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Scottish Parliament

Thursday 21 March 2024

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

General Question Time

Parental Leave (Elected Representatives)

1. Jackie Dunbar (Aberdeen Donside) (SNP): To ask the Scottish Government whether it will provide an update on the work that it is doing to support elected representatives to take parental leave. (S6O-03240)

The Minister for Local Government Empowerment and Planning (Joe FitzPatrick): The Scottish Government remains committed to increasing the diversity of councillors in local government and to breaking down the barriers that currently discourage people from standing or re-standing for elected office.

I support the introduction of proxy voting for councillors, and the Scottish Government has been working in partnership with the Convention of Scottish Local Authorities on how that could enable elected representatives in local authorities to take parental leave without risking their democratic mandate.

Jackie Dunbar: I am aware that the minister has previously suggested that using section 43 of the Local Government in Scotland Act 2003 to enable proxy voting might be an option. However, it has also been suggested that that might open local authorities up to legal challenge, either directly or as a means of challenging decisions to which a proxy vote made a difference.

I therefore ask the minister whether the Scottish Government could offer any support so that local authorities that utilise section 43 to enable proxy voting will be protected from the risks of such a challenge.

Joe FitzPatrick: As I said, the Scottish Government is supportive of proxy voting for local councillors, but, given the variety of approaches to council meetings across Scotland, it is for individual local authorities to satisfy themselves that any pilot falls within their existing powers.

Although I want to be as helpful as possible, only the courts can authoritatively interpret Scottish Parliament legislation. However, in the interests of partnership working and in line with our commitment to increasing the diversity of those who hold elected office, I will meet with Aberdeen City Council and COSLA next week to

identify how we might support the local authority to pilot a proxy voting scheme.

Spring Budget (Barnett Consequentials)

2. Alexander Stewart (Mid Scotland and Fife) (Con): To ask the Scottish Government how it plans to spend the £295 million in Barnett consequential funding arising from the United Kingdom Government's 2024 spring budget. (S6O-03241)

The Deputy First Minister and Cabinet Secretary for Finance (Shona Robison): Of the consequentials confirmed as part of the UK Government's spring budget, £237 million was derived from health spending. That will be passed on in full for use in health spending in Scotland. That figure is £235 million less than the in-year consequentials from health in 2023-24, which were not baselined, even though they largely related to pay.

Those consequentials also include £48 million arising from local authority spending in England, announced in January, which will be passed on in full to local government as part of a package of additional funding worth up to £62.7 million.

I will provide a further update on the 2024-25 Scottish budget next month, and formal allocation of any new funding will be included in the 2024-25 autumn budget revision.

Alexander Stewart: The Scottish National Party Government consistently misleads the public about the amount of funding that it receives from the UK Government, but the facts speak for themselves. In 2024-25, the Scottish Government will get £43 billion in a block grant and will receive more than £2,000 per person for public services, but that advantage has been completely squandered by the SNP Government, which, due to its wasteful spending, has had to raise taxes on hard-working Scots. Does the cabinet secretary really think that spending money on independence papers while cutting national health service funding in real terms is the correct priority for the Government?

Shona Robison: Let us return to the facts. The first is that the health spending that we have from consequentials leaves our health service with a shortfall, given that the figure is almost half of what health consequentials were in 2023-24. The second fact is that the lack of capital funding in the spring statement means a forecast £1.3 billion real-terms cut in our capital funding over five years.

That means that, whether in relation to housing, health infrastructure or transport, any Tory MSP who comes here demanding any funding for any infrastructure projects should be looking at the UK Government's decision to cut our capital budget by

that £1.3 billion over the next five years. I hope that those are enough facts for Alexander Stewart.

Keith Brown (Clackmannanshire and Dunblane) (SNP): Does the Deputy First Minister agree that it is also a fact that, whether we have a Labour Government or a Conservative Government, we will have at least five more years of austerity? The Institute for Fiscal Studies has outlined that the UK Government's spending plans amount to a real-terms cut to net public sector investment of £18 billion between 2024-25 and 2028-29. Will the Deputy First Minister outline what assessment has been made of how much that equates to per person? Will she outline how an SNP Government would prioritise investment if it had the fiscal levers of other, independent nations?

Shona Robison: It is, indeed, a shocking fact that the UK Government is planning a real-terms spending cut that, in 2028-29, would amount to a cut of around £250 for every person in the UK. In Scotland, we are taking a different approach. We are demonstrating our priorities through a record £6.3 billion investment in social security and over £19.5 billion for health and social care in 2024-25, which represents a real-terms uplift of £316 million in the face of UK Government austerity. We could go much further if we had the full range of fiscal powers that other, independent European nations have.

Decarbonising Buildings

3. **Brian Whittle (South Scotland) (Con):** To ask the Scottish Government, in light of the Audit Scotland report "Decarbonising heat in homes" and the recent report by the regulatory review group regarding the forthcoming heat in buildings bill, what action it is taking to further assess and develop the supply chain for decarbonising buildings. (S6O-03242)

The Minister for Zero Carbon Buildings, Active Travel and Tenants' Rights (Patrick Harvie): Both reports highlight the importance of long-term policy certainty for developing the supply chain. Our proposed heat in buildings bill will create a clear, long-term legislative framework that will give the supply chain confidence and enable investment in its growth. That approach was welcomed by stakeholders when I hosted a recent round-table discussion with members of the industry.

Along with our enterprise agencies, we continue to provide support to innovate and accelerate skills and capacity. That includes funding the development and adoption of innovative clean heating solutions as well as considering new approaches that are needed to develop supply capacity.

Brian Whittle: Over the past few months, I have submitted many written questions to the minister on such topics as how many businesses are operating in the zero-carbon heating sector, how many heat loss surveyors are working in Scotland and what economic modelling has been undertaken to understand the future demand on the supply chain. How does the minister intend to deliver the bill urgently if, by his own admission in answering these questions, the Government is not gathering that basic data? If you are beginning a journey, minister, it is not enough to know where you are going—truly, you need to know where you are starting from.

The Presiding Officer (Alison Johnstone): Please always speak through the chair.

Patrick Harvie: We are, indeed, very clear about where we are starting from. The Government is under no illusion that Scotland and the UK would not be in a far better position not only to decarbonise our heating but to ensure that people have affordable heating if, throughout Scotland and the UK, decisions had been made decades earlier—most progressive European countries made such decisions—in responding, for example, to the energy crisis of the 1970s. Scotland should have been building highly energy-efficient homes and the ability to decarbonise for decades. The long-standing mistakes of successive UK Governments are the reason why we now have an incredible challenge.

However, this Government is giving the long-term certainty that will enable investment in the industry. That is a far cry from what the UK Government is doing in watering down, diluting and delaying action on heat in buildings. Just this month, it delayed the clean heat market mechanism for an entire year, sending exactly the wrong signals to industry about the need to scale up, skill up and invest.

Ivan McKee (Glasgow Provan) (SNP): Will the Government continue its work on its supply chain development programme, which focuses on building Scottish manufacturing capability to supply products that are needed for the net zero transition and which learns lessons from our success in rapidly building Scottish personal protective equipment supply chains during the pandemic?

Patrick Harvie: Yes. The supply chain development programme continues its work to align economy and innovation policy interventions with public sector spend, including by using more strategically important approaches to improve the capacity and capability of Scottish manufacturing supply chains.

Prioritising the opportunities in low-carbon heating in housing means that we are working to

make sure that procurement opportunities are made visible in the Scottish supply chain—including to manufacturers. A huge amount of innovation is happening in Scotland to develop the products, processes and services that will enable us to meet the challenge domestically and that will offer export opportunities.

Willie Rennie (North East Fife) (LD): Late last year, I attended the conference of the Energy Efficiency Association, which is an important part of that supply chain. It identified extensive delays in the awarding of grants from Home Energy Scotland and said that that was having an impact on its members' capacity and, therefore, on the supply chain. What improvements is the minister making to the operation of Home Energy Scotland so that we can get those grants out much more quickly, customers do not cancel their orders and we can get on with meeting those targets?

Patrick Harvie: We have a good track record, through Home Energy Scotland, of meeting the targets for grants. Some suppliers choose to count the entire customer journey from application rather than from the award of grant—the point at which an application has been accepted and processed. That takes a bit longer than the United Kingdom Government's boiler upgrade scheme, for example, which does not include the direct individual bespoke advice and support that Home Energy Scotland provides. We provide more, and that whole customer journey takes a little bit longer. However, we have recently improved the Home Energy Scotland application process to further improve the time that it takes and the smoothness of the customer journey.

Mark Ruskell (Mid Scotland and Fife) (Green): The minister has just mentioned that the UK Government has delayed its clean heat market mechanism, which is a scheme that uses reserved powers to regulate the industry to increase the installations that we desperately need. That delay came after months of briefing and counter-briefing on whether the scheme was to be scrapped altogether. The minister has just highlighted the need for certainty and clarity in regulation. Does he feel that the UK Government is really providing that?

Patrick Harvie: Mark Ruskell is absolutely right to point that out. The clean heat market mechanism was brought forward by the UK Government and we supported it. We said that it would help to achieve not only the UK Government's targets but ours, with the potential to shape the growing market for clean heating systems. The mechanism uses powers that are reserved to the UK Government and that we cannot use.

The delay—after months of speculation and lobbying by vested interests that wanted to kill that

scheme off—is hugely disappointing. It will discourage existing boiler manufacturers from increasing their investment and their ability to supply clean heating systems. I therefore encourage the Prime Minister to drop his culture war on climate, which he launched last autumn, and give the long-term certainty that the industry needs.

Employment (Private Sector)

4. James Dornan (Glasgow Cathcart) (SNP): To ask the Scottish Government what its response is to the latest report by the Royal Bank of Scotland on private sector activity, which showed that employment growth in Scotland was faster than in any other United Kingdom nation or region. (S6O-03243)

The Presiding Officer: Cabinet secretary, we did not hear all of that question, but I assume that you have picked up enough of it.

The Cabinet Secretary for Wellbeing Economy, Net Zero and Energy (Màiri McAllan): I have, Presiding Officer—I have a note of it in writing.

I welcome that data, which has shown that employment growth is faster in Scotland than in other parts of the United Kingdom. The Scottish Government is using all the powers at our disposal to grow a fair and green wellbeing economy, but the fact remains that Scotland is tied to a UK economic model that involves stagnating productivity, lessening living standards and a number of self-imposed challenges—chief among which is Brexit, alongside self-defeating migration policies.

We continue to pay the price for Westminster mismanagement and austerity. Independence is the route to higher living standards, better public services and a stronger, fairer economy.

James Dornan: I am sure that the cabinet secretary agrees that, although it is great to see positive reports about Scotland's economy, we would be better off as that independent country—part of the European Union rather than the post-Brexit failed state that is the United Kingdom.

Màiri McAllan: I absolutely agree. The UK Government's reckless decision to take Scotland out of the EU single market against Scotland's democratic will is damaging Scottish trade and the economy.

Modelling by the National Institute of Economic and Social Research shows that the UK economy is now 2.5 per cent smaller than it would have been in the EU—a gap that could increase to 5.7 per cent by 2035. That is before we even touch on what we have lost socially and how far the UK has fallen in terms of its international standing.

Scotland's future should be as an independent country back in the EU so that we can emulate the success of our comparator countries and seize the future prosperity that this Government is in no doubt awaits Scotland.

Murdo Fraser (Mid Scotland and Fife) (Con): Although the growth in employment in the latest figures is very welcome, the cabinet secretary will know that the employment rate in Scotland still lags behind that of the UK as a whole. The latest Confederation of British Industry-Fraser of Allander Institute productivity index showed Scotland lagging the rest of the UK in 10 out of 13 productivity indicators, including business investment, exports, and research and development investment. Instead of moaning about the position in the UK, will the cabinet secretary explain why Scotland lags behind other parts of the UK and what she will do to turn the situation around?

Màiri McAllan: Murdo Fraser comes to lecture me at a time when the UK has recently fallen into a technical recession, and, indeed, after his party has overseen 15 years—half of my life and all my adult life—of austerity, as well as a self-imposed Brexit that was pursued during a pandemic, tax cuts over public services and, ultimately, plummeting living standards, such that we now have a UK that analysis in the *Financial Times* has described as

“a poor country with pockets of rich people.”

I will take no lectures from Murdo Fraser or the Tories.

The Presiding Officer: Questions 5 and 6 have been withdrawn.

Energy Consents Unit (Community Engagement)

7. Kate Forbes (Skye, Lochaber and Badenoch) (SNP): To ask the Scottish Government how it ensures that the voices of Highland communities are appropriately considered by the energy consents unit when assessing applications from developers. (S6O-03246)

The Minister for Energy, Just Transition and Fair Work (Gillian Martin): It is vital that everyone has the opportunity to engage in decisions about future developments. We are clear that engagement by developers must begin as early as possible. At the pre-application stage, it should be effective, collaborative and meaningful in order to truly influence the final application. Once a section 36 or 37 application has been submitted to the energy consents unit, members of the general public or groups may make direct representations and comment to Scottish ministers. Scottish ministers take those views into account, alongside

all other application documentation, in making their decision.

