)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 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)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 White, Tess (North East Scotland) (Con)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Whittle, Brian (South Scotland) (Con)
 Yousaf, Humza (Glasgow Pollok) (SNP)

The Deputy Presiding Officer: The result of the division is: For 24, Against 91, Abstentions 0.

Amendment 5 disagreed to.

Section 2—Pardons: offences

Amendment 6 not moved.

Section 3—Pardons: supplementary

The Deputy Presiding Officer: Group 3 is on compensation review. Amendment 7, in the name of Richard Leonard, is grouped with amendment 8.

Richard Leonard: The cabinet secretary has spoken about the need for consensus and unanimity. However, in the next breath, he said that the whole point of the bill is to grant a symbolic pardon. Many of us, including the miners, want this act of Parliament to mean something more than that: to make a difference, not just be symbolic.

16:00

In its briefing note on the bill, the Law Society of Scotland says outright:

“Given that pardons are ordinarily issued in order to relieve a person of some or all the legal consequences arising from a criminal conviction ... we would welcome clarity on the impact that a pardon would have.”

A scheme of financial redress would do exactly that. That would have an impact: a positive impact.

The cabinet secretary has spoken of

“the case for compensation from the UK Government”,

but in the next breath, he declared that

“a scheme would be complex and divisive, and it would be viewed by many people as unfair.”

Which is it? He cannot seriously argue that a Scottish Parliament scheme would be inherently divisive and unfair, but a UK Government scheme would not.

At stage 2, the cabinet secretary said:

“The issue is not so much the time that it would take to introduce legislation; it is the time that it would take to put together a proper compensation scheme.”—[*Official Report, Equalities, Human Rights and Civil Justice Committee*, 10 May 2022; c 22, 24, 22.]

Amendment 8 addresses that.

To the Greens and the Scottish National Party back benchers, who say in all sincerity that they do not want to delay the pardon and that a financial redress scheme would mean that the bill would be unlikely to go through in the next few months—according to Mark Ruskell—I say that amendment 8 address precisely that point. It gives the Scottish Government, in consultation with the miners, their families and their union, up to a year to produce, in the cabinet secretary’s words, “a proper compensation scheme”.

That is exactly what was done with the Mental Health (Scotland) Act 2015 and the Redress for Survivors (Historical Child Abuse in Care) (Scotland) Act 2021, which was passed by this Parliament just last year. The idea of this

Parliament passing a law without a fully worked-out scheme at this stage has clear precedent.

The excuses for opposing a scheme over the past few months have been manifold: that employment law and industrial relations are not devolved; that this Parliament did not exist in 1984; that this Parliament is not competent; or that time is of the essence. I have to say that if it is competent for this Parliament to pardon the miners for what happened in 1984-85, it must be competent for this Parliament to compensate the miners for what happened in 1984-85. After all, the bill is not about the application of employment law during the strike; it is about the application of civil and criminal law during the strike.

Let me put it in plain terms: the bill came about because striking miners were arrested in Scotland by Scottish police officers, prosecuted in Scotland by Scottish procurators fiscal and convicted in Scotland by Scottish sheriffs in Scottish courts. It was that—in the words of the Scott inquiry—

“arbitrary application of the criminal law”

that led to the

“disproportionate, excessive and unreasonable”

treatment of the miners. That is what we must now address.

The cabinet secretary has said on the record:

“Policing in Scotland followed a different path”—[*Official Report, Equalities, Human Rights and Civil Justice Committee*, 8 February 2022, c 14.]

during the strike. It did. If someone was a striking miner in Scotland, they were twice as likely to be arrested and three times as likely to be dismissed as miners in any other coalfield. That is why a scheme of financial redress should be brought back to this Scottish Parliament.

Finally, I stress that the proposal in amendments 7 and 8 is supported by the National Union of Mineworkers. It does not want us to take a back seat on this question; it wants the Scottish Parliament to take a lead on it. As Nicky Wilson, the NUM president, said recently in a letter to all MSPs:

“The NUM wants to see compensation paid to miners across the UK. We believe that this bill provides a historic opportunity for Scotland to lead the way by including a compensation scheme for those miners, and we will continue to advocate for a public inquiry.”

Let us seize this historic opportunity: let us win justice for the miners and the miners’ families; let us make history, right these wrongs and vote for material justice, meaningful justice and financial justice, as well as symbolic justice.

I move amendment 7.

Alex Cole-Hamilton: I rise for the Liberal Democrats to speak in support of Richard Leonard’s amendments.

The Parliament has recent precedent for passing legislation that rights historical wrongs. It did so with the Historical Sexual Offences (Pardons and Disregards) (Scotland) Act 2018. I am sure that the Government will make much of the fact that a similar financial compensation scheme was not attached to that act for men who were convicted of crimes that are no longer illegal. I was the deputy convener of the committee that was charged with leading that bill through Parliament, and we interrogated that issue extensively. We asked many men to whom the act would apply—or those who came before the committee at least—whether they were after financial compensation, and they were clear that they were not interested in it. Financial compensation schemes have been extended as part of similar historical pardons bills on homosexuality, particularly in Germany, but those who made representations to the committee said that it was not a money issue; rather, it was a justice issue in righting an older wrong.

However, in this case, we can see a demonstrable link between the wrongs that were done to the miners and their families, and financial hardship and financial wrongdoing. In some cases, things would follow those people throughout their careers. Therefore, there is a case to examine a scheme for financial recompense, which is why the Liberal Democrats will support Richard Leonard’s amendments 7 and 8. I commend Richard Leonard for his excellent speech and his passion in pressing the issue.

Alexander Stewart: Amendments 7 and 8, in the name of Richard Leonard, revisit the compensation scheme that was brought forward at stage 2 and rejected on the ground that introducing a compensation scheme is not the purpose of the bill and that it would only delay the bill’s implementation. We do not wish to see the implementation delayed, so we are minded not to support the amendments.

Alex Rowley: When I was driving across here today, I thought about the day that the miners strike ended and the immense disappointment that there was when I went into the strike centre in my home village of Kelty.

There is a comparison that we can draw. My late dad was then in his early 60s, and he was made redundant within six months. He got a redundancy payment, and he lived another 25 years. He got his pit coal and had a decent life. He was able to live a reasonable life with the redundancy money that he received. However, I also think of people such as my friend from Dunfermline, Bob Young, who was sacked.

On that day, there were people who worked together and stood together. People were sacked not through any fault of their own, but because of the way that they were treated by the British state. It is right that they are pardoned, but their lives suffered. Their lives did not end on the day that the strike ended. They were out of work. They never got the correct compensation and redundancy payments that others, such as my dad, got. In many cases, they found it difficult to get a job because they were blacklisted as sacked miners. They paid a heavy price after the strike when the others went back.

As Richard Leonard said, the compensation scheme is not tricky. I appeal to the cabinet secretary to look again at it. A UK scheme will not be established—the cabinet secretary knows that that will not happen. The Tories will never admit the wrongs that they did to mining communities throughout Scotland, the wrongs that were done to sack miners, the wrongs that were done to their families, and the hardship that those people continued to take. As Richard Leonard said, the bottom line is that miners were arrested by police in Scotland, the cases were considered by the procurators fiscal in Scotland, and the miners were convicted in Scottish courts. There is no reason why the Scottish Government, in taking the steps that I welcome, cannot take the next step and give compensation and recognition to miners who suffered when the strike finished and their families, who also suffered. Let us compensate them.

Christine Grahame: Richard Leonard and I have debated this issue before. I absolutely support compensation for the miners but there is a question to be asked about who should pay and why.

The policies were pursued by a Tory Government; there was no Scottish Parliament in place at the time. Liability lies entirely—

Richard Leonard: Will the member give way?

Christine Grahame: If Richard Leonard lets me conclude, he will have a chance to respond.

Liability lies at the feet of the UK—a UK which, as Richard Leonard knows, has taken £4.4 billion out of the miners pension fund without putting a penny into it. The UK is sitting on that money—they filched it. Compensation should come from there, not from the budgets that we have in this place for public services. That would penalise the health service, policing, education and so on. *[Interruption.]* I hear what members ask about what the UK will do. I call upon Labour members, along with their Welsh Assembly colleagues, to pursue the UK Government to reach into that £4.4 billion that it has filched from the miners pension fund to set up a proper compensation fund and, at the same time, to do what we are doing in this

place, which is to grant a collective pardon. We are the first nation to do this; it is a disgrace that it has not been—

Alex Rowley: Will Christine Grahame give way?

Christine Grahame: I am nearly finished, but yes.

Alex Rowley: I am sure that people listening to Christine Grahame—who is someone whom I respect immensely—will think to themselves, “What about those millions and millions of pounds in compensation that are being given to Rangers Football Club directors because of the unlawful way that they were treated?” We could find money for them, so let us find money for the sacked miners.

Christine Grahame: That was in response to actions that took place while the Scottish Parliament was in place. This is about what happened in 1984 and it is not as though they do not have the money. How can members possibly support £4.4 billion that was taken from the miners pension fund not being used for a compensation fund?

I say to Labour members: do not let yourselves be bulldozed by a Tory Government; get your colleagues at the Welsh Assembly to put on pressure for a compensation scheme as well, and let us shame a Tory Government that requires to be shamed.

Keith Brown: This is perhaps the most substantial of the amendments and, unfortunately, it is also the most contentious and divisive. I had hoped that we would be able to reach a common position so that we could move forward on achieving what we all want. I regret that that has not been possible.