Kate Forbes: The minister may be aware that Highland Council has objected to Scottish and Southern Electricity Networks' application for the Skye overhead line reinforcement. What is the minister's response to the firm belief of campaigners that, as a result, schedule 8 to the Electricity Act 1989 requires a public local inquiry and that, in view of the overwhelming interest and response on the Isle of Skye, the energy consents unit should send the application for a public local inquiry?

Gillian Martin: The Skye reinforcement project is currently the subject of a live application under section 37 of the Electricity Act 1989. Ms Forbes will know that, in my role as energy minister, I am unable to comment on how such applications are being or may be considered, as that could be viewed as prejudicial to the decision-making process.

Immediate Priorities Plan for Disabled People

8. Paul O'Kane (West Scotland) (Lab): To ask the Scottish Government whether it will provide an update on the implementation of the immediate priorities plan developed with disabled people's organisations. (S6O-03247)

The Minister for Equalities, Migration and Refugees (Emma Roddick): The Scottish Government is working hard to improve the lives of disabled people. The independent living fund, which supports disabled people, will reopen to new applicants after receiving a £9 million investment as part of the 2024-25 Scottish budget, and will support around 1,000 new applicants.

Later this year, we will implement an immediate priorities plan that will deliver a range of actions to support disabled people. In addition, £5 million from our equality and human rights fund supports disabled people's organisations to tackle inequality and discrimination, furthering equality and advancing the realisation of human rights in Scotland.

Paul O'Kane: Disabled people across my West Scotland region have been in touch with me to express their frustration that the Government is not taking their issues and concerns seriously. Although they have welcomed the intent behind the immediate priorities plan, that has become something of a misnomer because there is no immediacy on a plan that the Government has been discussing for a year. Indeed, the minister's answer suggested that we will see further progress some time later this year. Will she listen to the concerns of disabled people who are raising those issues with their MSPs? What will she do to energise that work as a matter of urgency, so that

we can deliver action on the challenges that disabled people in Scotland face?

Emma Roddick: Paul O’Kane will appreciate that the plan is being co-produced with disabled people’s organisations. On Tuesday, I, along with the First Minister and the Cabinet Secretary for Education and Skills, met representatives of those organisations to ensure that we are moving forward as quickly as we can with publishing and implementing the plan.

I point out that this is not the only piece of work that we are undertaking to support disabled people; indeed, I covered a few in my initial answer. If the member is interested, I would be more than happy to share with him even more about what the Scottish Government is doing.

First Minister’s Question Time

12:00

Hate Crime and Public Order (Scotland) Act 2021

1. Douglas Ross (Highlands and Islands) (Con): Just a few weeks ago, members in the chamber congratulated Henry Wuga on reaching his 100th birthday. It was therefore with great sadness that we learned of his passing, peacefully at home, with his daughters Hilary and Gillian, last Friday. We send them our thoughts and condolences.

We also give thanks for the life of a remarkable man, who came from Nuremberg in 1939 to Glasgow via the Kindertransport, to a life of professional and family success here in Scotland that was capped by decades of service to Holocaust education.

Scotland will miss Henry’s charm, his integrity and his resolution, but we will never forget his testimony. I believe that we can all commit to ensuring that his legacy will endure. He is now reunited with his beloved Ingrid. May his memory be a blessing. [*Applause.*]

Presiding Officer, I remind members that my wife is a serving officer with Police Scotland.

The Hate Crime and Public Order (Scotland) Act 2021 will come into effect from 1 April. Scottish Conservatives voted against that law and still oppose it as presenting a serious risk to free speech. However, in just 11 days’ time, the police will have to enforce it. David Kennedy, the general secretary of the Scottish Police Federation, has said that officers

“were only receiving a two-hour online training package”.

Is that really enough training on such a complex and controversial piece of legislation?

The First Minister (Humza Yousaf): First and foremost, I join Douglas Ross in paying tribute to Henry Wuga, the greatly respected Holocaust survivor who passed away at the age of 100 last week. It is hard to think that, only a few weeks ago, we stood up to wish him well on his 100th birthday but are now standing up once again to mourn his passing.

Henry was a truly remarkable man who made an enormous contribution to Scottish society. However, his impact, influence and legacy go far beyond Scotland, as he campaigned against antisemitism and reminded us never to forget the horrors of the Holocaust.

My thoughts are very much with Henry’s family, his friends and all those who had the privilege of

knowing him. I am sure that, in his memory, we will all continue to campaign against hatred in whatever form it rears its ugly head.

Presiding Officer, with your indulgence, I will take a moment to congratulate Vaughan Gething on his appointment as First Minister of Wales. His appointment as the first black leader of a Government in the United Kingdom is a truly monumental moment, and I look forward to working with him. Vaughan Gething's predecessor, Mark Drakeford, was a principled First Minister and a model public servant. It is important that he was also a fierce defender of devolution. I think that the whole Parliament will want to join me in wishing him well. *[Applause.]*

I turn to the matter at hand. A lot of disinformation about the Hate Crime and Public Order (Scotland) Act 2021 has been spread on social media, in inaccurate media reporting and by our political opponents. I hope that this exchange will shed more light than heat on what is in the act, as opposed to what is being said about it.

Because decisions on training for the police are an operational matter, I leave it to the chief constable to determine what training is appropriate. Just this week, Police Scotland put out a statement to challenge—in its words—“inaccurate media reporting” about the act. I have absolute confidence that Police Scotland will ensure that appropriate training is in place.

Let me remind Douglas Ross that stirring-up offences are not new in Scotland. As a person of colour, I have been protected from people stirring up hatred against me because of my race virtually all my life, since 1986. In fact, all of us are protected by the provision against stirring up hatred. The question is this: if I have protection against people stirring up hatred because of my race, as has been the case since 1986, why on earth should such protection not exist for people based on their sexuality, disability or religion?

The fact is, as we know, that there is a very high threshold for a new stirring-up offence to be committed—it is even higher than the threshold for a racial stirring-up offence. I say to Douglas Ross that it is incredibly important that we all, in memory of people like Henry Wuga, on whom he started his question, unite in standing up to and opposing hatred in all its forms. A strong legislative framework to protect people is incredibly important. I urge the Conservatives and Douglas Ross to realise that it would be far better for him to put more effort into tackling hatred than into opposing the hate crime act.

Douglas Ross: I echo the First Minister's comments in wishing Vaughan Gething well as the new First Minister of Wales.

We opposed the legislation at the time that it was passed, and we still oppose it, because of the impact that it has on free speech for people across this country. I am merely reiterating points that have been made by the Scottish Police Federation, which is the representative body of our police officers across Scotland. The SPF said that its officers can barely deal with existing crimes, let alone this new law, and they have described the hate crime act as “a recipe for disaster”.

Humza Yousaf has reduced officer numbers to the lowest level since Police Scotland was formed. Now, officers are being told not to investigate actual crimes but will instead have to look for the hate monster or to police free speech. Criminals will be let off while innocent people are prosecuted. Is Humza Yousaf not setting the police up for failure and undermining public trust in policing?

The First Minister: With that contribution, it is Douglas Ross who is undermining the fight against hatred in Scotland. He is undermining it completely, utterly and entirely through giving so much disinformation. I do not even know where to begin. Let us take, point by point, what Douglas Ross has said.

First and foremost, Douglas Ross made an incorrect claim about police officer numbers under the Scottish National Party Government. Under the SNP Government, numbers of police officers have increased and will continue to increase, given what we have heard recently from the chief constable, backed by a record budget from the Scottish Government. There are more police officers per head of population in Scotland than there are in England—where, of course, Douglas Ross's party is in charge.

Let us take the points that Douglas Ross raised about the act and freedom of expression. I remember, because I was the Cabinet Secretary for Justice who took the bill through Parliament, making sure that I engaged with Opposition members on the issue of freedom of expression. There is a triple lock on freedom of expression in the act; protection of freedom of expression is explicitly embedded in it.

There is also a defence available of a person's behaviour being “reasonable”, which safeguards people's rights.

Thirdly, the act is compatible with the European convention on human rights, including article 10, which includes and protects everybody's right to freedom.

When it comes to stirring up hatred, stirring-up offences are so pervasive, so damaging and so dangerous in our society. Let me take Douglas Ross back to what Lord Bracadale said. Lord Bracadale reported on his independent review of

hate crime, which led to development of the legislation. He said:

“the stirring up of hatred can contribute to a social atmosphere in which prejudice and discrimination are accepted as normal.”

In any society, the freedom to criticise, to insult and to offend exists and should be treasured, but there cannot be freedom to engage in behaviour that is threatening or abusive, or which is intended to stir up hatred. Everybody in the chamber engages with and talks often about our commitment to tackling hatred. People who experience hatred tell me that they want from their politicians not just warm words, but action. That is exactly what the act intends to provide.

Douglas Ross: People want action that is enforceable, and the Scottish Police Federation says that it has serious concerns. Its officers are receiving a two-hour online training module on the legislation. The First Minister keeps trying to say that those are my comments. They are not. I originally quoted the Scottish Police Federation.

Let me now quote legal experts. Roddy Dunlop, the dean of the—*[Interruption.]*

The Presiding Officer (Alison Johnstone): Please continue, Mr Ross.

Douglas Ross: I think that it is only right that we say that ministers in the Scottish Government do not think that we should be hearing from the Faculty of Advocates—*[Interruption.]*

The Presiding Officer: Please continue, Mr Ross. Let us hear Mr Ross.

Douglas Ross: It was the Minister for Social Care, Mental Wellbeing and Sport, Maree Todd, who said that. *[Interruption.]*

The Presiding Officer: Mr Ross, continue with your question. Members, can we please ensure that we can hear Mr Ross?

Douglas Ross: Legal experts, including the dean of the Faculty of Advocates, Roddy Dunlop, have said that there is a danger of the police being swamped by completely malicious complaints. That is not my view; it is the view of the dean of the Faculty of Advocates.

Days before the law comes into force, it is unclear how complaints will be dealt with by the police. People such as J K Rowling could have the police at their door every day for making perfectly reasonable statements. That could lead to huge numbers of members of the public being monitored or even criminalised by the police when they have done nothing wrong. Is Humza Yousaf not putting front-line officers in an impossible position by forcing them to police free speech?

The First Minister: No. We know that police officers themselves are, unfortunately, often the victims of hatred; they often face hatred in the course of their duties.

Douglas Ross said that he has no idea how a stirring-up offence could possibly be enforceable. I am making the point that a stirring-up offence in relation to racial hatred has existed since 1986, with virtually zero controversy. I have absolute faith in Police Scotland’s ability to police and enforce the Hate Crime and Public Order (Scotland) Act 2021 in an appropriate way.

On the points that Roddy Dunlop—whom, of course, I respect greatly—made, the police are very well attuned and adept, and they have the ability to deal with vexatious complaints right across the legal framework within which they operate.

I cannot say whether there will be vexatious complaints—that will, of course, depend on people’s actions. However, I can say that the threshold of criminal liability is incredibly high. If Douglas Ross does not want to take my word for that, let us look at what another legal expert said. Professor Adam Tomkins is known to Douglas Ross. He is a former Conservative MSP whom I worked with on the Hate Crime and Public Order (Scotland) Bill, and he is a professor of public law. In *The Herald* today he writes:

“Offensive speech is not criminalised by this legislation: the only speech relating to sexual orientation, transgender identity, age or disability outlawed here is speech which (1) a reasonable person (2) would consider to be threatening or abusive and which (3) was intended to stir up hatred and (4) was not reasonable in the circumstances.”

He also said:

“Just because you feel offended by what someone has said does not make it a hate crime”

and went on to say that

“Under the Hate Crime Act the threshold of criminal liability is not that a victim feels offended (a subjective test), but that a reasonable person would consider the perpetrator’s action or speech to be threatening or abusive”.

Let us stick to the facts. The fact is this: we all purport to be concerned about the increases in hate crime that we have seen in our society over the years, but only some parties in the chamber are willing to take the necessary action to tackle hate crime. The bill was, of course, debated thoroughly in the chamber. It is unfortunate that the only party that opposed it was—of course—the Conservative Party.

Douglas Ross: In a democracy, we have scrutiny. We have Opposition parties to look at legislation that is brought forward. There have been, and there continue to be, serious reservations about the act that was passed and how it will be implemented. Let us remember that

Humza Yousaf introduced the unworkable and dangerous law when he was Cabinet Secretary for Justice. He is now bringing it into force as First Minister, with there being little training and not enough support for the officers who will have to enforce it.

The First Minister has just quoted. Let us hear a quote from a professor of law at the University of Glasgow. Alistair Bonnington has said:

“Like many of the SNP’s attempts at lawmaking, this act will be set aside when it is properly examined in a serious court.”

The Hate Crime and Public Order (Scotland) Act 2021 looks like another SNP law that will have to be discarded, just like the proposed named person legislation and the Offensive Behaviour at Football and Threatening Communications (Scotland) Act 2012.

We have said from the outset that the Government’s hate crime law was a disaster in the making. It criminalises free speech and it puts at risk a fundamental right. It is overreach by the SNP into people’s homes. It could result in the public being criminalised for no good reason. *[Interruption.]*

The Presiding Officer: Let us hear Mr Ross.

Douglas Ross: The act is set to be a shambles from day 1, which is in just 11 days’ time. Will Humza Yousaf finally accept that he has created another bad SNP law that will quickly descend into chaos?

The First Minister: What is dangerous is not the law; what is dangerous is hate crime in our society.

We debated the Hate Crime and Public Order (Scotland) Bill extensively when it went through Parliament many years ago. We had robust debate, which I thought was sometimes—indeed, often—in the best traditions of this Parliament. Compromises were made and amendments were accepted by the Government. We came out of that process with a good piece of legislation that fundamentally protects people’s freedom of expression and freedom of speech, but which also safeguards people’s right not to have hatred stirred up against them.

Of course, only one party opposed the bill—Douglas Ross’s Conservative Party. Maybe that is hardly a surprise, given that the Conservative Party, far from working hard to tackle hatred, has actively created the conditions for hatred and division to thrive in our society. *[Interruption.]*

The Presiding Officer: Thank you. Let us hear the First Minister.

The First Minister: The Conservative Party is the party of go-home vans, the party of the hostile

environment, the party of Windrush and the party whose leader, Boris Johnson, called Muslim women “bank robbers”.

The Presiding Officer: Briefly, First Minister.

The First Minister: The Conservative Party is a party that, from Suella Braverman to Lee Anderson, indulges in Islamophobic smears. Instead of fighting against the 2021 act—

The Presiding Officer: Briefly, First Minister.

The First Minister: —would not it be better if the Conservatives got their own house in order?

Paediatric Waiting Times (Delays)

2. Anas Sarwar (Glasgow) (Lab): I join others in paying tribute to Henry Wuga, a Holocaust survivor who very powerfully shared his own story and the stories of others, and who always campaigned against antisemitism. We send our best wishes to his friends, his family and the wider Jewish community. We owe it to Henry and his entire generation to share their stories and always to strive for peace and a world that is free of prejudice and hate.

I join the First Minister in congratulating Vaughan Gething on his election as the First Minister of Wales, which is another historic first—he is the first-ever black leader of a nation in Europe—and I send our best wishes to his predecessor, Mark Drakeford.

This morning, a damning report by the Royal College of Paediatrics and Child Health has warned of the catastrophic consequences of the Government’s failure. In paediatrics alone, more than 10,000 children are waiting for the medical care that they need, and 50 per cent of them have been waiting for more than the legal 12 weeks. How does the First Minister respond to the comments of one of the leading paediatric consultants in the country, Dr Mairi Stark, who said that

“if you miss the right window to treat a child or wait too long the consequences can be irreversible”

and that there has been

“a clear failure to prioritise the health and wellbeing of our children”?

The First Minister (Humza Yousaf): First and foremost, I take the Royal College of Paediatrics and Child Health’s report extremely seriously. We are examining that report in detail.

As ever, it is important to provide some context for why such high numbers of children are waiting. The undeniable reason for the significant increase in the number who are waiting is undoubtedly the global pandemic. That is why we have seen significant increases in paediatric waits across the

United Kingdom—in England, in Wales and, of course, here in Scotland.

Anas Sarwar and the royal college are right to raise concerns about the issue, so I will give some examples to provide assurance that we are focusing on tackling the far-too-long waits in paediatrics.

There are two main paediatric specialties: paediatrics and paediatric surgery. From April 2023 to the end of the calendar year, December 2023, the new paediatric out-patient list reduced by 21 per cent. Waits of more than 52 weeks reduced by 12 per cent and waits of more than 78 weeks reduced by 31 per cent, while those of more than two years were completely eradicated. Over the two years from December 2021 to December 2023, the new out-patient list for paediatric surgery reduced by 35 per cent. Waits of more than 52 weeks reduced by 84 per cent and those of more than 78 weeks reduced by 95 per cent. I reiterate those statistics—and we know that behind them is a young child who has been waiting too long for surgery—to show that there have been improvements and that we are moving in the right direction.

What makes the recovery of the national health service far more difficult is the fact that we are receiving budget cuts from the Conservatives of £500 million over two years and of £1.3 billion in capital funding. Of course, we are investing in our NHS despite those cuts. It would be helpful to know from Anas Sarwar whether, if there is an incoming Labour Government, it would immediately reverse those Conservative cuts, because they impede our ability to invest in NHS recovery which, of course, is much needed for our children, young people and adults.

Anas Sarwar: The First Minister knows that the problem predates the pandemic and that the report makes clear that there has been 11 years of decline—every day of which there has been a Scottish National Party Government. He also knows that Labour will invest more in the national health service and that we want to bring down waiting lists, but he has to take responsibility for his Government's actions, not look to blame someone else all the time.

The crisis in children's health goes even further than the report warns. Across our NHS, whether in child and adolescent mental health services or other specialties, children face unacceptable waits that have left them distressed and in pain. One mum, Amy, has told me about the struggles that her three-year-old son, Cody, has faced. Cody has been repeatedly diagnosed with tonsillitis and his enlarged tonsils obstruct more than 75 per cent of his airway, which makes it difficult for him to eat, drink and even breathe. She has told me that she has to lie awake next to him during the night,

because his breathing stops and she has to nudge him in order to restart his breathing again. She has had to fight to get Cody referred to a specialist but has been told that an urgent referral for treatment will take three years. Amy has had to make the difficult decision to go private, borrowing almost £5,000 from her family. Why are the First Minister and his Government failing Amy, Cody and so many families like theirs?

The First Minister: I am more than happy to look at Cody's case and, indeed, any other case that Anas Sarwar raises. We are happy to explore what more can be done with the health board. It sounds as though it is a horrifically long wait and we do not want any parent to have to endure that. The point that I make to Anas Sarwar is that progress is being made and I have given him a range of details about progress in paediatric surgery, which is relevant to his question. We are also ensuring that we are investing in the workforce. We have increased the number of paediatric specialty consultants by 15 per cent in the past five years and by 64 per cent in the past 10 years. The number of qualified paediatric nurses has increased by 11 per cent in the past five years and, since 2014, we have invested in the recruitment of an additional 500 health visitors and 200 extra school nurses, which will undoubtedly help with the health and wellbeing of children and young people.

I do not take lightly the issues that Anas Sarwar has raised about the long waits that parents and children are having to suffer. However, in his initial response, he did not answer the question that I asked, which was whether a potential incoming Labour Government would immediately reverse the £1.3 billion cut that is impacting our healthcare provision.

The Presiding Officer: Briefly, First Minister.

The First Minister: If Mr Sarwar could give that confirmation, we might be able to plan further ahead for the investment that we would be able to make. It is only through record investment in the NHS that we will be able to recover the services that our NHS provides for children and young people.

Anas Sarwar: Honestly, Presiding Officer—after 17 years of this Scottish National Party Government, asking questions of a party that is in opposition, rather than talking about his own record of failing children across the country, just shows how out of depth the First Minister is. All those lists and all those excuses mean nothing to Amy or Cody and they mean nothing to the thousands of families that his Government is failing every day.

The First Minister simply does not get it. In every area of responsibility for this SNP

Government, children are being failed, with catastrophic consequences. After 17 years of this SNP Government, 240,000 children are living in poverty; more than 10,000 children are waiting for paediatric medical care; and more than 9,500 children were turned away from mental health services last year—[*Interruption.*] I suggest that the Deputy First Minister listen to the consequences for her constituents, rather than heckling what is happening to children across this country.

For those children who were referred, more than 5,500 are waiting to get mental health support. Nearly a third of pupils in Scotland are now persistently absent from school; in some areas, the rate is as high as 50 per cent. Almost 40 per cent of pupils now need additional support—at the same time, this SNP Government has cut 400 additional support needs posts in the past decade.

Is it not clear that Humza Yousaf and every single member of this SNP Government are failing Scotland's children?

The First Minister: No, I do not agree with that.

I thought that I asked a pretty reasonable question, which Anas Sarwar is obviously unable to answer. He may want to be honest with people about the answer. He was unable to answer a very simple question: if there is an incoming Labour Government, will it immediately reverse the Tory cut to Scotland's budget? The fact that he was unable to answer the question demonstrates either that he does not know the answer or that he is not being honest with the people of Scotland.

I say to Anas Sarwar that it is fundamentally important, in all the areas of public service, that we invest. That is why the Government took the decision to prioritise our public services. That is why we gave an increase to the national health service and made sure that there was an increase to education services and an increase to social security.

All those issues are incredibly important for our children and young people. That is why estimates show that 100,000 children in Scotland will be lifted out of poverty because of our actions. That is why more young people in this country are going to university from areas of higher deprivation because of our investment. That is why we have a record number of young people who are going on to positive destinations because of our investment in education, early learning and childcare—

The Presiding Officer: Briefly, First Minister.

The First Minister: That is why it is imperative, throughout all these challenges, that Governments and political parties make a decision: do they invest in public services or do they cut public services—

The Presiding Officer: Thank you, First Minister. We must move on to the next question.

The First Minister: That is—

The Presiding Officer: First Minister, I have asked that you conclude your response. We now move on to the next question.

Cabinet (Meetings)

3. Alex Cole-Hamilton (Edinburgh Western) (LD): I associate the Scottish Liberal Democrats with the remarks that have been made about the passing of Henry Wuga and the election of Vaughan Gething.

To ask the First Minister when the Cabinet will next meet. (S6F-02952)

The First Minister (Humza Yousaf): Tuesday.

Alex Cole-Hamilton: Yesterday, the Climate Change Committee delivered a devastating verdict on the record of the Scottish Government. The key 2030 emissions target just will not be met, and the Government is off course by a country mile on heat pumps, electric vehicles, recycling and more. Yesterday, the committee's chair, Chris Stark, said that the strategy is just not there.

Take tree planting, for example. The committee says that Scotland needs to do twice as much on that area, but the Government has just reduced spending on it by nearly half. It is going to put people out of work, and tree nurseries have already signalled that they will have to torch hundreds of thousands of saplings because of the cuts. To think that the environment secretary once boasted that global leaders were looking to her Government for advice—well, her phone is silent now.

I ask the First Minister: where is the Green party in all this? There are fewer bus and train services, we are going nowhere on renewable heating, and we have a botched deposit return scheme. Does the First Minister not recognise that bringing the Greens into Government has done precious little to help us to combat the climate emergency?

The First Minister: First, we take the report from the Climate Change Committee extremely seriously. Chris Stark is well respected, and his opinions have been given the due weight and consideration that they deserve. He raises a serious point around the 2030 target. Of course, at the time when that target was being debated, the Climate Change Committee made it clear that meeting it would be extremely difficult—if not, to be frank, impossible—and that the target was stretching credibility at that time. Nonetheless, as a Parliament—all political parties—we came together to embed that target in legislation.

With regard to tree planting, I remind Alex Cole-Hamilton that around 75 per cent of all new woodland in the UK is in Scotland. In addition, we launched the world's largest floating offshore wind leasing round through ScotWind; we ensured that Scotland has the biggest concessionary travel scheme in the UK, with more than a third of the population benefiting from free bus travel; we invested £65 million in the installation of more than 2,700 public electric vehicle chargers; and we continue to offer the most generous package of grants and loans in the UK to support the move to clean heating.

However, I will say to Alex Cole-Hamilton that what makes more difficult our job of reaching our targets, including the overall 2045 target, to which we are committed, is the fact that, every time that we bring measures to the chamber to tackle the climate crisis, be it the deposit return scheme, low-emission zones, the workplace parking levy—

The Presiding Officer: Briefly, First Minister.

The First Minister: —proposals for carbon capture or our standards around heating and reducing emissions, the Opposition opposes those measures.

Peak Rail Fares Removal Pilot

4. Kevin Stewart (Aberdeen Central) (SNP): To ask the First Minister what analysis of passenger behaviour and numbers has been carried out since the inception of the removal of peak rail fares pilot. (S6F-02965)

The First Minister (Humza Yousaf): The trial is an exciting and unique opportunity to encourage more people to leave their cars at home and choose a safe, reliable and green form of public transport. I confirm that an interim analysis is due to be published shortly, which examines the impact on rail travel patterns and other modes. The Scottish Government will carefully consider the impact and, of course, the long-term sustainability of any further measures before we confirm our next steps.