The Scott inquiry did not propose a compensation scheme, for very good—

Richard Leonard: Does the minister accept that it was not part of the Scott inquiry’s terms of reference to look at compensation? Does he accept that the adviser to the Scott inquiry, Professor Jim Phillips, is in favour of a compensation scheme? Dennis Canavan, a former MSP and a member of the Scott review board, is also in favour of a compensation scheme—legislated for by this Parliament.

Keith Brown: I will just repeat the point: the Scott inquiry, which had broad support within this Parliament, did not recommend a compensation scheme as part of the bill. That was partly because the inquiry team wanted this to be an act of reconciliation in communities that were riven apart by the miners strike.

I heard mention of the Scottish procurators fiscal and the Scottish police. It was the National Coal Board. It was industrial relations and employment law, which are reserved to Westminster. I have heard members saying that it was the political direction of the strike—how are we to examine that and apportion blame for it? The records are held at Westminster.

The game was given away by Alex Rowley when he said that it was the British state that was responsible. That is the point. We do not disagree on the principle of compensation—we have said that from the start. It is about how it can be best achieved. I do not know what amendment Alex Rowley was talking to, because no compensation scheme is proposed in Richard Leonard's amendments—there is no compensation scheme proposed. It is worth bearing that in mind when we come to the vote.

Amendment 7 removes section 3(b) of the bill, which provides that section 1—which is the pardon—does not

“give rise to any right, entitlement or liability”.

It seeks to strike down that provision.

Amendment 8 seeks to place a duty on the Scottish ministers to carry out a review of the options for compensating those individuals subject to the pardon, or the legal representatives of such individuals, which I assume refers to individuals who may have died, with their representatives now taking on that case.

The amendment also seeks to have us publish a report on such a review, within 12 months of royal assent, setting out

“the estimated costs of those options, and recommendations on how best to achieve the aim of compensating for the harms suffered by those subject to the pardon.”

I have been consistent throughout the process: I have considered options for compensation and reviewed them; I have discussed the matter with officials, the committee and individual members. We have reviewed it, and we think that the bill is the best way to try to achieve that aim.

16:15

To repeat, amendment 8 does not create a right to compensation. What Richard Leonard proposes does not create that right. There is no need to remove section 3(b) of the bill. Removing that provision would imply that the Parliament does create a right, entitlement or liability, but it is uncertain what that would be, looking at the bill as it is drafted. All that amendment 8 seeks to do is to require a review; it does not create a right to compensation, now or in the future. I am concerned that amendment 7 would therefore

create uncertainty, and I am not prepared to support it. I urge members to do likewise if Mr Leonard presses amendment 7.

I turn to amendment 8. As many members in the chamber will already know, my view is that it is for the UK Government to devise a scheme and make compensation payments to former miners and their families. Alex Rowley mentioned blacklisting, which we all know went on. The one attempt that there has been to try to deal with blacklisting was in the House of Commons, because it has the powers to do that. Maria Fyfe tried that in 1988. That is where the powers to address this lie.

I have a genuine fear about what Richard Leonard has proposed. Some of us are willing to pursue the route that we think is most productive, which is to put pressure on our political parties in Westminster in order to make sure that any future Government reviews compensation. I do not know whether Alex Rowley holds out hope that there will be a Labour Government at any time in the future, but if he assumes that the Tories will always be in power, then we are all doomed. It could be the case that we can try to propose a solution to our political parties and, as Christine Grahame said, to our colleagues in the Welsh Assembly. If we could do that, or if there is a change in the Government, or a change of heart in the Tory party—which I share Alex Rowley's pessimism about—then we will be ready to go. We will have all the support. However, we will undermine that if we say that we are also looking to review a compensation scheme in Scotland. “We think that you should do that, but we are also going to review one in Scotland.” That is why I think that amendment 8 would work against the interests of those who are trying to seek compensation.

My view is that any compensation should, if it is to be taken forward, be properly thought out, uniform and fair, and should take into account the wishes of former miners across the UK. A previous iteration of Richard Leonard's proposals would have had us provide a pardon for some people, but not for others. If people had lost their job, then they would have got compensation, but not if they have been pardoned, and vice versa. That would have created more division, when the bill is all about trying to seek some reconciliation.

I repeat that it is for the UK Government to devise a scheme and to make compensation payments to former miners and their families. That is why I continue to press for a UK inquiry. I am sorry that Richard Leonard will not take up the proposal that I made to him previously, which is that we should approach our own parties. Today, I spoke with a senior member of the Welsh Assembly, who also said that when they have had discussions in Plaid Cymru and the Labour Party, they have talked about compensation in the

context of the £4.4 billion hoovered out of the miners pension fund. That is what they have talked about, and we should be getting them onside and making sure that we have the maximum possible impact on the Westminster Government.

I previously put on record, and I am happy to do so again, that the Scottish Government would be willing to consider and compile as much factual and other information as the NUM and other bodies may be able to offer—and they have offered to give us that information—as part of any future representation that is made to the UK Government. That offer is not just abstract; I have already written to the Home Secretary and to a number of other people in order to try to garner a level of support that ensures that we can exercise the maximum possible amount of pressure.

I also hope that Mr Leonard and all other members agree that it is important that we have—if we can still achieve it—consensus across the chamber for the bill at stage 3. A united front can strengthen our call for the UK Government to undertake the inquiry that it should be undertaking, and that miners and their families have been asking for for a long time. Division at this stage of the bill will weaken the cause. The lack of a consistent approach to compensation across the chamber may be questioned by those whom we seek to influence and undermine any collective action that we could take together at Holyrood and with our colleagues at Westminster.

However, for now, I have to speak to the amendment that is in hand. I believe that the inclusion of amendment 8 in the bill will distract attention and focus away from the campaign that we can all take forward collectively to the UK Government following the bill's passage. Indeed, the Scottish ministers have already assessed the options for the payment of compensation, which I have set out.

Although the bill as drafted means that someone can assume a pardon if it is passed, amendment 8 would mean that they could not assume that and they would have to apply for compensation. Given the age of the miners involved, and the fact that many are no longer with us, we deliberately sought not to make that an onerous process for those who would be involved. Therefore, I will not support Richard Leonard's amendment 8, and would urge members to do similar if the member wishes to move it.

The Deputy Presiding Officer: I invite Richard Leonard to wind up and say whether he wishes to press or withdraw amendment 7.

Richard Leonard: Well, you heard it there: the cabinet secretary wants me to withdraw my amendment or wants members to vote against it,

in the interests—he says—of unity. Well, why does he not support the amendment, in the interests of unity?

He wants me to withdraw it because, in his words,

“it is for the UK Government to devise a scheme”.

That is the same UK Government which, on 20 May, in the *Daily Record*, he himself called “corrupt, immoral” and “law-breaking”. Even the mild-mannered Fulton MacGregor, on 13 May, in *The National*, called the UK Government “sleazy, lying, law-breaking Tories”. As recently as two days ago, the First Minister said:

“This is a UK Government that has no respect for democracy”.

Why is the cabinet secretary now telling his constituents—the ex-miners, their wives, their partners, their mothers, their sons, their daughters—to put their faith in the UK Government?

But wait: the cabinet secretary tells us that he is hoping to meet the Home Secretary. Is that the same Home Secretary who, this week, is trying to force asylum seekers on to flights to Rwanda?

I have to say to the Greens—

Keith Brown: Will the member give way?

Richard Leonard: Yes.

The Deputy Presiding Officer: Before the cabinet secretary—[*Interruption.*]—Hello! Hello! Everybody, could we just—[*Interruption.*]

Excuse me. Could we have some calm so that the member who has the floor can be heard? Cabinet secretary, your intervention is taken.

Keith Brown: I think that I made it clear, when I spoke, that I did not expect that the people in those offices in the UK Government that he has mentioned would remain the same for all time. I think that what I have set out is the most effective way to do it.

Richard Leonard, in talking about me making excuses, and raising the temperature and the division in this debate, is working against what I think we are all trying to achieve. I would ask him to think about his remarks before he makes them, if we are to have that consensus.

I assume that he thinks that it is not worth while to approach the UK Government at all—he will not do that. We will do that, regardless of whether he comes with us or not, and whether or not he speaks to his colleagues. I just hope that he will temper his remarks and try to support the greater good.

Richard Leonard: This afternoon, I am approaching the Scottish Parliament for legislation in this area.

Let me turn to the situation of relying on Priti Patel, the Home Secretary. I have to say this to the Greens, who have been fairly quiet this afternoon. The Greens tell us that they want Scotland to

“be the Scotland of Kenmure Street, not Downing Street”,

so which side of the debate are they on? Why are they putting their faith in Priti Patel, rather than in this Parliament?

The cabinet secretary complains that my amendment will distract attention and turn the focus away from any campaign that we can all take forward. I have to remind him that this is not a one-party state—this is a Parliament, elected by the people. We are entitled to have a different view from that of the Government; even those in the Government party are entitled to hold a different view from that of the Government. That is not a sign of weakness—it is a sign of democratic strength.

The cabinet secretary tells us that

“Scottish ministers have already assessed the options for the payment of compensation, which I have set out”,

but saying, “No—no—no” at each stage of the bill’s passage is not setting out the options, it is government by ultimatum. The options have not been set out; they have not been set out before this Parliament, and they have not been set out before the people. That is what my amendment asks for.