Kevin Stewart: The removal of peak fares has been greatly welcomed by my constituents and by tens of thousands of other people across Scotland. In my opinion, it has been beneficial to many during these tough times that have been caused by the cost of living crisis.

Can the First Minister give an indication of whether the removal of peak fares will become permanent?

The First Minister: I am pleased to hear about the positive impact that the policy is having on Mr Stewart's constituents. I have heard similar stories from my constituents and those of other MSPs

across the country, particularly during the cost of living crisis.

The purpose of the ScotRail peak fares removal pilot is twofold: the first purpose is to find out whether such measures help to move people from car to rail use, and the second is to find out whether they help passengers who are facing the cost of living crisis. We know that price and simplicity are crucial for people when it comes to choosing how to travel.

As has been said, the pilot operates until the end of June, so it would, of course, be inappropriate to confirm whether the abolition of peak fares will become permanent ahead of a final evaluation. It will be important to review the data—that is the entire purpose of the pilot—to see whether we are seeing that modal shift, and to examine the data on how much the pilot helps people during a cost of living crisis. When that evaluation has been appropriately analysed, we will inform Parliament of the next stages and steps in relation to the policy.

Alex Rowley (Mid Scotland and Fife) (Lab): There is no doubt that, if we are to get any place near reaching our net zero targets, we have to do much better when it comes to reducing transport emissions. Will the First Minister commit to come back to the chamber soon so that we can, I hope, make the pilot permanent? In effect, people are being priced off public transport. If we want to tackle that and get more people to use public transport, it is exactly that type of step, which I welcome, that we now need to make permanent.

The First Minister: We will evaluate the data and, of course, we will bring forward analysis of it, but it is important that we do not pre-empt that data. We need to see whether the data has demonstrated the modal shift that Alex Rowley rightly talks about. Let us not pre-empt the data. Let us examine the data, analyse the evidence and let other MSPs do the same with the analysis of that data.

I agree with the thrust of Alex Rowley's question that it is important to invest in our public transport. That is why I am pleased that the Government invested in the Levenmouth railway—which, I am sure, Alex Rowley welcomes—and why we have the extremely generous concessionary travel scheme.

I say gently to Alex Rowley that that is why I make the point that, when we introduce various policies to encourage modal shift to reduce our carbon emissions, it is extremely frustrating for the Government that the policies are often opposed by the Opposition. For example, when we introduced the workplace parking levy, Alex Rowley's colleague Colin Smyth, who is sitting just a couple of rows behind him, called it "highway robbery"

and a “car park tax”. It is really unfortunate that, when we bring forward such measures, Opposition parties oppose them simply for the sake of opposing them.

Puberty-suppressing Hormones

5. Meghan Gallacher (Central Scotland) (Con): To ask the First Minister whether the Scottish Government will engage with NHS Scotland on ending the prescription of puberty-suppressing hormones to children, following the recent announcement by NHS England. (S6F-02948)

The First Minister (Humza Yousaf): We are aware of the new clinical policy that was issued by NHS England last week on the routine prescription of puberty-suppressing hormones for children and young people as a treatment option for gender dysphoria. The details of that are being closely considered by NHS Greater Glasgow and Clyde and its relevant clinical team as the provider of young people’s gender services at Sandyford. Any decision on how such healthcare is delivered in Scotland will, rightly, be made by health boards and, most important, by the clinicians involved.

It should be noted that NHS England’s announcement follows its interim policy position last year, recommending that puberty blockers are accessed only via a research programme that it is establishing. The Scottish Government and NHS Scotland remain observers to that particular study, and we are considering what further engagement might be appropriate.

Meghan Gallacher: In May last year, I asked the First Minister about the prescription of puberty blockers to children. He said:

“I support such decisions being made by clinicians—by the people who have clinical knowledge ... We should trust those who have clinical expertise, as opposed to standing here in the chamber ... making judgments about what is best for young people who need gender identity services.”—[*Official Report*, 18 May 2023; c 25.]

The truth of the matter is that we do not know whether puberty blockers have long-term life-changing consequences for young people who take them. That is why NHS England is conducting a review.

Will the First Minister publish all the evidence that his Government has that puberty blockers are safe for children? If his Government does not have any evidence, why is he allowing national health service boards to prescribe them?

The First Minister: Meghan Gallacher read out my response to her the last time round. My position has not changed one iota. I still believe that clinical experts in Scotland should be the ones who determine whether puberty blockers are prescribed. That is the sensible position, as

opposed to politicians demanding what clinical treatment should be. It should be for the clinical experts.

On the study that is taking place, I referenced in my response to Meghan Gallacher’s first question that we are engaging with the study that is taking place. The Scottish Government and NHS Scotland are well engaged with NHS England on its planned study into the use of puberty blockers in young people’s gender identity healthcare. We are observers to that study, and that remains a work in progress. We are considering what future engagement in that research might be possible.

I go back to the point that I have already made to Meghan Gallacher that it is for clinicians to make those judgments. It is right that we trust our clinicians in their expert decision making. Regarding the studies that are taking place in England, I am more than happy to confirm that we are observers. We are keeping close to NHS England, and we will continue to do so as the study develops.

Hate Crime and Public Order (Scotland) Act 2021

6. Pauline McNeill (Glasgow) (Lab): To ask the First Minister what resources the Scottish Government will be providing to Police Scotland for the investigation of complaints made under the Hate Crime and Public Order (Scotland) Act 2021. (S6F-02959)

The First Minister (Humza Yousaf): We have worked with justice partners, including Police Scotland, to ensure that the legislation is effectively implemented when it commences, next month. The Scottish Police Authority’s budget for 2024-25 delivers record police funding of £1.55 billion, which is an increase of £92.7 million when compared with the current financial year.

It is for the SPA and the chief constable to allocate that budget according to their priorities and needs, and that should absolutely include the investigation of complaints that are made under the act. As I have said previously, I am aware that some commentary on the act is not accurate or reflective of the measures in the act, which was passed by a majority of this Parliament.

The act does not stop freedom of expression, but it makes unlawful the intention of stirring up hatred against a person or community for particular characteristics, as the law already does for race.

Pauline McNeill: The First Minister has reiterated several times that the act, which comes into force on 1 April, must deliver what Parliament intended and that people must not be criminalised for expressing their opinions. I agree. Some organisations are still concerned that the

legislation will be used maliciously to silence legitimate opinion. It would be helpful for the Scottish Government to engage with those groups.

Does the First Minister agree that how the act is interpreted by the police and how the police are trained on it are key and that resources for that are crucial? Does the First Minister understand my concerns that the police are not properly resourced and, crucially, not properly and adequately trained to implement the act as it was intended? We agree that the act could risk criminalising innocent people and further stretching police resources. I ask the First Minister to make the act work and to make sure that there are full resources to ensure that what Parliament intended is delivered.

The First Minister: I know that Pauline McNeill takes the issue of tackling hatred very seriously. Over the years, she and I have worked on that issue in its many different guises. I will try to give some assurance to Pauline McNeill and to those on whose behalf she is raising concerns.

I make the point that I made to Douglas Ross—there are multiple freedom of expression safeguards in the law. There is an explicit freedom of expression safeguard in the legislation and there is a reasonable person defence. The legislation also has to comply with the European Convention on Human Rights, with article 10 being particularly important in this context. Therefore, there is already a triple lock of safeguards.

On how the police enforce the act, I will try to give Pauline McNeill some assurances. Since 1986—for virtually my whole life—police officers have been effectively policing and enforcing the law on crime in relation to the stirring up of hatred based on race. The threshold for the new offences is higher than the threshold for the racial stirring-up offence. The police have been doing that since 1986 with virtually zero controversy, so I have every confidence that they will be able to do so for the new offences that are being brought into law in a matter of weeks.

On resourcing, I reiterate the points that I have already made. We are providing record funding for Police Scotland in relation to next year's budget. On training, I refer to the points that have already been made by Police Scotland in the public domain. I have every confidence in its ability to train officers for the act when it comes into force.

I am very pleased that the act will be coming into force because I believe that it will give people the necessary protections at a time when hate crime is far too pervasive and prominent in our society and when hate being peddled by some with impunity—

The Presiding Officer: Thank you, First Minister.

The First Minister: —in our society.

Ivan McKee (Glasgow Provan) (SNP): The First Minister will be aware that the Police Scotland hate crime website explicitly stereotypes young working-class men from constituencies like mine and his as being the most likely to commit a hate crime. Does he agree that publicly demonising that disadvantaged group, which is already heavily impacted by negative interactions with the criminal justice system—*[Interruption.]*—and disproportionately damaged by addiction and other challenges, will neither assist those individuals—*[Interruption.]*—nor aid efforts by many community groups and others—

The Presiding Officer: Let us hear Mr McKee.

Ivan McKee: —in my constituency who work to create opportunities for them?

The First Minister: I am not sure why the Conservatives were shouting down Mr McKee when he was asking his question. It is a legitimate point that, when any marketing or awareness campaigns are done, it is exceptionally important that there is no stigmatisation of any communities whatsoever. Let us stick to the evidence and the facts about who are the victims and, indeed, the perpetrators of hate crime, but let us do that in a way that does not stigmatise a community and certainly in a way that does not pit communities against each other.

The entire point of the 2021 act—and, indeed, the point of most or all of our endeavours in Parliament to tackle hate crime—is to ensure a more cohesive society, as opposed to one that pits one community against another. I agree with Ivan McKee that we should focus on tackling stigma wherever it exists in our society.

He is also right to highlight the many organisations and agencies that are providing opportunities to our young people—

The Presiding Officer: Thank you, First Minister.

The First Minister: —such as the work of Skills Development Scotland, national training and apprenticeship programmes and the many others that are supporting our young people during these challenging times.

The Presiding Officer: In the time that we have available for constituency and general supplementary questions, I call Liam Kerr first.

Audiology Assessment (NHS Grampian)

Liam Kerr (North East Scotland) (Con): Devastating figures that came out this week reveal that people can be waiting up to two years for audiology assessments at NHS Grampian. The chief executive, Adam Coldwells, has laid the

blame for that squarely at the door of the Government, which underfunds the service and fails to properly workforce plan. Precisely how does the Government intend to drive those waiting times down, and when will the people of the north-east see results?

The First Minister: When it comes to long waits, I reiterate what I have already said, which is that it is not acceptable for anybody to wait for far too long.

We are working hard to recover our NHS services. In 2024-25, NHS front-line boards will receive an increased investment of almost £558 million, which is a real-terms increase of almost 3 per cent, and NHS Grampian will have a £46.6 million increase in investment. That is a decision that this Government has been proud to take. In stark contrast to the Conservatives in England, we are investing in our NHS at a time when they are choosing tax cuts for the wealthy over investment in public services.

Spinal Muscular Atrophy (Screening Pilot)

Bob Doris (Glasgow Maryhill and Springburn) (SNP): Babies across the UK face delays in treatment for the debilitating genetic condition spinal muscular atrophy because no newborn screening programme exists. I recently met two families impacted by that who want to know why the majority of European countries screen for SMA, yet we do not. I have been campaigning for that screening for some time. It makes a real difference to the lives of newborn babies.

Given that it now appears likely that there will be a UK pilot for SMA screening, does the First Minister agree that Scotland should be included? Will he meet me to discuss what work is being undertaken in Scotland to prepare for such a pilot, including, as I think he would welcome, identifying potential partnership funds to deliver it?

The First Minister: I recognise the urgency that families in Scotland that are affected by spinal muscular atrophy feel about the issue. It can be absolutely devastating, and I share the desire for any action that could prevent it.

The UK National Screening Committee is very much in the best position to evaluate all the evidence, and I welcome the in-service evaluation that NHS England is carrying out. I hope that that will bring us closer to a decision. Discussions are on-going about the potential for a Scotland-specific study or for Scotland to participate in the in-service evaluation. However, a number of factors must be worked through before a final decision can be reached. I am always happy, as is the Cabinet Secretary for NHS Recovery, Health

and Social Care, to meet Bob Doris to discuss this very important issue.

The Presiding Officer: That concludes First Minister's question time. The next item of business is a members' business debate in the name of Douglas Ross. There will be a short suspension to allow those who wish to leave the chamber and public gallery to do so.

12:47

Meeting suspended.

12:48

On resuming—

GP Surgery Closures (Highlands and Islands)

The Deputy Presiding Officer (Liam McArthur): I encourage members who are leaving the chamber and visitors who are leaving the public gallery to do so as quickly and quietly as possible. The next item of business is a members' business debate on motion S6M-12449, in the name of Douglas Ross, which is on save our surgeries—Burghead and Hopeman. The debate will be concluded without any question being put.