The cabinet secretary knows that it is perfectly possible, perfectly competent and perfectly affordable for the Scottish Government to spend time over the next year to come up with a scheme of financial redress and bring it back to the Parliament. That is all that this amendment seeks to achieve. It is a modest, reasonable amendment, which I hope that democrats in this Parliament, in the spirit of and in an act of unity, will support.

The Deputy Presiding Officer: The question is, that amendment 7 be agreed to. Are we agreed?

Members: No.

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

We will rerun the vote because there is a technical issue.

The question is—

Rachael Hamilton (Ettrick, Roxburgh and Berwickshire) (Con): On a point of order, Presiding Officer. The rerun has already come through.

The Deputy Presiding Officer: Thank you, Ms Hamilton. That appears to be the case.

Christine Grahame: On a point of order, Presiding Officer. I do not know where I am with the voting. I cannot vote.

The Deputy Presiding Officer: The vote is not closed yet, Ms Grahame, so please keep trying, and if it does not succeed, you can always make a point of order after the vote has closed.

The vote is now closed.

Emma Harper (South Scotland) (SNP): On a point of order, Presiding Officer. The app would not refresh for me, so I want to check whether I have voted no.

The Deputy Presiding Officer: Your vote did not register, but we have made sure that your vote is recorded.

For

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Bibby, Neil (West Scotland) (Lab)
 Choudhury, Foysol (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 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)
 McArthur, Liam (Orkney Islands) (LD)
 McNeill, Pauline (Glasgow) (Lab)
 Mochan, Carol (South Scotland) (Lab)
 O’Kane, Paul (West Scotland) (Lab)
 Rennie, Willie (North East Fife) (LD)
 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)
 Wishart, Beatrice (Shetland Islands) (LD)

Against

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Balfour, Jeremy (Lothian) (Con)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Brown, Siobhian (Ayr) (SNP)
 Burgess, Ariane (Highlands and Islands) (Green)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
 Cameron, Donald (Highlands and Islands) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 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)
 Dowey, Sharon (South Scotland) (Con)

Dunbar, Jackie (Aberdeen Donside) (SNP)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 Findlay, Russell (West Scotland) (Con)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallacher, Meghan (Central Scotland) (Con)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Golden, Maurice (North East Scotland) (Con)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greene, Jamie (West Scotland) (Con)
 Greer, Ross (West Scotland) (Green)
 Gulhane, Sandesh (Glasgow) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Harper, Emma (South Scotland) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hoy, Craig (South Scotland) (Con)
 Hyslop, Fiona (Linlithgow) (SNP)
 Kerr, Liam (North East Scotland) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lochhead, Richard (Moray) (SNP)
 Lockhart, Dean (Mid Scotland and Fife) (Con)
 Lumsden, Douglas (North East Scotland) (Con)
 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)
 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)
 Mundell, Oliver (Dumfriesshire) (Con)
 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)
 Simpson, Graham (Central Scotland) (Con)
 Slater, Lorna (Lothian) (Green)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Collette (East Kilbride) (SNP)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 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)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Yousaf, Humza (Glasgow Pollok) (SNP)

The Deputy Presiding Officer: The result of the division is: For 24, Against 88, Abstentions 0.

Amendment 7 disagreed to.

After section 3

Amendment 8 moved—[Richard Leonard].

The Deputy Presiding Officer: The question is, that amendment 8 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

For

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Bibby, Neil (West Scotland) (Lab)
 Choudhury, Foysol (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 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)
 McArthur, Liam (Orkney Islands) (LD)
 McNeill, Pauline (Glasgow) (Lab)
 Mochan, Carol (South Scotland) (Lab)
 O'Kane, Paul (West Scotland) (Lab)
 Rennie, Willie (North East Fife) (LD)
 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)
 Wishart, Beatrice (Shetland Islands) (LD)

Against

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Balfour, Jeremy (Lothian) (Con)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Briggs, Miles (Lothian) (Con)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Brown, Siobhian (Ayr) (SNP)
 Burgess, Ariane (Highlands and Islands) (Green)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
 Cameron, Donald (Highlands and Islands) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 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)
 Dowey, Sharon (South Scotland) (Con)
 Dunbar, Jackie (Aberdeen Donside) (SNP)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 Findlay, Russell (West Scotland) (Con)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Fraser, Murdo (Mid Scotland and Fife) (Con)

Gallacher, Meghan (Central Scotland) (Con)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Golden, Maurice (North East Scotland) (Con)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and
 Lauderdale) (SNP)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greene, Jamie (West Scotland) (Con)
 Greer, Ross (West Scotland) (Green)
 Gulhane, Sandesh (Glasgow) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire)
 (Con)
 Harper, Emma (South Scotland) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hoy, Craig (South Scotland) (Con)
 Hyslop, Fiona (Linlithgow) (SNP)
 Kerr, Liam (North East Scotland) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lochhead, Richard (Moray) (SNP)
 Lockhart, Dean (Mid Scotland and Fife) (Con)
 Lumsden, Douglas (North East Scotland) (Con)
 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)
 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)
 Mundell, Oliver (Dumfriesshire) (Con)
 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)
 Ross, Douglas (Highlands and Islands) (Con)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Simpson, Graham (Central Scotland) (Con)
 Slater, Lorna (Lothian) (Green)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Collette (East Kilbride) (SNP)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 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)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 White, Tess (North East Scotland) (Con)
 Whitham, Elena (Carrick, Cumnock and Doon Valley)
 (SNP)
 Whittle, Brian (South Scotland) (Con)
 Yousaf, Humza (Glasgow Pollok) (SNP)

The Deputy Presiding Officer: The result of the division is: For 24, Against 92, Abstentions 0.

Amendment 8 disagreed to.

Section 4—Interpretation

Amendment 9 not moved.

Amendment 2 moved—[Fulton MacGregor].

16:30

The Deputy Presiding Officer: The question is, that amendment 2 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

The vote is now closed.

The Minister for Drugs Policy (Angela Constance): On a point of order, Presiding Officer. My app failed to connect. I would have voted yes.

The Deputy Presiding Officer: Thank you, Ms Constance. We will ensure that that is recorded.

For

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Bibby, Neil (West Scotland) (Lab)
 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)
 Choudhury, Foyso (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 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)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and
 Lauderdale) (SNP)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greer, Ross (West Scotland) (Green)
 Griffin, Mark (Central Scotland) (Lab)
 Harper, Emma (South Scotland) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Kidd, Bill (Glasgow Anniesland) (SNP)

Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lochhead, Richard (Moray) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Gillian (Central Scotland) (Green)
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 Marra, Michael (North East Scotland) (Lab)
 Martin, Gillian (Aberdeenshire East) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 Matheson, Michael (Falkirk West) (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)
 McNeill, Pauline (Glasgow) (Lab)
 Minto, Jenni (Argyll and Bute) (SNP)
 Mochan, Carol (South Scotland) (Lab)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 O’Kane, Paul (West Scotland) (Lab)
 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)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Sarwar, Anas (Glasgow) (Lab)
 Slater, Lorna (Lothian) (Green)
 Smyth, Colin (South Scotland) (Lab)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Collette (East Kilbride) (SNP)
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sweeney, Paul (Glasgow) (Lab)
 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)
 Villalba, Mercedes (North East Scotland) (Lab)
 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)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Dowe, 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)
 Greene, Jamie (West Scotland) (Con)
 Gulhane, Sandesh (Glasgow) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Hoy, Craig (South Scotland) (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)
 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)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 White, Tess (North East Scotland) (Con)
 Whittle, Brian (South Scotland) (Con)

The Deputy Presiding Officer: The result of the division is: For 88, Against 27, Abstentions 0.

Amendment 2 agreed to.

The Deputy Presiding Officer: That ends consideration of amendments.

As members will be aware, at this point in the proceedings the Presiding Officer is required under standing orders to decide whether, in her view, any provision of the bill relates to a protected subject matter; that is, whether it modifies the electoral system and franchise for Scottish parliamentary elections. In this case, in the Presiding Officer’s view, no provision of the Miners’ Strike (Pardons) (Scotland) Bill relates to a protected subject matter. Therefore, the bill does not require a supermajority in order to be passed at stage 3.

Miners' Strike (Pardons) (Scotland) Bill

The Deputy Presiding Officer (Liam McArthur): The next item of business is a debate on motion S6M-04979, in the name of Keith Brown, on the Miners' Strike (Pardons) (Scotland) Bill. I invite members who wish to participate in the debate to press their request-to-speak buttons now, or as soon as possible.

16:34

The Cabinet Secretary for Justice and Veterans (Keith Brown): I have, at the last minute, adapted what I intended to say. I had hoped that we would achieve the consensus that I think many people sought to achieve, but that has not been possible.

I will address one point at the outset. Richard Leonard accused me of saying “No—no—no”. The facts simply do not support that. I consistently made compromises with the committee and we went further from the very start, with the John Scott committee. I cannot escape the conclusion that it would not really have mattered what the Government did—we were always going to get that kind of grandstanding from Richard Leonard towards the end. That is unfortunate, because it means that we cannot have the joint approach that we had hoped to have—

Richard Leonard (Central Scotland) (Lab): Will the cabinet secretary take an intervention?

Keith Brown: I will, in a second or two.

We cannot take that joint approach, given that Richard Leonard thinks that it is not worth making representations to the United Kingdom Government. We do. We will persist with that on our own, or with anyone else who is willing to do it, in the hope that we can achieve further justice for our miners.

Richard Leonard: The point that I was making with “No—no—no” was that at each stage of the bill the cabinet secretary said “no” to any form of financial redress. Those are the three noes that I was speaking about.

I accepted, and I will accept in my closing speech, that the Government has given some ground. We welcome that. Let me also say that at the end of the debate we will vote for the bill, and that we will work with the Scottish National Party and Green Government and the Welsh Government to put pressure on the UK Government. I am sorry that the cabinet secretary feels that we all need to vote en bloc at all times in order to have any influence. I do not see things that way, at all.

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

Keith Brown: The simple fact is that I have never asked for everyone to vote en bloc in every instance. I have tried to make a number of compromises in order that we can get maximum consensus, but that is obviously not going to happen.

I thank Joe FitzPatrick and the Equalities, Human Rights and Civil Justice Committee for their scrutiny of the bill. I also thank the bill team. I have never seen a bill team so engaged and involved. They are civil servants and they are neutral, but the advice that they gave me and how they went to work on investigating potential compensation avenues and various other aspects of the bill was tremendous, so I thank them for their support in that regard.

I am also grateful to Nicky Wilson, who is the president of the National Union of Mineworkers, and to the Retired Police Officers Association Scotland for the views that they offered to inform the bill. I was pleased that Parliament agreed to the bill's general principles in March and, as I have said, I responded positively to the lead committee's recommendations at stage 2.

Today, I want to focus on what can be achieved through the bill. Anyone who considers that they or their loved ones meet the pardon criteria should feel pardoned. It is a pardon to own for themselves or for their loved ones—many of whom have, sadly, not been able to see this day arrive.

The qualifying criteria are straightforward. If the conviction was for an offence of breach of the peace, breach of bail conditions, police obstruction et cetera, or theft that was connected to the strike, the pardon will apply automatically to miners and to those who lived in a miner's household. We have added to those categories of people the categories that were included in Fulton MacGregor's amendments 1 and 2.

In recognition of the difficulty in sourcing records, that means “no” to an application process but “yes” to a collective and automatic pardon. That outcome puts Scotland at the forefront in the UK in helping to remove the stigma of convictions relating to the strike, and in providing reconciliation and comfort to people who were affected.

I have the greatest respect for former miners and I have represented a mining community for many years. I was not raised in a mining community, but I supported the strike as a student when it happened in 1984. I know that the men concerned were the backbone of the coal industry and worked in dangerous, dirty and hard conditions to keep our homes warm and to keep the wheels of our economy turning.

They were a collective group of honest and hard-working men who were supported, in many cases, by their strong and resilient wives. Proud former miners including Nicky Wilson, Alex Bennett and Bob Young gave powerful evidence to the lead committee. I know that others, including Watty Watson, Jim Tierney and Willie Doolan, have been watching the bill's progress. That is not to forget the thousands of other men who were on strike to safeguard the future of their industry and communities.

Perhaps one of the lasting effects of the strike was the extent to which the experience of watching the strike taking place radicalised young students like me. That is why the pardon is so important. It is a recognition of the suffering and the need to restore dignity to the affected communities.

At stage 2, we extended the scope of the bill to cover qualifying offences that took place more broadly in mining communities. We also added theft as a qualifying offence. I should mention that the three cases of theft were theft by three women, all in Ayrshire, who—as best the records can tell—were convicted for stealing potatoes because of the economic hardship of the strike. We extended the qualifying offences to cover them.

We also extended the list of qualifying individuals. It is fitting to recognise the support that immediate family members provided during the strike. As I said earlier, I am delighted to see former miners and their family members joining us today in the public gallery.

An outstanding issue remains around inclusion of offences under section 7 of the Conspiracy, and Protection of Property Act 1875. I committed to discussing that issue further with Richard Leonard, which I did. Having explored the matter, I confirm that although I had supported the inclusion of section 7 offences, Richard Leonard is aware of the reason for my not supporting that now. The subject matter of the offences has been superseded by successor legislation that is reserved to Westminster. Therefore, in order to add the offences, legislation would have to be progressed through the UK Parliament. I confirm that it is my intention to pursue the matter at Westminster through an order under section 104 of the Scotland Act 1998. I cannot guarantee that the UK Government will agree to promote the order, but we will use our best endeavours to secure that agreement.

I recognise that uncovering the truth of what happened during the strike is important. I agree that the UK Government should conduct a UK-wide inquiry that should consider management of the strike and payment of compensation. I entirely sympathise with people who lost out financially

through their participation in the strike. Of course, it is not just that they lost their jobs: they lost pension benefits, and blacklisting blighted their future employment prospects and, in blighting their lives, blighted the lives of their families, too. That is why I say that the passing of the bill will not mark the end of the Scottish Government's efforts on behalf of mining communities.

I have previously outlined on the record the reasons why the bill is not the mechanism to provide financial redress. I know that Richard Leonard and other members will disagree, but I believe that a united front—had we been able to achieve it at Holyrood and through our parties at Westminster—would have strengthened calls for an inquiry on that. As I said earlier this week, I have written to the Home Secretary to reinforce that point and to request a meeting.

For now, we must take the opportunity to acknowledge the circumstances that led to so many convictions in order that we can say that we, as a Parliament and as a country, want to pardon those convictions and bring some comfort and reconciliation to those who were involved.

I move,

That the Parliament agrees that the Miners' Strike (Pardons) (Scotland) Bill be passed.

The Deputy Presiding Officer: Thank you very much, cabinet secretary.

To avoid unnecessary curtailing of this afternoon's debate on the motion to pass the bill, I am minded to accept a motion without notice to push back decision time to 5.30 pm.

Motion moved,

That, under Rule 11.2.4 of Standing Orders, Decision Time on Thursday 16 June be taken at 5.30 pm.—[*Gillian Mackay*]

Motion agreed to.

16:42

Alexander Stewart (Mid Scotland and Fife) (Con): I am grateful for the opportunity to open the stage 3 debate on behalf of the Scottish Conservatives.

First, I thank everyone who has been involved in allowing the bill to reach this stage, including the many witnesses, committee clerks and members who have worked constructively to improve the bill since its introduction. Every time the Parliament debates a bill that is taking its final step through Parliament, that provides the opportunity to reflect on the importance of what the bill seeks to achieve.

This bill is no different. I have spoken previously about the symbolic importance of the bill to those

who were affected by the miners strike of 1984-85. That importance has been clear to see from the beginning of the bill's journey through Parliament—from the scale of the public response to the independent review, to the heartfelt witness testimonies that I heard as a member of the Equalities, Human Rights and Civil Justice Committee, through to the presence of all those who have attended Parliament for each stage of the bill's proceedings. It is clear how much closure the bill stands to bring to those people, which is why we will support the bill at decision time today.

The scars of the turbulent events of 1984 and 1985 have stayed with many individuals, and even whole communities, right up to the present day. The bill will not right every wrong of the past—no bill by itself ever could—but the pardon that the bill seeks to provide will mean a great deal to many individuals and communities and will go some way towards healing the divisions of the past.

However, as with most legislation, the bill as introduced required improvements in order that it could fully achieve its stated intentions. There were concerns that the bill lacked clarity in certain places, which could have created ambiguity around eligibility for pardon. That is particularly problematic for a bill that requires people to self-assess their eligibility for pardon. I was, therefore, pleased to support the cabinet secretary's significant redrafting of section 1, which meant that many of my amendments were incorporated.

The scope of the pardon that will be afforded by the bill has been much debated throughout the bill's passage through Parliament; we have heard that debate continuing in the chamber today. However, I remain of the view that, although it has been possible to justify small changes in the scope of the bill, it is not possible to justify significant expansions of its scope. We saw attempts to do that at stage 2, and we have seen them again today at stage 3. I have no doubt that the amendments along those lines were well motivated; however, although I will not spend my time today re-running every aspect of the debate, I note that it is clear to me that, as it stands, the bill goes far enough in that respect.

We have also heard calls for a compensation scheme to be introduced. We have been through that discussion and amendments on that have been dealt with. One of the most important features of the bill is that the pardon that it grants is automatic and self-assessed. It is important to the symbolism of the bill that those who are included in its scope are able to judge straight away that they have been pardoned. The delay and complexity that would come with a compensation scheme would risk undermining such simplicity. Ultimately, the argument that was set out in the committee's stage 1 report remains

clear. The introduction through the bill of a compensation scheme would not only have been impractical, but would have delayed the process, which we do not want.

John Scott QC's independent review made it clear that there was injustice in some of the convictions that happened because of the miners strike. It is, therefore, only right that the bill provides a formal pardon for those who were caught up in those most difficult of circumstances. In passing the bill at decision time today, Parliament will formally acknowledge those injustices, which will go some way towards healing the communities that were scarred by the events, although it has taken four decades for us to get to this stage.

Although the bill will not undo those injustices, I hope that it will, at least, bring the closure that many communities and individuals deserve.

16:47

Pam Duncan-Glancy (Glasgow) (Lab):

Although I was quite young at the time—only three or four years old—I remember the miners strike being a prominent topic of conversation in my house and being highlighted as an example of injustice and terrible maltreatment of workers. People feared for their livelihoods and were criminalised just for standing up for their rights at work; communities were ruined; pensions were lost; jobs were illegally snatched away; and families and friends were torn apart and turned against one another.