Motion debated,

That the Parliament expresses concern about the closure of GP surgeries in the Highlands and Islands region, including Hopeman and Burghead; praises the tireless efforts of local campaigners, including members of the Save Our Surgeries group, in advocating for the reopening of what it considers to be these vital healthcare facilities; recognises the reported disappointment and frustration felt by many regarding the consultation on the future of these facilities; understands the pressures that these closures have placed on residents of the two villages and surrounding areas; notes the calls for both the Scottish Government and NHS Grampian to prioritise the healthcare needs of smaller communities, and further notes the view that the Scottish Government, NHS Grampian and Health and Social Care Moray should fully engage with, and support, the local communities and campaigners.

12:48

Douglas Ross (Highlands and Islands) (Con): I thank all members who supported my motion and those who will contribute to the debate. I also express my thanks and appreciation to the members of the save our surgeries group, who have been determined to get the very best for their villages and reinstate the general practitioner practices in Hopeman and Burghead.

Today, five members of the save our surgeries group have travelled from the Moray coast to Holyrood. I welcome Dennis Slater, Rhona Grant, Ness Tunggal, Hazel Grant and Liz McKnockiter to the Scottish Parliament to have their voices heard. *[Applause.]*

We also welcome Abbie Duncan from *The Northern Scot* newspaper, who is here to report on not just the debate but the meetings that the group has had with Scottish Labour and the Scottish National Party. They will meet members of the Scottish Conservatives after the debate.

The group, along with fellow campaigners and residents, have been strong, passionate and determined voices calling for healthcare facilities to return to their villages. It is important to note that, although the surgeries are based in Hopeman and Burghead, the surgeries also serve

the communities of Duffus, Cummington, Roseisle and the outlying rural areas. The campaigners are representing not just Hopeman, Burghead and those other villages but 1,500 people who signed the petition to reinstate those vital general practices.

Their voice is now being heard in the Scottish Parliament, but it has taken us too long to get to this stage, and it is only because of their determined efforts that the campaign is continuing. I hope that, at the end of the debate, we get more responses from the Scottish Government. I welcome the fact that the Cabinet Secretary for NHS Recovery, Health and Social Care himself will be responding to the debate and has agreed to meet the group afterwards. We also need to get more action from NHS Grampian and Health and Social Care Moray.

I will give a brief overview of how we got to this stage. Back in June 2017, the Hopeman practice closed due to an information technology fault. On 14 March 2020, both practices closed because, we were told, they were incompatible with Covid regulations. However, we were promised that the closures of Burghead and Hopeman would be temporary. Here we are now, in March 2024, and those surgeries have never opened their doors again. Indeed, the Hopeman premises have now been sold and the lease for the surgery at Burghead has been handed back. In Burghead, a local family are so determined to continue the surgery's presence in the village that they have offered to work with the health board and with Health and Social Care Moray to offer for that property and to put in the improvements that are needed, but their approach has been rejected. That offer still stands today. The family have offered the first year free of rent if the health board goes back to Burghead, but the temporary closure has continued.

Much work has been done by the save our surgeries group and by campaigners throughout the intervening time. Where the frustrations really come alive is with the lack of any tangible, significant or realistic engagement with the health board or Health and Social Care Moray. It is almost shocking to have to remind the Parliament that a consultation was carried out. It was a sham, however. It was a consultation in name only—a tick-box exercise. How else can we describe the outcome when 85 per cent of residents who responded to the consultation were against the closures but the surgeries were still shut? At the public engagement events, 100 per cent of the people said that they wanted the facilities in Hopeman and Burghead to remain open, but they were closed. It was nothing more than a tick-box exercise, and at a cost of more than £11,000. It is so frustrating that the voices so articulately making

the case for the surgeries to be retained have been ignored in that way.

Although the campaigners have made it very clear that this is a local issue in Moray, and although my motion refers to the Highlands and Islands, members across the country will be feeling the same impact in relation to local services in their own areas. The issue deserves to be addressed in Parliament because the closures of local GP surgeries have an impact on national policies that are set by the Scottish Government.

Richard Lochhead (Moray) (SNP) rose—

Craig Hoy (South Scotland) (Con): Will Mr Ross give way?

Douglas Ross: I will give way to a couple of members in a moment. I want to come on to how the closure of the local facilities hampers what the Scottish Government is trying to do with its national policies.

I give way to Richard Lochhead.

Richard Lochhead: I thank Douglas Ross for giving way, and I congratulate him on securing this important debate. I join him in paying tribute to the save our surgeries campaign, whose members are here today to promote the interests of their communities.

I concur with the member's concerns as he has expressed them in his opening remarks. Does he agree with me that it is really important, given that new general practitioners will be coming into the workforce in the near future, that NHS Education for Scotland works closely with NHS Grampian to ensure that those new GPs are channelled towards the areas that are most in need, such as Burghead, Hopeman and the rest of Moray?

The Deputy Presiding Officer: I can give Douglas Ross the time back.

Douglas Ross: Richard Lochhead and I, as well as other members who are here and those in the public gallery, are very blessed to live in Moray. I know that, if we can attract those new GPs to Moray, they will want to stay there and work in our community. They will want to work with the residents of Hopeman and Burghead. I fully endorse everything that Richard Lochhead has said.

This has been a truly cross-party issue, with no party politics being played. The Scottish Labour leader, the Scottish National Party health secretary, Richard Lochhead and others have all met with the campaigners. They have worked right across the political spectrum because their case is far more important than party politics, which is a credit to the save our surgeries campaigners.

Craig Hoy: Is Mr Ross aware that, in my region, NHS Borders is facing the prospect of cutting

front-line budgets by 10 per cent and NHS Lothian faces a £120 million black hole?

Dr Jo Smail, a GP at the Tranent medical practice, has written to inform me that NHS Lothian is now set to increase facilities management charges on the practice by 600 per cent. Doctors there have said:

"In order to cover this new cost imposed on us, the practice would potentially have to lose about 3,200 GP appointments per year."

They go on to warn:

"we would no longer be able to provide Primary Care services for our patients and would have no other option but to hand back our contract".

Does Mr Ross share my concern that the chronic underfunding of GP services, particularly in rural and remote areas, is seriously undermining the delivery of patient care?

Douglas Ross: I agree. We have seen that throughout the country, and it is a worrying trend that seems to be continuing.

Before the interventions, I spoke about how local closures can lead to problems in implementing national policies. For example, multidisciplinary working cannot happen when local facilities are closed. The Scottish Government is supposed to be against the centralisation of services, yet people in Hopeman and Burghead are now supposed to go to Lossiemouth. I will come to that in a moment. The Scottish Government has also promoted 20-minute neighbourhoods, but those are not possible when surgeries like those at Burghead and Hopeman are being closed.

I will finish by referring to an excellent policy briefing that I received from Age Scotland ahead of the debate and for which I am grateful. I asked for figures specific to Moray and was told that

"44% of over 50's in Moray had to wait a week or more to access a GP appointment".

The briefing goes on to say:

"Although Lossiemouth is around a 15-minute drive each way, many older people are unable to drive or do not have access to a car"

from Hopeman or Burghead to Lossiemouth. It also says:

"21% of over 65's in Moray did not own/have access to a car".

Age Scotland goes on to say that the journey by bus from Hopeman and Burghead to Lossiemouth is not direct. For some, it could take a four-hour round trip—four hours—for potentially just a 10-minute appointment. That is the impact that the closures are having on local people.

Age Scotland says that 44 per cent of over-50s in Moray having to wait a week or more to access a GP appointment is

“almost double the national average”

of 23 per cent. That is why the closures are having such a big impact.

Finally, Age Scotland says that the whole closure programme goes against

“Moray’s own Health and Social Care Strategic Delivery Plan 2023-2025 which has a key focus to progress the integration agenda by increasing access to community-based health and social care services ... Moray Health and Social Care’s Joint Commissioning Strategy for Older People states that older people will ‘Live more independently as long as possible in their own homes’”.

They cannot do that if we are closing down local GP surgeries.

Presiding Officer, I am grateful for your indulgence in allowing me a few more minutes. I again reiterate my heartfelt thanks to the save our surgeries campaigners, who have tirelessly made the case for the reopening of those facilities or having some kind of healthcare facility in the two villages. They have worked their socks off. We are proud of them throughout Moray for everything that they have done. They are now here, in their Parliament at Holyrood, hoping for reassurance that their message is being heard at the highest possible level, but it cannot just be heard; it must be acted on.

The Deputy Presiding Officer: We now move to the open debate.

12:59

Emma Harper (South Scotland) (SNP): I thank all of Scotland’s GPs for the invaluable work that they do to support the health and wellbeing needs of people across the country. I worked as a nurse for more than 30 years and know how valuable, essential and important our GPs and the multidisciplinary teams in GP practices are.

I am really sorry that I will not be able to stay for the whole debate, and I thank the Presiding Officer for agreeing to let me leave for a meeting that I had already arranged.

I pay tribute to Douglas Ross and also, as he did, to the save our surgeries group. I welcome some of its members, who are in the public gallery. It is clear that the group—like many community action groups, such as the Galloway community hospital action group in my South Scotland region—is crucial in advocating service improvements and enhancements and advances in healthcare delivery, which should be delivered at a local level.

Finlay Carson (Galloway and West Dumfries) (Con): Will the member take an intervention?

Emma Harper: I will not, because I have only four minutes. I am sorry, but I also have to shoot out of here to meet the George Washington University students.

The statistics that Douglas Ross mentioned really highlight the challenges that older people in rural areas face with travel to different areas. He mentioned a four-hour bus journey to get to Lossiemouth, which would be quite a challenge for older people.

Turning to Douglas Ross’s motion, having looked into the case, I agree that the closure of the Hopeman and Burghead surgeries has had an impact on the local communities. The surgeries were a feature of Hopeman and Burghead for many years. That was recognised by the local integration joint board, which carried out a consultation in 2022 to ensure that the voices of the community were heard. However, from my casework, I am all too aware of how disappointing some approaches to IJB consultations can be, so I can understand the residents’ concerns that are noted in the motion. I urge the IJB and NHS Grampian to ensure that the healthcare needs and, indeed, the voices of the people in smaller rural communities are met appropriately. That can be achieved only through engagement with local campaigners, residents and members of the communities, and I would expect all partners to work to that end.

Unfortunately, challenges with the delivery of GP and associated services are not confined to the Highlands. I note that Mr Carson is in the chamber, and the issue is also important for us in Dumfries and Galloway. It is a very large rural region, and we hear daily from the NHS board that it continues to struggle to recruit GPs to staff the region’s rural surgeries. According to the Information Services Division, the available data shows that 100 per cent of GP practices in Dumfries and Galloway are reliant on locum GPs due to recruitment challenges.

However, some welcome improvements have been made recently. The Scottish graduate entry medicine programme offers people who are graduates in subjects such as pharmacy, nursing and science the opportunity to obtain a medical degree in a four-year graduate programme, and it has a particular focus on preparing doctors to work in rural areas of Scotland. The course launched in 2018 and, after the students’ initial year of university, NHS Dumfries and Galloway welcomed its first intake in 2019. The ScotGEM programme is working well. So far, the region has supported 54 graduates, which is pretty good news. However, we want to see the continuation of ScotGEM. I ask the cabinet secretary, in

responding to the debate, to tell us a little about the success of ScotGEM and the commitment to continue with it so that recruitment can be made for our rural areas.

I will stop there. I acknowledge the progress that has been made and I apologise again that I am unable to stay for the whole debate.

13:03

Rhoda Grant (Highlands and Islands) (Lab):

I, too, thank Douglas Ross for bringing this debate to the chamber, and I join him and the other speakers in commending the work of the save our surgeries group's campaign. Its fight to save the GP services in its community has been fantastic and it refuses to take no for an answer. I also thank Age Scotland for its briefing on the debate.

As Douglas Ross said, the surgeries that were closed have never reopened and they will now remain closed permanently. They not only covered Burghead and Hopeman but encompassed a population of around 7,000 people. Despite the fact that there has been no response from the joint board, the practice or indeed NHS Grampian, the campaign group remains pragmatic, because it believes that there is a better local solution to be found. It has suggested nurse-led services, with nurses being available locally in the community to do things such as taking bloods, physical checks and enabling older people who are not good with new technology to have video consultations with the practice at Lossiemouth.

However, that has fallen on deaf ears, and people are forced to travel from Burghead and Hopeman to Lossiemouth. Those are short journeys in miles, but there is no direct bus service, so patients need to travel by bus via Elgin. As we have heard, that can take four hours. Not only that—the fare is £9. If people cannot get a bus, they can take a taxi, which costs £60. If people have to pay such huge amounts of money simply to see their doctor, that is no way to be an NHS that is free at the point of need.

There is a dial-a-bus service as well, which was suggested as an alternative, but that requires to be booked the day before. If someone needs an emergency appointment, it is absolutely unsuitable, and it does not cover the whole of the surgery opening times, so it might be that people can get a dial-a-bus service to the surgery but cannot get home again.