During the evidence sessions in the committee, we heard those stories come alive, and I thank the miners who gave such compelling and moving evidence. As others have, I welcome and pay tribute to the miners joining us in the public gallery today. The treatment that they endured was unacceptable and must never happen again. That is why, as we made clear at stage 1, Scottish Labour wholly supports the principles of the bill. We believe that an automatic pardon will go some way towards providing justice for those who were affected.

The right to protest, to organise and to rise and give workers a voice must be protected—then, now and in the future. With this bill, we retrospectively right an historic wrong, but we must also send a message to workers today that they have power and we stand with them. An attack on one is an attack on us all. We must always be on the side of workers. The Scottish Labour Party has always been and will always be firmly on their side.

Therefore, I would also like to put on record that, had I been just that bit older, I would have stood in solidarity then, as I stand in solidarity with those

who are striking now, in particular those in the University and College Union and the National Union of Rail, Maritime and Transport Workers, and with all workers who are taking a stand to defend their rights, the rights of those who work alongside them and the rights of those who will come after them. That is why I spoke up when Glasgow City Council threatened to bring in agency workers when the council workers went on strike. No intimidation of that sort is acceptable.

For those reasons, we welcome the Government's intentions for the bill.

We welcome the pardon and the extensions that have been secured through the parliamentary process. The bill is an opportunity not only to pardon those who were impacted then but to signal that, in the future, such a situation—with the terrible treatment that workers endured just for standing up for their rights—will not be tolerated or repeated.

We would like to seize that opportunity, and we had hoped that the bill could go further today. The amendments that I and my colleague Richard Leonard lodged sought to ensure that the bill fulfilled its policy intention in the widest, most comprehensive way possible: by providing comfort and reassurance to all those who were impacted by the strikes, once more re-emphasising our solidarity with them.

I am disappointed, of course, that our amendments were not agreed to. I am particularly disappointed by the cabinet secretary's response to Richard Leonard's considered amendment on compensation. We know that the impact of the strike on financial stability, public reputation and all the other areas of people's lives that were thrown into turmoil is still felt now. That the cabinet secretary is happy to leave that matter in the hands of the UK Government, and not in the hands of his own Government, to consider over the next year is a sorry state of affairs. Words matter, but deeds do, too.

It is crucial—now more than ever—that workers know that they have the support of others who are standing in solidarity with them and that they are not in fear of losing their jobs or their livelihoods. Colleagues, ultimately, the bill is about an historic injustice, and we must send a solid message that such treatment of workers should never have happened and will never be tolerated again. That is important for today and for the future, too.

Now more than ever, we need to end low pay, job insecurity and bad employment practice, which means that we need a workers movement that is fighting fit. The bill signals that we believe in workers' rights. I say to people everywhere that an attack on one is an attack on us all. The fight for

workers' rights is a fight for us all, so join us, join workers and join a union.

Therefore, although I am, of course, disappointed that our amendments to extend and strengthen the pardon were not accepted today, I will back the bill and signal with pride to the workers who fought for our rights then, those who defend them today and those who will do so tomorrow that they can and must be heard. Tomorrow and in the future, I will act with deeds and stand with pride on the picket line with them, fighting injustice, until workers' rights prevail.

The Deputy Presiding Officer: Thank you, Ms Duncan-Glancy. I call Mr Cole-Hamilton to speak for up to four minutes.

16:52

Alex Cole-Hamilton (Edinburgh Western) (LD): I am proud to rise for the Liberal Democrats to speak in favour of this important bill. I thank the committee for its work on the bill and, in particular, I thank Pam Duncan-Glancy and Richard Leonard for their amendments, which the Liberal Democrats supported.

I whole-heartedly welcome the bill in its entirety. It is long overdue. In its recent history, the Parliament has started to unpick the wrongs done by previous Governments, and it is important that we do that. In this case, we are offering pardons for offences that should never have been registered as such. That action has gone some way to repairing the damage wrought by the injustice suffered by the miners and their families. However, unlike in previous examples of legislation that the Parliament has passed to that end, in this case significant financial hardship was suffered as a result of previous wrongs. That is why we were proud to support the Labour amendments to try to identify a means of compensating miners and their families. I am sorry that that attempt has fallen short today.

However, I sincerely hope that the bill will provide some degree of closure to the many people who were wronged during the strike of 1984-85. It is important to remember that those who were striking and picketing did so not just for their jobs but for the wellbeing of their families and communities and their way of life.

That sense of community, fraternity and unity often seems sadly lacking in our modern society, and we are the poorer for it. During the strike, the whole weight of the establishment and the police force was thrown at these mining communities. During the strikes of the 1970s, the police's approach to picketers was neutral; that was not so in the 1980s. One miner is quoted as saying:

"They were being used against us".

As we know, around 1,300 arrests were made during the strike, 400 of which led to convictions. However, what those numbers do not communicate is the often untold stories of lives and livelihoods that were for ever impacted—families fractured and communities often torn apart. There was a particular injustice in Scotland because, as we have heard several times during today's proceedings, striking miners in Scotland were twice as likely to be arrested and three times as likely to be dismissed as miners in other coalfields across the United Kingdom.

The bill should represent an apology by those who took decisions that they should never have taken. We cannot speak for the ministers of the time, but we can do our best to recognise injustice done with an apology by the state itself.

At its heart, the bill is about justice. As I see it, one of our chief duties in Parliament is to safeguard justice. When it becomes clear that a wrong has been done, we are duty bound to right it.

Some members have had direct experience of the impact of the miners strike. I refer, in particular, to Alex Rowley, whose speech was excellent—I recognise the stories that he told. Those members live in communities and have close relationships with people whose lives were deeply affected by the decisions that were taken during that moment in history. I am not one of those people. I do not come from a mining community and, as far as I know, none of my close friends or their families was scarred by the events in question.

However, I have the same memories that Pam Duncan-Glancy mentioned—of sitting round the dinner table during the strike, talking about the impact on miners' families of the callous decisions of the Government of the day. I have also been moved by the stories of so many communities in this country and across the UK as a whole.

To the miners who join us in the gallery or at home, I would like to say that while many people may never be able to fully understand what you, your families and your communities were unfairly forced to endure, we are sorry for that. Although the bill cannot erase the painful memories or the scars that you will inevitably bear, I hope that, after today, you feel that your voice has been heard by the Parliament and that justice has, in some way, been served. That is the very least that you all deserve.

The Deputy Presiding Officer: Thank you, Mr Cole-Hamilton. Claiming to be the same age as Pam Duncan-Glancy is a bold and brave move, I would have said.

We move to the open debate. I call Christine Grahame.

16:56

Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (SNP): I am not going to talk about age.

It is a privilege to speak in this debate—I also spoke in the stage 1 debate—because we are the first nation in the UK to recognise in law the injustice of the time of the miners strike. I say gently to Richard Leonard that Labour was in power for 13 years from 1997 until 2010, and it did nothing—

Richard Leonard: Will Christine Grahame give way?

Christine Grahame: I want to make a wee bit of progress. The Labour Government did nothing about granting pardons or setting up compensation schemes.

There is a legacy of mining communities in my constituency—those of Newtongrange, Gorebridge and Penicuik—and I have immediate family connections with miners, as well as my own direct memories of the 1984-85 mining dispute itself.

The footprint of the mines in my constituency is there for all to see. Newtongrange, whose mining museum and great wheel border the A7, is still characterised by the neat rows of miners' cottages—First Street, Second Street and so on—with narrow lanes at the back, which the coal lorry used to deliver their quota.

High above the community, Gorebridge has its memorial to miners who lost their lives in the pits over the years, the inauguration of which I was glad to attend. There is also the Shottstown miners welfare club in Penicuik. Those communities are still all there. That means that the landscape and sense of community of Scotland's mining past are literally never out of my sight. We have a responsibility to those communities.

My family connection with mining was my paternal grandfather, who was a Welsh coal-miner. I never met him; he died prematurely in his early 40s from a head injury that he sustained when a pit prop fell on him. That left his large family of children, including my late mother, a Derbyshire woman, orphaned, as his wife had died in childbirth. My mother never let us forget the hardships of that job and the fact that he left those 10 orphaned children, including her. His death had an enduring effect on the way she led her life and how she saw coal mining, which she passed on to me.

When the events of the mid-1980s became the stuff of news bulletins, she raged against the Tory Government for its ruthless treatment of the miners, their families and their communities. I, too, was shocked, especially when police on horseback were sent charging into men who were

simply demonstrating for their livelihoods. Often, those officers were shipped in from outside the community, because the local police could not be used.

As others have said, during the strike, 1,300 or more people were charged and more than 400 were convicted. Those convictions stand to this day, so the bill is much to be welcomed.

At stage 1, I noted that the Government recognised that miners' wives and families who were directly involved in the dispute might also have received convictions and should perhaps be encompassed in the bill, and I am glad that that has happened at this stage.

We need a publicity campaign to ensure that everyone is aware of their rights. I understand that the Government is doing that, partly through the NUM.

I absolutely agree with having a symbolic and collective blanket pardon, but that does not remove a conviction from the record. Section 3(a) of the bill makes it plain that that remains the case, so members might question what practical effect such a pardon would have. People might think that, by being granted a collective pardon, their conviction will be expunged from the record; it will not. However, I appreciate that we still have the effect of the prerogative of mercy, which is the power of the Crown to quash a conviction. In any event, in practical terms that issue might not be so relevant, as convictions might now have lapsed through time and records might be lost. However, the UK Government must hold an inquiry into all that took place, and in particular into whether there was political interference in policing and the judiciary.