To add to that, Age Scotland tells us that 82 per cent of older people prefer face-to-face appointments with their GP. The changes are therefore more likely to impact on the very vulnerable. Age Scotland also tells us that 26 per cent of people with a disability and 47 per cent of people with long-standing health conditions in

Moray do not have access to a car, so they are absolutely dependent on public transport.

As we have also heard, those villages are expanding and are therefore in more need of GP services. Anywhere else, that situation would be seen as a success story, because we are always talking about depopulation in rural areas. Where we have growing populations, we need to preserve the services to allow people to continue living there.

This debate speaks more widely to closures and changes to services in rural areas, through centralisation, which means that people do not receive the same levels of services if they live in rural areas.

There are wider issues, as others alluded to. The 2018 GP contract was supposed to make GP services sustainable, but it has had the opposite impact on rural GPs. The Scottish Government can see that—it is demonstrated in front of it—yet has not acted to look at a rural GP contract. Those problems do not appear to be at play on this issue, but we need to find a solution for the people of Moray. Will the cabinet secretary therefore make sure that the IJB meets the campaigners, as they want it to do, and will he intervene to make sure that those people have access to local GP services in one form or another?

13:07

Edward Mountain (Highlands and Islands)

(Con): I, too, thank Douglas Ross for bringing the debate to the chamber, and I thank Rhoda Grant for her contribution. I will not say that she has stolen a lot of my thunder, but she is very well researched on the problems of the closure of Hopeman and Burghead surgeries. I welcome the campaigners who have come to the Parliament—their Parliament—to make their voices heard.

I will be entirely clear: every GP closure is a disaster, every adopted GP surgery is a failure, and every GP surgery that has no succession plan is doomed. We cannot afford to have that.

We must be clear about some of the figures in the public domain. Over the past 10 years, 89 GP surgeries have closed. One in 10 GP surgeries is now run by a health board. There has been a huge increase in the use of locums. In Moray, the Aberlour health centre, which is my health centre, had to be taken over by NHS Grampian because there were not sufficient doctors and all the patients were leaving. That has still not been resolved and is a huge concern to communities.

I wonder, why does that happen? Why do we get ourselves into such a situation? A lot of it can be put down to the point that Rhoda Grant made about GP contracts. The 2018 GP contract that

was negotiated seems to work fairly well in the central belt—in Glasgow or Edinburgh—but it does not work for rural GPs or practices. If it did, there would be more GPs in those rural practices.

It has not delivered the extra staff that were promised as part of it. We have seen NHS boards removing vaccinations from local GP surgeries, which GPs across the Highlands were against. We have also seen them removing secondary care from GPs and thus undermining GP practices, which, frankly, we cannot do.

I am delighted to say that I am working with Mr Ewing and Rhoda Grant on the issues faced by Grantown medical practice, which has had funding removed from the building project that it had been promised, and which was almost complete. That is a disaster for the local community. The petition has been open for five days, and I have never seen such a flurry of people trying to sign a petition. They cannot all sign it online, and so there are also paper applications to join it, but well over 500 people signed up in the first five days. That is how important GP surgeries are. I trust that we will get a chance to discuss that in time.

We also need a review of the mechanism of how we run our GP surgeries, and of the GP contract. The problem is that, when the Government negotiated the GP contract, there was no review process in it. It therefore looks as though we are going to lurch on and on with declining GP numbers and contracts that do not work across rural Scotland. That is a huge mistake.

I am delighted to be part of today's debate. My plea is that we review the GP contract on a wider scale across Scotland, get a new workforce plan out, deliver to GPs the extra workforce that we promised, and stop removing the very sensible additional services that they provide. Then we will not be faced with the disasters that the closure of GP practices such as those at Hopeman and Burghead cause.

13:11

Fergus Ewing (Inverness and Nairn) (SNP): I congratulate Mr Ross on bringing the debate to the chamber and on the consensual spirit in which everybody has participated.

I used to live in Lossiemouth with my late wife Margaret, just along the road from Burghead and Hopeman. I nearly visited the Burghead surgery many years ago when I was dive-bombed by a seagull, which managed to make contact with my ear, at the breeding ground just beyond Burghead, which I am sure that our visitors will be aware of.

If Margaret had been here, she would have been campaigning alongside people in all other

parties, as she did with the Keep MUM campaign and others over her 19 years as the parliamentary representative.

As does the motion, Mr Ross referred beyond Burghead and Hopeman to the wider Highlands. The motion also refers to serving local communities. I therefore hope that it is in order for me to refer to the campaign that is currently being mounted on a cross-party basis by myself, Ed Mountain and Rhoda Grant—all of whom are here—to persuade the cabinet secretary for health to overturn the decision to halt the refurbishment of the Grantown health centre.

From our conference call with NHS Highland this morning, we understand that the project had been substantially completed: two million pounds of the work had been done, but it was cancelled because of £400,000. We have been besieged by letters locally, and they all make the same point. People can understand the cancellation of projects that have not started, emotive although that is. There have been many excellent such campaigns—for example, that in relation to the Belford project. However, it makes no sense for a project that is nearly completed, because it will end up costing an awful lot more.

My specific plea, without labouring all this, is that the meeting that I requested last Friday take place very soon—if possible, next week or soon thereafter. I know that the recess is coming up soon. The reason for that plea is that Morrison—the contractors—are still on site and are champing at the bit to complete the contract. However, if we do not sort this out quickly, they will have to remove their two portakabins from the site and will incur further abortive costs. Those abortive costs, which we will intimate to the cabinet secretary, will mount and exceed the notional capital savings of £400,000. I know that ways can always be found in Government, so I make the plea that we sort this out.

I will make a brief point to back up what Edward Mountain said about the GP contract. It was not popular in the Highlands; it was a metropolitan concoction. In particular, Dr Adrian Baker from the Nairn GP practice has been arguing recently—in fact, for the past three years—with successive health secretaries, I may say, about restoring the right for GPs who wish to do so to provide various services that the GP contract is taking away from them, including vaccination. In the case of vaccination, my understanding is that NHS Highland's own internal report found that moving the service back to GPs would secure a greater number of people having vaccinations and protection, in particular against measles, whereas centralising provision is resulting in a dangerously low level of cover.

Moving the service back to GPs would not only be better for the patient; it would save several million pounds. I will do a deal with the cabinet secretary. If he grants GPs the right to restore their vaccination services and, by taking up my advice, he saves several million pounds, I will be happy with that, as long as he makes a modest contribution of £400,000 towards the refurbishment of Grantown health centre.

13:16

The Cabinet Secretary for NHS Recovery, Health and Social Care (Neil Gray): I thank Douglas Ross and congratulate him on bringing the debate to the chamber. Like him and every other member who has spoken, I welcome the save our surgeries campaigners to our national Parliament. I look forward to meeting them after the debate. As Douglas Ross and other members have done, I recognise their doughty campaigning efforts. The fact that they are here today, in spite of the situation that the branch surgeries are in, is testament to those efforts. Mr Ross rightly outlined that one facility has now closed and that the other's lease has expired. I will return to the helpful suggestions made by Douglas Ross and Rhoda Grant, who spoke of pragmatism, but at this point I say that they are very welcome.

I will respond to Mr Ross's fair point about the wider area that is served by the Burghead and Hopeman surgeries, and the situation that residents will face not only in those villages but in the wider area. I recognise the offer that has been made, through Douglas Ross, that a property could be made available free of rent for a period.

On Mr Ross's point about consultation, he will be aware that my predecessor, Michael Matheson, instructed a review by Evan Beswick of the Argyll and Bute health and social care partnership. Publication of that report is imminent. I understand that the campaigners have seen an early draft of it, which they feel is fair. I expect NHS Grampian and the health and social care partnership to take due cognisance of the content of that report and to respond accordingly.

Richard Lochhead made a helpful suggestion about new GPs. During the debate, there has been commentary on where we are with GP numbers. We currently have 1,200 new GPs in training, which is positive. We have seen an increase in GP numbers since we announced our wish to see 800 coming through per year from 2017. We are not exactly where we want to be, but we are making progress. In relation to Mr Lochhead's suggestion, together with the evangelical advocacy that I would expect to hear from him and Mr Ross on the beauty of Moray being a reason for people wishing to locate there,

let us see what is possible with regard to GPs coming through.

I, too, am grateful for the members' briefing from Age Scotland, which colleagues across the chamber have referenced.

As someone who grew up in a rural island community, I more than recognise the challenges in accessing public services, particularly healthcare services.

Finlay Carson: Will the cabinet secretary take an intervention?

Neil Gray: I will do in a second.

There is an expectation among residents there that they will have to travel some distance to access such services, because, by their nature, they cannot all be delivered safely in those areas. However, I concur absolutely with the point that has been made about the need to ensure that services are provided as effectively and as locally as possible.

Richard Lochhead: Will the cabinet secretary give way?

Neil Gray: I will give way to Finlay Carson and then come back to Richard Lochhead.

Finlay Carson: A theme is emerging. Emma Harper talked about action groups trying to enhance services, but that is not what it is really about. It is about saving services, whether they be GP services, maternity services or cottage hospitals. There is a complete crisis in rural Scotland and a lack of services that are delivered as close to home as possible, as we would wish to see. Is it not time to review the NHS Scotland resource allocation committee formula? It certainly does not seem to be working. I know that you have given us assurance that a review will take place, but can you accelerate that process to make sure that rural health boards get the funding that they need?

The Deputy Presiding Officer: Comments should be made through the chair.

Neil Gray: Finlay Carson makes a fair point about ensuring that services continue to be provided as locally as possible. I pay tribute to general practice managers, GPs and staff in the multidisciplinary teams who serve our constituents incredibly well, whether they are in rural and island communities or in urban Scotland.

I point Finlay Carson to the remote and rural GP working group, chaired by Professor Sir Lewis Ritchie, which was created in response to concerns about rural GPs under the 2018 contract. One of the working group's recommendations was about establishing a centre of excellence for remote and rural healthcare. Following the business case development, the national centre

for remote and rural healthcare was launched in October and is being delivered by NES. The Scottish Government is providing £3 million of funding in 2026. However, I take Finlay Carson's point. I will consider it and come back to him.

Richard Lochhead: I thank the cabinet secretary for his constructive response to the debate so far. He might be aware that, in my Moray constituency, Glasgow School of Art has a campus, which hosts the rural centre of excellence for digital health and care innovation.

At my instigation, the centre has been discussing with the Moray health and social care partnership the possibility of a project on innovation in the delivery of rural health services, using Moray for a pilot, prompted by what is happening in Burghead and Hopeman. I understand that the centre and the HSCP are looking for about £30,000 to take forward that project and that there are some question marks about how it will be funded. Will the cabinet secretary look into how it could be funded? The whole of rural Scotland would benefit from the outcome of that research project.

Neil Gray: I thank Richard Lochhead for pointing out the situation. I am conscious that Jenni Minto has met him to discuss the issue. In concert with her, I am happy to take away Richard Lochhead's asks and see whether anything can be done to enable the project to continue. It is an opportunity for us to learn more and to see what can be done in rural communities.

I go back to the briefing from Age Scotland, because I recognise the points made about access to public transport, access to a vehicle, the statistics that Douglas Ross pointed to on car use in the part of Moray that we are discussing and how such challenges increase when facilities such as those in Hopeman and Burghead close. The public transport links provide a particular challenge in that part of Moray. Although Rhoda Grant pointed to the dial-a-bus option, that is not suitable for same-day appointments. That is why Evan Beswick's work will be important, and it is why I encourage the health and social care partnership and NHS Grampian to engage with the campaigners on practical suggestions for how that challenge can be overcome.

Douglas Ross: Campaigners and people in the area will take great comfort from the approach that the cabinet secretary has taken to the issue. There would be even greater encouragement if he would use his influence as Cabinet Secretary for NHS Recovery, Health and Social Care. I accept that the decisions will be taken locally by NHS Grampian and the Moray health and social care partnership, but the cabinet secretary stressing the importance of facilities in Burghead and Hopeman will have a big impact on what campaigners are

seeking. They are not looking for all-singing, all-dancing general practices to be reopened. Great though that would be—I absolutely support that—there are opportunities to have some healthcare facilities in either village or both villages. They do not need to be full replacement services, but any such services could have a big impact on local people in the villages.

Neil Gray: That is a helpful suggestion. It is characteristic of the fair and pragmatic way in which Douglas Ross opened the debate, and I am happy to take it away for consideration.

However, we will have to work with NHS Grampian and the health and social care partnership, because this is a local decision, and certain practical issues would need to be overcome before such facilities could be put in place. For example, who would run them, and how would they be staffed? Therefore, I cannot make any promises to Douglas Ross or, indeed, the campaigners—and I would not wish to do so—but any suggestions for practical changes that could be made to benefit the local communities, recognising the demographic and geographical challenges, should at least be considered in consort with those communities.

In closing, I thank everyone who has participated in the debate, and I again thank Douglas Ross for securing it. I particularly thank the local campaigners who have ensured that Scotland's national Parliament considers an issue being faced by colleagues across Scotland to differing extremes—indeed, I have faced the issue of branch surgery closures in my constituency. As a result of their doughty campaigning, we are considering the matter today, and they will have a further conversation shortly. Although I make no promises about what the future holds, I hope that, at least, they will feel that their voice is being heard both today and as we go forward.

The Deputy Presiding Officer: That concludes the debate. I suspend the meeting until 2.15 pm.

13:26

Meeting suspended.

14:15

On resuming—

Scottish Parliamentary Corporate Body Question Time

The Deputy Presiding Officer (Liam McArthur): Good afternoon. The first item of business this afternoon is Scottish Parliamentary Corporate Body question time. I invite members who wish to ask a supplementary question to press their request-to-speak button during the relevant question. The time for this item of business has been extended, but there is an awful lot of interest, so I make the usual plea for brevity in questions and responses, as far as possible.

External Stakeholder Events

1. Rachael Hamilton (Ettrick, Roxburgh and Berwickshire) (Con): To ask the Scottish Parliamentary Corporate Body whether it will provide an update on the waiting time for external stakeholder parliamentary events sponsored by MSPs. (S6O-03251)

Jackson Carlaw (Scottish Parliamentary Corporate Body): I can confirm that the extension was not at the request of members of the corporate body.

I thank Rachael Hamilton for her question. I know that the issue is of interest to a number of MSPs. The member-sponsored events and exhibitions programme is very popular. With that in mind, the corporate body previously agreed that event organisers could book up to 12 months in advance, which means that the events and exhibitions team is currently taking bookings from event organisers and sponsoring members for events up to March 2025.

Rachael Hamilton: I thank Jackson Carlaw for that answer. According to the website, which was changed very recently, the next opportunity for a member-sponsored exhibition was December 2024 and is now early 2025. Given that we pride ourselves on being a people's Parliament, what is being done to ensure that stakeholders and citizens have the opportunity to engage with parliamentarians? Is there an issue of bureaucracy, or do we need to offer more flexibility in respect of spaces that can be used for events?

Jackson Carlaw: In order to manage resources across parliamentary staff teams and the campus on busy business nights, agreement was given by the corporate body to limit the number of events accordingly. We currently deliver and support between nine and 10 member-sponsored events and two member-sponsored exhibitions weekly. The events and exhibitions team, which leads on delivery and programming of member-sponsored

events and the exhibition programme, also designs and delivers the corporate body's agreed major events and exhibitions programme, which supports the goals of the Scottish Parliament's public engagement strategy. Outwith that, it is open to members to organise events that are consistent with the meeting-room booking policy, should they wish to do so, but they have to provide infrastructural support to allow such meetings to take place. That is, reasonably, not practical for large gatherings, but it would be practical for smaller gatherings.

On the wider point, the corporate body will see whether, if we find that there has been a significant increase in demand for member-sponsored events, it would be appropriate to suggest in the legacy report from this session of Parliament to the next that that part of the corporate body infrastructure should receive additional resource.

The Deputy Presiding Officer: You might not have asked for the extension in time, Mr Carlaw, but with answers that long we will need a further extension.

Head of State Portrait

2. Murdo Fraser (Mid Scotland and Fife) (Con): To ask the Scottish Parliamentary Corporate Body what plans it has to commission a portrait of King Charles as head of state. (S6O-03248)

Christine Grahame (Scottish Parliamentary Corporate Body): I thank Murdo Fraser for his question. The SPCB is happy to consider suggestions for new commissions. We have asked parliamentary officials to explore options with a view to providing advice and recommendations to the SPCB in due course. We will keep you fully informed of those decisions, Deputy Presiding Officer.

Murdo Fraser: I thank Christine Grahame for that answer. I am sure that she is as enthusiastic as I am about the prospect of having a portrait of our head of state displayed in the building, as would be appropriate in a national Parliament. We, of course, already have a photographic portrait of the Her late Majesty Queen Elizabeth II opposite the public entrance. It is much admired by visitors, and I am sure that we would not want it to be removed but to be complemented by a portrait of our new head of state. Can Christine Grahame tell me whether there are any plans to relocate the existing portrait of Her late Majesty the Queen and to ensure that it continues to be displayed in the building?

Christine Grahame: I thank Murdo Fraser for his questions, which I am delighted to answer.

The position on whether we keep the portrait of the late Queen will be considered by the SPCB in due course, when we consider the new commissioning of a portrait of King Charles.

Ethnicity-related Pay Gap

3. Carol Mochan (South Scotland) (Lab): To ask the Scottish Parliamentary Corporate Body what steps it is taking to address any ethnicity-related pay gap among SPCB staff. (S6O-03215)

Jackson Carlaw (Scottish Parliamentary Corporate Body): This is a complicated response. The corporate body is proud of the steps that it has taken to develop our minority ethnic staff, including an award-winning emerging leaders development programme, which was jointly developed by the Scottish parliamentary service, Edinburgh College and the Scottish Association of Minority Ethnic Educators. That programme supported 13 staff to develop their leadership skills and prepare them for career development and advancement.

The corporate body has also implemented a positive action approach to recruitment, which has significantly increased the numbers of applications that are received from people who identify as being minority ethnic, and of successful appointments of such applicants.

Although progress has been made, we recognise that more needs to be done to further reduce our ethnicity pay gap. That is why we have made a commitment to develop a race strategy to tackle barriers in the workplace.

Carol Mochan: Recent reports on diversity monitoring and pay gaps for 2021-22 show that the ethnicity pay gap for all staff increased from 27.6 per cent in 2021 to 30.1 per cent in 2022. Furthermore, in 2022 just 18 per cent of applications for jobs in the Scottish Parliament were from minority ethnic candidates—compared with 78 per cent having been from white candidates—and gaps exist in respect of success rates from those applications.

Can the corporate body be clearer about the steps that it is taking in the coming financial year to ensure not only that staff from minority ethnic backgrounds are paid fairly, but that vacancies are adequately promoted to ensure their accessibility to such candidates?

Jackson Carlaw: The Scottish Parliamentary Corporate Body began reporting on its ethnicity pay gap in 2018-19. The median ethnicity pay gap for 2022-23 stood at 20.1 per cent—I think that that is a more up-to-date figure than the one that Carol Mochan has. That was down from 30.1 per cent in the previous year. In large part, that reduction has been achieved through concerted positive action in our recruitment approach, which

has successfully increased the proportion of applications from, and successful appointment of, people who identify as being minority ethnic. We have also reviewed our pay arrangements to ensure that they are transparent, equitable, consistent, flexible and fair.

Crèche Access

4. Kate Forbes (Skye, Lochaber and Badenoch) (SNP): To ask the Scottish Parliamentary Corporate Body whether it will provide an update on its plans to increase access to childcare in the crèche beyond three hours per day. (S6O-03253)

Claire Baker (Scottish Parliamentary Corporate Body): After considerable engagement with the Care Inspectorate and our service provider, My Ohana, we successfully achieved a variation to our registration in December last year. That increased the hours from four hours a week to three hours a day, which more than doubled the hours of childcare that can be provided. Alternatively, four hours can be taken in a single session if that is the only visit in a week.

Since then, we have considered further improving access to the crèche with outdoor space, so that children would have free-flowing access to an outdoor space. That might give us more flexibility with the Care Inspectorate.

However, to be clear, the Parliament was designed with a crèche; a nursery has very different requirements that our facilities cannot meet. We want to deliver the best facilities for children that we can, and we want to meet the most up-to-date guidance and criteria.

Kate Forbes: I record my immense thanks to the SPCB, the Care Inspectorate and the parliamentary authorities for pursuing the issue, and especially for getting, in such a timely manner, the change that Claire Baker has outlined. I know that a huge amount of work went into that, and I am enormously grateful.

I think that, since I previously asked the question, there have been two reports of MSPs having children this summer—other members might be able to correct me on that. They, too, will need childcare when it comes to their return to work. I am sure that the SPCB will agree that MSPs work more than three hours a day. It is therefore quite likely that there will continue to be demand for a facility that delivers what parents need in the Parliament, rather than a facility that is based on guidance that does not really meet need.

Claire Baker: I appreciate Kate Forbes's welcome for the work, which has improved our offer, that has been done by the corporate body and the Care Inspectorate.

We recognise that members have a particular challenge with childcare. They need care in Edinburgh and in their constituencies, and the crèche is a service that can offer some support. However, as I said, Parliament was designed to include a crèche for occasional use and, unfortunately, it is not possible to convert that facility into a nursery that would meet the Care Inspectorate's requirements.

The Parliament is trying to be more family friendly. Our on-going investment in remote working for MSPs provides members with some flexibility in managing their caring responsibilities, and we are continuing to speak to the Scottish Government about the nursery at Victoria Quay. We recognise that late business can have an impact and that unpredictable hours can be difficult for parents and members with caring responsibilities, and we have made representations to the Parliamentary Bureau regarding that.

Badge and Apparel Policies

5. Tess White (North East Scotland) (Con): To ask the Scottish Parliamentary Corporate Body how many visitors to the Scottish Parliament have been asked by security and other SPCB staff to remove badges and other apparel since May 2021. (S6O-03259)

Claire Baker (Scottish Parliamentary Corporate Body): We do not hold data on the number of visitors whose items were retained; we hold data only on the items' details.

Since the Parliament reopened to the public in March 2022, security staff have retained at the main public entrance 26 items that meet the criteria that apply in the member's question, including five badges. The reasons for the retention of those items are not held.

Tess White: From badges to suffrage colours, it seems that parliamentary staff are, with growing frequency, subjectively enforcing the visitor code of conduct. It has become the case that there is a rule for some but not for others. In the seat of Scottish democracy, policies of so-called inclusion are leading to exclusion of women, which is a worrying and dangerous precedent. That is unacceptable, and it must not continue.

Will the Scottish Parliamentary Corporate Body commit to reviewing not just the Scottish Parliament's visitor behaviour policy, but all guidance and policies in relation to banners, flags and political slogans, in order to ensure that there is clarity, fairness and public participation?

Claire Baker: The corporate body has commissioned a review of the protest policy, which will include looking at items and dress. I recognise

the need for policy to be consistent and to provide clarity.

Corporate body staff must conduct themselves in an impartial manner. In an update to that policy, whereas until recently corporate body staff were allowed to wear personalised lanyards—that provision was introduced in 2017 as part of the diversity and inclusion strategy—a review of the code of conduct has just been completed, and the decision has been taken that all staff who are employed by the corporate body must wear the Parliament-issued purple lanyard. That decision will help to minimise the risk of perceived bias and will avoid any perception that wearing of such items might influence our decision making.

Events (Scheduling)

6. Graham Simpson (Central Scotland) (Con): To ask the Scottish Parliamentary Corporate Body whether it will give further consideration to allowing events to start in the Parliament building while members' business debates are on-going. (S6O-03258)

Christine Grahame (Scottish Parliamentary Corporate Body): As my written answer to the member's question in November said,

"To enable all Members to take part in events and recognising that parliamentary business needs to take precedence, events do not take place at the same time as parliamentary business in the chamber.

However ... when business runs late, parliamentary officials will"—

when appropriate—

"work with the event organisers to ensure refreshments are served to event guests and they can go to the room where the event is taking place and meet with Members, where possible ... speeches should only take place once parliamentary business is concluded so all Members have the opportunity to hear them.

This pragmatic approach appears to be working but we continually keep this under review."—[*Written Answers*, 23 November 2023; S6O-02790.]

Graham Simpson: I got a written response because, at the time, I was not able to ask my question verbally.

I am asking for a review of the policy. I did not want to know what the policy is—I know what it is. People look forward to visiting this Parliament and they can go to a lot of time and expense in order to be here, so I think that we should do better by them.

Some events have had to be cancelled. The worst example is one that was sponsored, I think, by Michael Marra, on colleges, which was cancelled when people were on their way to the Parliament. People are kept waiting in the lobby, and events have to be curtailed.

I plead with the corporate body to have a review of the current policy, which seems to be devoid of any common sense.

Christine Grahame: As the member will appreciate, late sittings are a matter not for the corporate body but for the Parliamentary Bureau, over which we have no control.

I will provide some context. Between January and June 2023, six events were cancelled due to the Parliament sitting late. However, from September 2023 until this week, only one event had to be cancelled—that was this week. That is a total of seven out of 324 events. Of the seven events that have been cancelled since January 2023, three have been rescheduled. We always try to give priority to events that we have had to reschedule.

However, I hear what the member says. I am sure that the corporate body will consider whether improvements can be made.