I will be brief, because we have already rehearsed the issue of compensation. It really makes me cross that £4.4 billion was taken straight out of the miners pension fund without the UK Government putting a penny in, while Richard Leonard was looking for compensation from our budgets for public services. I would never let a Tory Government off the hook in the way that he seems to be doing. I am glad that he is going to speak to his Welsh colleagues, because we need power behind us to ensure that that £4.4 billion—

Richard Leonard: Will the member take an intervention?

The Deputy Presiding Officer: No—the member is just about to sit down.

Christine Grahame: —goes to where it belongs: to the miners.

17:01

Alex Rowley (Mid Scotland and Fife) (Lab): I am pleased to speak in the debate. Anyone who grew up in a mining community, as I did, knew what the NUM was and what it stood for. One of those things was unity. In the debate, we might have disagreements on compensation schemes, but let us not take our eye off the ball. First, it is absolutely right that the Parliament is introducing and agreeing on the pardoning of miners who were unfairly sacked. There should be unity on that.

Christine Grahame was right to say that, when Scottish Labour was in power here, it did not do that. I acknowledge that, but I want to pay tribute to Neil Findlay, a former member, who has never given up on the issue. He fought on it and introduced a member's bill, which resulted in the Government picking it up. All praise and thanks should go to Neil Findlay. Let the Parliament unite, and say that we will work with the Welsh Government and across parties—although perhaps not with the Tories, because it was the Tories at Westminster who tried to put pressure on the miners.

Last night, I watched a video of Mick McGahey—I was going to say “the young Mick McGahey”, but perhaps he is not all that young; I refer to the son of the miners leader—and I was struck by what he said in talking about his experience of the strike. He said:

“My father was entrenched in the NUM.”

We should remember that the NUM was not just the body that represented miners in the pits; it was part of communities and it fought for better housing and conditions there. As people grew up, they would take part in miners galas and Christmas parties that had been organised by the NUM, which was part of the fabric of the communities and their lives. That is why the debate is so important.

However, let us also not forget other cases such as that of the P&O workers—that was another example of the power of the state being used against working people. Today, working people are being treated appallingly, and we have a Tory UK Government that seems to have no regard for common decency or the worker's right to earn a decent wage and not to be treated in that way. Sadly, the fights for jobs and for workers to be treated properly and against poor terms and conditions and wages cuts go on. Those are not so much to do with the National Union of Mineworkers, because we no longer have the pits, but the lessons from that time should never be forgotten.

On compensation, I have already outlined the impact on the miners who were unjustly and

unfairly sacked. However, I have seen Richard Leonard post a number of videos in which those very people talk about the impact that the strike had on their lives. I think that everybody from the former mining communities across Scotland and everybody who lived through that strike of 1984 and 1985 will welcome what has been brought forward here today.

In that year of the miners strike, the hardship was absolutely appalling, but there were masses of positives. In Kelty, where I live, the pipe band marched round the village every few weeks to collect food, which was then brought into Kelty club, where it was shared out. My auntie and one of her old friends set up a soup kitchen that then became a food kitchen, where meals were prepared.

There is a lesson for Scotland in that strength and unity. If we are going to go forward, let us unite our country. Regardless of what the constitutional outcome will be at the end of the day, a country that is disunited will not be a country that succeeds. Let us learn the lessons from the miners and the NUM. Unity is strength. Let us unite and all stand up for working people.

17:06

Fulton MacGregor (Coatbridge and Chryston) (SNP): My constituency of Coatbridge and Chryston has a very rich history of mining, as I have mentioned countless times in the chamber. Mining has been central to the lives of so many in my constituency, even decades after the mines were closed, and I would be hard pushed to find someone who did not have a family member who was a miner or at least know of someone who was one.

Members will perhaps recall that my constituency contains the Auchengeich memorial site, which commemorates the Auchengeich mining disaster of 1959, which is considered one of Scotland's worst mining disasters. Every year, a memorial is held there to remember the 47 miners who lost their lives at the site and the impact that it had and continues to have on the local community. The devastation that was caused by the disaster and the legacy of grief and loss for the victims' loved ones are still felt. The tragedy left 67 children without their fathers and made widows of 41 women. I again pay tribute to the Auchengeich memorial committee, which continues to ensure that those miners are in living memory.

As my microphone was not working properly when I started to speak to my amendments earlier, I take this chance to again welcome those from Moodiesburn and that committee to the chamber, including Willie Doolan.

I turn to the strike and how it impacted my constituency. At Cardowan colliery in Stepps, which had officially closed in September 1983, hundreds of workers stood united day in and day out for a year to fight for their industry. Those men fought not just for their jobs and industry, but for their communities.

The bill is very important, especially to communities such as the ones that I have mentioned. The pardon is an official acknowledgement of the hardships that were experienced by those who struck in the 1980s. The consequences and fallout from the strikes run deep, and endeavours to provide respect, reconciliation and regeneration to the miners' families and the communities involved are well overdue.

When the strikes took place, I was still fairly young—probably about the same age as Pam Duncan-Glancy was—but, like everybody who was brought up in a mining community, my upbringing was shaped by them. We heard about them through school. I even remember them being talked about in primary school. That is how big an impact they had.

There is no doubt that many miners suffered great hardship because of the strike and convictions that arose from it. That was true for many who were caught up directly in the dispute and for their families and the wider communities, and the effects are felt to this very day. I am pleased that the amendments that I moved earlier today, which widened the scope, were agreed to. I am sure that members agree that disproportionate impacts arose from miners being prosecuted and convicted during the strike, and that the hurt is still felt to this day.

Questions always remained about whether the strike was policed fairly and whether the justice system did right by miners. As Christine Grahame said, there were rumours of political interference, and it always felt that there were unanswered questions when it came to the way that the strikes were policed. Of course, it was a volatile situation, as many disputes are, but the way that miners were treated was clearly wrong and disproportionate. There is no getting away from that, and that is why a pardon is so necessary.

The bill will not answer all the questions that we have, but it will go some way in aiding reconciliation and helping to heal wounds in Scotland's mining communities. An automatic pardon will provide some form of justice to the families that are affected.

As a member of the Equalities, Human Rights and Civil Justice Committee, I think that the Government responded well to our considerations at stages 1 and 2. The cabinet secretary has

already outlined much of that. The Government made moves on various aspects following the committee's report, and I am really pleased about that.

Of course, the most heated discussion has been on compensation. I will be clear for members, those in the gallery and anybody else: like my colleagues, and as Christine Grahame articulated, I support compensation for the miners. Who could not do so? However, the question has always been about who pays. Clearly, that is for the UK Government. Having gone through the passage of the bill, I am more and more convinced of that.

It is not simply a constitutional question. Of course, I would rather that we were independent—in which case, compensation would have been paid ages ago by a Scottish Parliament. It is a matter of principle. The £4.4 billion that has been taken from the miners pension fund is our miners' money, and we must unite to get it back. Saying simply that the Scottish Parliament should bring in a compensation scheme or that there should be no compensation at all is letting the Tories off the hook.

The Deputy Presiding Officer: You need to wind up, Mr MacGregor.

Fulton MacGregor: I ask, as Christine Grahame and others have asked, for us to unite, and I also welcome Alex Rowley's call on that basis.

Presiding Officer, I will wind up. I fully support the bill and a pardon that recognises the disproportionate consequences that have been suffered by many miners. It is well overdue and very welcome.

17:11

Maggie Chapman (North East Scotland) (Green): I begin by thanking the miners, family members and friends who spoke so movingly to the Equalities, Human Rights and Civil Justice Committee as we scrutinised the bill, and I welcome many of those miners and their friends and colleagues to the chamber. To them, I say that I appreciate that, today, we might not have delivered all that you hoped for, but please know that we have heard you, and I know that I am not alone in believing that our work on this is not yet complete.

I thank my fellow committee members and other MSPs for the discussions and debates that we have had at committee and this afternoon, and I thank the clerks, researchers and bill team, who have supported our work.

As Alex Rowley said, this is a good day. On behalf of the Scottish Greens, I welcome the bill and the pardon that it confers. I wish that that

pardon had happened decades ago. I wish, too, that it covered the whole of the UK and not just Scotland.

The miners strike defined a generation. The injustice that was inflicted on the miners was shameful. It was an ideologically driven attack by a Tory Government that cared more about breaking the trade union movement than it did about the rights and wellbeing of the people and communities that it was supposed to represent. For the workers and communities that were caught up in the dispute, it was a devastating era of violence, betrayal and division. Local police officers found themselves facing down family and friends, creating wounds that, in some cases, never healed.

The bill matters because it acknowledges the past and the harm that has been done—some of it deliberate and some inadvertent, careless or callous, poisoned by a toxic and persistent ideology. We do not have to be personally or institutionally culpable to share, as a society, a common responsibility to address that harm.

Through discussing the bill, we are also reminded of the importance of trade union solidarity. Trade unions exist to protect their workers. Rightly, they will protect jobs and terms and conditions whenever they can. We must allow that right to be exercised without fear of violence.

I will say a few words about some of the amendments that were not agreed to today. As I said a few moments ago, our work on this issue is not yet finished. The 16 people whom Richard Leonard spoke about and who were convicted under section 7 of the Conspiracy, and Protection of Property Act 1875 should be pardoned, and I await with interest the reply to the cabinet secretary's letter, which seeks a robust mechanism for doing just that.

Similarly, the Scottish Greens believe in the principle of financial redress for those who lost earnings, jobs, future employment prospects or pensions as a consequence of participating in the miners strike. We also think that there should be an inquiry to examine the allegations that were made at the time, and repeated at committee, of political interference in police operations and allegations of collusion between the National Coal Board and different parts of the justice system.

Pursuing those measures will be complex and time consuming. If we sought to include them in the bill that is before us, we would delay, perhaps by years, the passing of the pardon. However, we give our commitment to work with the Scottish Government and others to pursue those measures.

Today, therefore, we acknowledge the past, the harm that was done to individuals and

communities, and the on-going injustices and inequalities that continue in the former mining communities across Scotland. Although we welcome the collective and posthumous pardon that the bill offers, we must, as we remember and look back on the events and actions that made the bill necessary, learn from the mistakes that were made, and pledge never to repeat them.

The Deputy Presiding Officer: We move to closing speeches.

17:14

Richard Leonard (Central Scotland) (Lab): Being welcomed into the homes of miners and their families, and hearing from them their deeply personal and intensely emotional experiences, has been the privilege of my life. Some I met for the first time, like Cathy and John Mitchell, who clung on in heartbreak and hardship when John—27 years working at the Frances—was arrested, convicted, sacked and blacklisted in 1984. There were others, like Jim Tierney from Sauchie, in the cabinet secretary's constituency, who I did know but had not met for almost 40 years. He was wrongfully arrested and falsely accused; he spent 26 days and nights in Barlinnie prison. His only crime? To be a man of principle, of unyielding integrity to stand up for his class.

I heard the anger but also the strength and determination of the women of Auchengeich, Moodiesburn and Cardowan, like Margaret Martin and her daughters Angela and Caroline, Janet and Nicola Regan, Donna Lyons, June Johnstone, Mary Johnston, Jackie Fleming and others. At one uplifting evening in the Auchengeich miners welfare, they recounted how the women of the villages went to the picket lines as well as to the soup kitchens.

I have listened as well to the families, still scarred by pain and loss, but every one of them with a rich sense of pride in the principles of their fathers—people like the late Doddie McShane. And over and over again I have listened to the young miners who had their futures stolen from them: Watty Watson, Mick McGahey Jr, Willie Doolan, now in their 50s and 60s and still fighting for their communities, each of them, in the words of the late Mick McGahey,

“products of their class and their movement”.

Let me say as well that, if it was not for the commitment of another product of his movement and his class, Neil Findlay, I do not believe that this bill would be before us today. This Parliament heard powerful testimony from Alex Bennett, Bob Young and Nicky Wilson on behalf of the National Union of Mineworkers, which is a reminder that the Parliament exists because of the vision of Mick McGahey and the NUM in making the case for its

establishment to the trade union movement in the late 1960s. We owe them a huge debt.

The bill has been amended and now recognises that, back in the strike, the battle for survival was not waged only on picket lines; it was conducted on the streets of towns and villages, in the miners welfares and institutes, in housing schemes and in neighbourhoods. The battle was rightly enjoined not just by the miners but by their families. The bill now recognises that the people who were under the archaic Conspiracy, and Protection of Property Act 1875 must also be pardoned, and that must be part of the next step of our journey.

But all too often, we have heard the tired old arguments that it is not for this Parliament, not for this bill or not up to us to offer financial redress to these men, who are not criminals but who have been criminalised all these years, which is why I ask members in closing today, what shall we tell them—those 206 miners who were sacked and their families, and the 500 miners who were convicted? What shall we tell the people who are watching in the public gallery? Go back to your communities and be patient? Put your faith in Boris Johnson?

The miners know better than anybody else that they have always had to fight for everything that they have got. They know and we know that this campaign for justice is not over. Today is an important staging-post but, in the words of Cathy Mitchell,

“We keep fighting on. We keep fighting on. We keep fighting on.” [Applause.]

The Deputy Presiding Officer: I appreciate that emotions are running high, but I encourage those in the public gallery not to participate in the debate.

17:19

Rachael Hamilton (Ettrick, Roxburgh and Berwickshire) (Con): Yes—emotions are running high. It is always a bit of a shame that, when people come to support our debates in the chamber, they are not able to express themselves. However, we understand that precedent.

I am grateful for the opportunity to speak in this debate on behalf of the Scottish Conservative Party. It is a pleasure to participate in it.

In reality, there has been much cross-party consensus. I am sure that the bill's importance to all of us has been demonstrated to those in the gallery and those watching at home.

I grew up in Wales. I was born in Brecon and, as a young girl, I witnessed the heartache of the strikes and the closures of the pits. That was

heartbreaking for everyone. I was not directly involved in that, but it affected everybody.

It was vital that the Government got the bill right today. Even though some members do not agree and some of the amendments were not agreed to, the fact that there were so few amendments means that we got it right. It was good to find that, even though I was not involved in the process at the time.

I echo the sentiments of many of my colleagues. I congratulate the cabinet secretary on his approach to the bill, as well as the members of the committee, the clerks and all those who gave evidence during the passage of the bill. Colleagues in the chamber—particularly Richard Leonard, Alex Rowley and Alex Cole-Hamilton—have spoken passionately. I cannot mention everybody who has made a passionate speech. However, I congratulate Christine Grahame on sharing her memories of her family and of growing up and witnessing some of the things that I witnessed but perhaps did not pay so much attention to, because I was quite young. I say to her that I am not being ageist.

The most important thing to take from the debate is not the good work of those involved in bringing the bill to this stage; rather, it is about the people for whom the bill can bring a degree of closure and a sense of historical wrongs being righted. To torture the old cliché, it is about healing the divisions of the past. Although today has been highly charged, it has been a positive day.

As my colleague Alexander Stewart pointed out, John Scott's review made it clear that there were injustices in some convictions relating to the miners strike. I completely agree with him that it is right to pardon those who have been convicted of crimes relating to the miners strike, as we will do.

Although I did not sit on the committee for long enough to have heard at first hand the testimonies that were made throughout the evidence-gathering process, I have become acutely aware of the strength of feeling on the issue. Listening to the words of those affected by the unjust response to the strike brings home the importance of the bill. There is absolutely no doubt that it could not have been handled any better by parties than it has been today.

The scope of the bill required particularly close consideration. I know that concerns have been raised about the eligibility for pardons, and particularly about Fulton MacGregor's amendments. We thought very carefully about that, and I know that Fulton MacGregor was very engaging and that he ensured that we were given the details of the amendments. I know that the issue is very important to him because of the links

in his constituency to former mining communities and the families in them. I very much respect that.

Fulton MacGregor spoke about extending the bill to cover compensation. Perhaps that is for another day. From speaking to my colleagues as the bill was being considered, I know that incorporating that in the scope of the bill could have meant that the bill would have been delayed and people would not have got the justice that they fully deserve.

How many minutes do I have, Presiding Officer? Am I meant to be closing now?

The Deputy Presiding Officer: You have five minutes, so you should be closing.

Rachael Hamilton: Okay.

I do not want to dwell too much on that point, because I feel that discussion among the parties may extend to compensation. However, I echo the sentiments that I expressed yesterday during the debate on the Good Food Nation (Scotland) Bill. Legislation that passes through the Parliament is always dealt with best when we try to work collaboratively. Even though we are talking about a party that carried out some of the decisions 40 years ago, it is important that we now work collaboratively in the chamber, particularly for those who were affected by the 1984-85 miners strike.

I sincerely hope, for those in the gallery today and all those affected by what has happened over the past 40 years, that this debate has shown that the Scottish Parliament is united behind their cause.

The Deputy Presiding Officer: I call the cabinet secretary to wind up the debate.

17:25

Keith Brown: The debate has provided a final opportunity to discuss what I think is an important piece of legislation, and I am grateful to all the members who have contributed. Can I be the first person to say that I am, in fact, older than Pam Duncan-Glancy?

As I said in my opening remarks, the bill has enjoyed strong cross-party support from the start. That was to be expected, given the connection to the former coal mining industry that many members have, which the communities that we represent continue to hold close to their hearts. I am encouraged that the Parliament's endorsement of the bill—if that is what happens—has been reflected to a large extent in today's debate, and I hope that that endorsement will be crystallised in the bill being passed unanimously at decision time.

The debate has covered a broad range of familiar and fundamental questions relating to the scope of the pardon and the bill; how to maximise awareness of the pardon once it comes into effect; what can be done now to support former mining communities; and what can be done collectively to press the UK Government to consider undertaking a full, UK-wide inquiry into the events of the strike.

I should explain that I never asked for or demanded consensus, although I certainly hoped for it. My point was simply that it is not possible to mock a set of people because they want to make representations to a Government and then say that you want to do the same thing—not with any credibility, at least.

I have listened carefully, and I welcome the opportunity to address some of the points that have been made and to close today's debate on what is a landmark bill. It is true that the divisions run very deep. I was talking to a Scottish Government employee recently, who was raised in the mining community that Christine Grahame represents. He said that one of his father's friends had never spoken to his son since the miners strike. If they saw each other in the street, they would cross the road to avoid each other. That gives some idea of the impact of the strike. For those of us who were around at the time to witness it, it was visceral. It was a horrible situation for the people who were there. That is what it was like for those of us who observed it, so we can only imagine what it was like for the miners and their families.

That is why we have tried to keep the focus of the bill on reconciliation. I have always said that the challenge for the Parliament has been to refine the detail of the bill in ways that enhance the aim of reconciliation without diluting its main purpose, which is to remove the stigma of convictions. It is worth remembering that some of these people had never had a conviction in their lives before and have not had one since. Therefore, it is a badge of shame that we are seeking to lift today in order to restore dignity and to heal the long-standing wounds in our former mining communities.

I believe that the bill, as amended at stage 3, which Parliament will shortly be asked to pass, meets that challenge. I have welcomed the constructive elements of the debate on the bill. I recognise that, even when we might not entirely agree with each other on certain points, those views are well intentioned, and I do not want to accuse others of acting in bad faith. I believe that, primarily, we all have the interests of former miners and mining communities in mind.

Alex Rowley captured the idea and the purpose behind this, which is that we might not be able to force consensus but, sometimes, consensus and unanimity send an extremely strong message. I

therefore endorse his comments. There was a very powerful speech from Maggie Chapman as well.

Alex Rowley mentioned former member Neil Findlay. I would also mention the former justice secretaries who took on the early parts of the bill—I think that both Michael Matheson and Humza Yousaf were involved in that—as well as the other former members, the former miners and others who gave evidence to the committee.

On the pardon criteria, the bill as introduced went further than the parameters that were set by John Scott's review group. Following parliamentary scrutiny, the bill now goes even further by making the pardon available to more people and for additional offences. I hope that it is recognised that, where some members still believe that there may be gaps or omissions in the bill, that is due to our having to work within the powers afforded to this Parliament and the need to focus on the key purpose, the key outcomes and the key people we wanted to focus on.

If the Parliament is content to approve the bill, I am committed to working as best I can with parliamentarians across the chamber and at Westminster, and colleagues in other UK jurisdictions, to ensure that the impact and the legacy of the strike are not forgotten and to ensure that pressure is applied to give former miners and communities across the UK an inquiry that will provide the truth and the answers that they require to be able to fully move on.

We will also press for compensation to be paid to miners who lost out on thousands of pounds, having lost their rights to redundancy and pension payments following dismissal for participating in the strike. I previously mentioned the practice of blacklisting, which blighted many families.

However, for now, the bill has the primary theme of reconciliation running through its veins. With that in mind, we should acknowledge the miners and other individuals who fought passionately for their livelihoods and communities and who took action, which they believed was the right thing to do for their families and communities.

I also want to take a moment to acknowledge the police officers who were caught up in the strike, many of whom, like the former miners, are now retired or, sadly, no longer with us. In most circumstances, they were doing their jobs very bravely in hugely difficult circumstances, to uphold the law in the communities that they represented.

The bill is important, and it has allowed Scotland to lead the way in acknowledging the wounds that were inflicted by the strike and its legacy, which have been endured for too long in mining communities. Pam Duncan-Glancy mentioned that the Government should be aware of the sorry

state of affairs that the bill brings us to, yet I do not see it in that way. The Scottish Parliament will be the first Parliament in the UK to pass a pardon for miners. We will be the first Government to bring that proposal to a Parliament, and I hope that we will be the first Parliament to vote unanimously for a pardon. I do not think that that is a sorry state of affairs. I concede that it is not finished business, but it is not a sorry state of affairs. I think that the bill is a real achievement.

The bill also allows Scotland to lead the way in taking action to remove the stigma of convictions resulting from the strike and to restore and provide dignity to former miners and their families. It is a collective pardon that applies both posthumously and to those who are living. It symbolises our country's desire for truth and reconciliation, following the decades of hurt, anger and misconceptions that were generated by one of the most bitter and divisive industrial disputes in living memory.

In the spirit of reconciliation, the pardon recognises the exceptional circumstances that gave rise to the former miners suffering hardship and the loss of their good name through their participation in the strike. That is what really matters to me, and I hope that that is what matters to the Parliament. I therefore urge the Parliament to support the bill and to work collectively, following the bill's passing, to promote the further outcomes that we know mining communities, miners and the former miners who are in the chamber want to see.

I commend the motion to Parliament.

Point of Order

Oliver Mundell (Dumfriesshire) (Con): On a point of order, Presiding Officer. I apologise to those in the public gallery for making them wait a little bit longer. Under rule 8.17.1 of standing orders, I seek clarification of whether a minister who is answering a question in the chamber is expected to give a full answer and to take the opportunity that is given to share with Parliament a significant change in Government policy that has already been communicated to stakeholders.

Today, during general question time, Lorna Slater stated that, during recent discussions, she had

“indicated that it is important for Government to work with stakeholders to explore options for more sustainable forms of bracken control in the future.”

However, I have been contacted by a number of individuals who suggest that the minister went considerably further and indicated a change in Government policy to stakeholders, telling them that she was

“not minded to support the continued use”

of Asulox in the future.

Bracken control may seem unimportant to some members of this Parliament—and, indeed, to some ministers—but it has far-reaching consequences for livestock, the environment and the rural economy. As a minimum, Parliament should be kept informed.

For that reason, Presiding Officer, in addition to my query about the properness of withholding key information in response to a comment or question, I seek your view on whether a minister, having come to such a view and having expressed it to stakeholders, should proactively share such a decision with Parliament in a timely manner via one of the many mechanisms that are available, thereby allowing the decision to be subjected to scrutiny.

Although it is perhaps not on the scale of other actions this week, this issue, in my view, speaks to the general culture of discourtesy to this Parliament and its members that exists within the current Scottish Government.

The Presiding Officer (Alison Johnstone): Thank you, Mr Mundell. As, I am sure, all members are aware by now, it is not for the Presiding Officer to rule on the content of responses that are provided by ministers in the chamber. There are many mechanisms for the Government to provide information to the Parliament, and there is an expectation that Parliament will be made aware before important matters are announced elsewhere.

The member will also be aware that, if he is dissatisfied with an answer to a question, there are a variety of methods open to him to clarify the information that he is looking for.

Decision Time

17:35

The Presiding Officer (Alison Johnstone):

There is one question to be put as a result of today's business. The question is, that motion S6M-04979, in the name of Keith Brown, on the Miners' Strike (Pardons) (Scotland) Bill, be agreed to.

I will allow a brief pause before we begin the vote. I would be grateful if members would refresh their voting screens. Members who voted earlier should see confirmation of their previous votes, and members who are voting for the first time will see the message that there are no votes currently open. I would be very grateful if all members would refresh their screens.

Members should cast their votes now.

The vote is now closed.

Colin Smyth (South Scotland) (Lab): On a point of order, Presiding Officer. My app would not connect. I would have voted yes.

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

For

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Balfour, Jeremy (Lothian) (Con)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Briggs, Miles (Lothian) (Con)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Brown, Siobhian (Ayr) (SNP)
 Burgess, Ariane (Highlands and Islands) (Green)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Chapman, Maggie (North East Scotland) (Green)
 Choudhury, Foyso (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 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)
 Dowey, Sharon (South Scotland) (Con)
 Dunbar, Jackie (Aberdeen Donside) (SNP)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 Findlay, Russell (West Scotland) (Con)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Gallacher, Meghan (Central Scotland) (Con)

Gibson, Kenneth (Cunninghame North) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Golden, Maurice (North East Scotland) (Con)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greene, Jamie (West Scotland) (Con)
 Greer, Ross (West Scotland) (Green)
 Griffin, Mark (Central Scotland) (Lab)
 Gulhane, Sandesh (Glasgow) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Harper, Emma (South Scotland) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hoy, Craig (South Scotland) (Con)
 Hyslop, Fiona (Linlithgow) (SNP)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lochhead, Richard (Moray) (SNP)
 Lockhart, Dean (Mid Scotland and Fife) (Con)
 Lumsden, Douglas (North East Scotland) (Con)
 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)
 Marra, Michael (North East Scotland) (Lab)
 Martin, Gillian (Aberdeenshire East) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 Matheson, Michael (Falkirk West) (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)
 McNeill, Pauline (Glasgow) (Lab)
 Minto, Jenni (Argyll and Bute) (SNP)
 Mochan, Carol (South Scotland) (Lab)
 Mundell, Oliver (Dumfriesshire) (Con)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 O'Kane, Paul (West Scotland) (Lab)
 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)
 Ross, Douglas (Highlands and Islands) (Con)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Sarwar, Anas (Glasgow) (Lab)
 Simpson, Graham (Central Scotland) (Con)
 Slater, Lorna (Lothian) (Green)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Smyth, Colin (South Scotland) (Lab)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Collette (East Kilbride) (SNP)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Sweeney, Paul (Glasgow) (Lab)
 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)
 Villalba, Mercedes (North East Scotland) (Lab)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 White, Tess (North East Scotland) (Con)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Whittle, Brian (South Scotland) (Con)
 Wishart, Beatrice (Shetland Islands) (LD)

The Presiding Officer: The result of the division is: For 117, Against 0, Abstentions 0.

Motion agreed to,

That the Parliament agrees that the Miners' Strike (Pardons) (Scotland) Bill be passed.

[*Applause.*]

The Presiding Officer: That concludes decision time.

Meeting closed at 17:41.

This is the final edition of the *Official Report* for this meeting. It is part of the Scottish Parliament *Official Report* archive and has been sent for legal deposit.

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