Accessibility Options

7. Karen Adam (Banffshire and Buchan Coast) (SNP): To ask the Scottish Parliamentary Corporate Body whether it will look into rolling out accessibility options, such as British Sign Language and easy-read, as standard across all forms of public participation. (S6O-03254)

Maggie Chapman (Scottish Parliamentary Corporate Body): When planning what participation support is needed for parliamentary activities, including committees, staff generally recommend a targeted approach that is based on the audiences that have been identified as priority groups for each piece of work, taking into account the barriers to their participation.

Accessibility options that are relevant to the audience are developed with partners. For example, information as part of the inquiry into healthcare in remote and rural areas was developed in easy-read, as we knew that adults with learning disabilities would face additional barriers. Work planned for the Disability Commissioner (Scotland) Bill will include providing BSL and easy-read versions of the call for views. Lastly, Karen Adam will be interested to know that a public consultation for our new BSL plan, due to run from 2024 to 2030, is scheduled to take place this summer. It will involve the use of citizen space and will be made fully BSL accessible.

Karen Adam: I am delighted by the member's answer. I am particularly proud that the Equalities, Human Rights and Civil Justice Committee, which I convene, will be the first committee in the history of the Scottish Parliament to trial the use of WhatsApp to allow BSL users to respond to our call for views on Jeremy Balfour's Disability Commissioner (Scotland) Bill. We also ensured

that easy-read and other accessible versions of our call for views were ready at the time of launch in order to ensure parity. Will the SPCB join me in encouraging other committees and the Scottish Parliament more widely to promote equality and inclusion by adopting those practices?

Maggie Chapman: The WhatsApp trial will provide really good experience on how to receive evidence by video. We hope that that will be of use not only to our BSL communities but to others, too. Of course, it is not for the corporate body to dictate to committees how to do their business, but, if the pilot works, other committees might wish to use that method. The Conveners Group can perhaps discuss the issue. We want to make sure that we promote different practices and alternative ways of widening participation.

Jamie Greene (West Scotland) (Con): Given that it is British Sign Language week, I find that response slightly disappointing, as I am sure many BSL users will. It is not for us or the corporate body to make editorial decisions about what committee business BSL users might or might not be interested in. Surely, in this modern day and age, we could make better use of technology to ensure wider participation in parliamentary activities.

Maggie Chapman: We recognise that people who have accessibility requirements are interested in many issues, as the member outlines, not just those that are specifically linked to their access needs. By focusing on the removal of barriers, we think that we have the balance of interests right between improving access and limiting the cost to the public purse and so on. The Citizen Participation and Public Petitions Committee's recent report welcomed our work to develop systematic and cost-effective approaches to the use of different languages and formats in order to increase the accessibility of our consultation and participation work. Of course, we are always eager to do more and would welcome further conversations with the member on any ideas and suggestions that he might have.

Michael "Mick" McGahey Memorial

8. Richard Leonard (Central Scotland) (Lab): To ask the Scottish Parliamentary Corporate Body what consideration it is giving to the establishment of a permanent memorial to Michael "Mick" McGahey in the Parliament. (S6O-03214)

Christine Grahame (Scottish Parliamentary Corporate Body): We are due to consider the request that the member has made to the SPCB at our next meeting, on Thursday 18 April, and we will update him as soon as we can. The SPCB noted the support that was expressed during the recent members' business debate and will take that into consideration.

Richard Leonard: The National Union of Mineworkers, the McGahey family, Green MSPs, Labour MSPs, Liberal MSPs, Scottish National Party Government ministers, journalists past and present and, just this week, the Scottish Trades Union Congress all support a memorial, so will the corporate body meet with the NUM, the family and me to work out how a fitting legacy to this working-class hero can be delivered in time for the centenary of his birth next year?

Christine Grahame: That is a very kind invitation, but it is not the practice of the corporate body to meet any individuals. We will discuss the point that has been made at our meeting. Such decisions are not taken based on a blank canvas. The SPCB has a number of relevant policies, including the memorial policy and the Scottish Parliament's art collection development policy, which we will take into account when we come to a decision on whether to establish a memorial to Mick McGahey.

John Swinney (Perthshire North) (SNP): On the topic of permanent memorials, one of my constituents, who actually approached me 27 years ago in one of my first constituency cases, was affected by the contaminated blood scandal, and he is keen to establish some form of memorial in the Parliament to recognise those who lost their lives in that scandal. As the United Kingdom inquiry is expected to report shortly, will the SPCB consider whether the Parliament might be a suitable venue for a memorial to those who lost their lives in the contaminated blood scandal?

Christine Grahame: I duplicate my answer to Mr Leonard: if the member makes an application to the corporate body, we will consider it, against the backcloth of the memorial policy, the Parliament's art collection development policy and other representations.

Information Technology Process Changes

9. **Ivan McKee (Glasgow Provan) (SNP):** To ask the Scottish Parliamentary Corporate Body what systems are in place to ensure that changes to IT processes in the Parliament, that will impact on the daily working practices of MSPs and their staff, are consulted upon, tested, introduced, explained and evaluated. (S6O-03256)

Maggie Chapman (Scottish Parliamentary Corporate Body): When projects will change the way in which members and their staff work, officials will build in opportunities for consultation and feedback and will often roll out the change to a smaller pilot group in order to gather feedback, tweak implementation and prepare appropriate training and communications.

There are times when it is necessary to introduce certain changes at short notice—for

example, to protect against emerging cybersecurity threats. The corporate body is keen to hear from members if and when they feel that we, collectively, can do better to keep them and their staff informed of any changes or developments.

Ivan McKee: My question is prompted by the introduction of system changes—for example, the recent quarantine system, which has added another layer of complexity; made it more difficult to find, and, in some cases, easier to lose track of, important communications from constituents; and added to the workload of MSP staff. Prior to that, there was the introduction of the new reimbursement system, which was, in its early stages, cumbersome and difficult to operate.

To what extent does the corporate body feel empowered to push back on the business information technology department in that regard? It might bring forward new whizz-bang systems to introduce, but the implications of those systems on workload—and whether they are, in fact, necessary at all—might not have been thought through and checked with MSPs and staff.

Maggie Chapman: Mr McKee highlights an interesting issue, which might have come as a bit of a surprise to some in the chamber. In the main, the corporate body accesses software and cloud services, including the Microsoft 365 applications for our email system and other office functions, on a subscription basis. Microsoft makes modifications and updates, which are available immediately to users, to enhance functions or address cybervulnerabilities. Quarantine is one such update; it was introduced to protect users from potentially harmful emails, such as phishing or malware.

BIT recently introduced the new alerting system to let members know when email messages have been placed in quarantine; I think that that is the change to which Mr McKee referred. The notification system was introduced by BIT because it would otherwise not be automatically obvious to users that messages had been quarantined. That was in response to something that Microsoft had done behind the scenes.

With regard to the updating of the allowances system, members and staff were offered a range of training options during the roll-out of the system, with step-by-step instructions available on the intranet. The allowances office and other parts of the parliamentary estate continue to provide support and advice to members.

Of course, we always welcome feedback and challenge, and we push back when members or their staff think that something will not work. Those views will be taken into consideration.

Alcohol-free Beverages

10. Jackie Dunbar (Aberdeen Donside) (SNP): To ask the Scottish Parliamentary Corporate Body whether it will consider stocking alcohol-free variants of spirits, wine and other alcoholic beverages in the Scottish Parliament gift shop. (S6O-03257)

Christine Grahame (Scottish Parliamentary Corporate Body): I agree that it would be good for the shop to stock alcohol-free options. Our retail manager regularly checks the market for such products, and did so most recently at the start of this year. Unfortunately, we have so far been unable to find a product that could be branded and would meet our requirements for low-minimum-quantity ordering. We will keep checking, however, and update the member if we are successful.

Jackie Dunbar: Many people now do not drink alcohol, for all sorts of reasons, including health and religion—not that anyone ever needs a reason. A recent survey suggested that 44 per cent of 18 to 24-year-olds now regularly or occasionally drink alcohol alternatives. Alcohol alternatives mean that people do not now need to drink alcohol to be able to enjoy the taste of some of our nation's most famous drinks. What more can be done to encourage producers and suppliers to the Parliament to offer alcohol-free alternatives, thereby allowing our Parliament to move with the times and stock a more inclusive range of gifts?

Christine Grahame: I advise the member that the difficulty is that branded items—from tartan scarves to malt whisky—that are designed for us and available nowhere else remain popular with customers. We know that our alcohol products are popular because of the Parliament's branding and uniqueness. Our whisky range is currently supplied under contract by the Own Label Company, which is based in Edinburgh. Unfortunately, it does not yet have alcohol-free drinks in its product portfolio, but we continue to investigate the matter.

Parliament Campus Safety

11. Jamie Greene (West Scotland) (Con): To ask the Scottish Parliamentary Corporate Body what steps it is considering to ensure the safety of the public, MSPs and staff entering or exiting the Scottish Parliament campus, in light of a number of recent events of concern. (S6O-03249)

Claire Baker (Scottish Parliamentary Corporate Body): The corporate body takes its security and safety responsibilities very seriously. A wide range of physical and personal security arrangements are in place to ensure the safety of everyone who visits or works in the building. The

security arrangements reflect a heightened response. That is the required stance for the United Kingdom threat level, which is presently set at substantial. There have been recent incidents, but the threat and subsequent response levels have not changed since February 2022.

Jamie Greene: Despite all of that, in recent weeks, we have seen a spate of attempts to disrupt democracy in the Parliament. There has been interference from the gallery during First Minister's question time; members of the public have been harassed or even prevented from entering the building during protests; members, as well as our staff, have been accosted by protesters upon exiting various points of the building; and, of course, the building's exterior was daubed in red paint just last week, although some people might say that that was an improvement. In the current febrile political environment, that is more than unacceptable; it could be dangerous.

Has there been any investigation into those specific protests? Were any of them facilitated or aided by any MSP or MSP group? Why is the Parliament's exterior security clearly failing to keep us all—the building, our staff and the public—safe?

Claire Baker: Jamie Greene has raised a number of points. With regard to protests outside the building, we welcome peaceful protests, but I recognise that some recent incidents have been a cause for concern. The management of protests and the safety of the public are matters for Police Scotland. Although we work closely with Police Scotland, it is responsible for public safety.

However, I can confirm that a review of the protest that took place last month—which will consider its impact and lessons learned—was immediately commissioned by the security team and is under way. I also confirm that we are looking into allegations that, by sharing information, passholders helped protesters to block entrances.

The Deputy Presiding Officer: Stephen Kerr will ask question 12.

Protests (Investigations)

12. Stephen Kerr (Central Scotland) (Con): I was going to come in with a supplementary question in order to be helpful.

To ask the Scottish Parliamentary Corporate Body what steps it will take to ensure that any protests and demonstrations that disrupt the ability of MSPs, staff and the public to access the Scottish Parliament are fully investigated, with any findings and lessons learned available to MSPs. (S6O-03250)

Claire Baker (Scottish Parliamentary Corporate Body): As I said, we welcome peaceful protests outside the building. We recognise that there have been recent incidents, and a review of the protest, its impact and lessons learned is under way. The safety of the public outside the building is a matter for Police Scotland. We are assured that the security office is making progress on the review. If any recommendations require corporate body approval, we will consider the findings in due course, and we will notify members of any approved recommendations.

Stephen Kerr: I heard the answer that was just given and the previous answers. It is clearly unacceptable for any group or individual to attempt to disrupt the workings of the Parliament or bar people from entering or leaving the building, but we have had a number of incidents, as Jamie Greene described. It is clearly intolerable that some of those activities were aided and abetted by members of this Parliament. That happened, and we all know that it happened, because it has been boasted about on social media. When the findings of the reports that were described become available, can information on any breach of the MSP code of conduct be published and made available to members? As is now established in precedent, will the corporate body make any reports that relate to MSP complicity in such activities subject to referral to the Standards, Procedures and Public Appointments Committee of this Parliament?

Claire Baker: I assume that the member is aware of the mechanism for reporting any concerns about MSPs' behaviour, which would not be a matter for the corporate body. As I said—

Stephen Kerr: It is.

Claire Baker: It is not a matter for the corporate body. As I said earlier, we are looking into allegations that passholders helped protesters to block entrances by sharing information, but, at this point in time, those are allegations.

The Deputy Presiding Officer: That concludes Scottish Parliamentary Corporate Body question time. There will be a brief pause before the next item of business to allow members on the front benches to change over.

Portfolio Question Time

Education and Skills

14:45

The Deputy Presiding Officer (Liam McArthur): The next item of business is portfolio question time, and the portfolio on this occasion is education and skills. I invite members who wish to ask a supplementary question to press their request-to-speak button during the relevant question. There is an awful lot of interest in supplementary questions, so they will need to be brief, as will the responses. I will be intervening when allocated speaking times are not adhered to.

Highland Council (Meetings)

1. **Edward Mountain (Highlands and Islands) (Con):** To ask the Scottish Government when it last met with the executive chief officer for education and learning at Highland Council, and what was discussed. (S6O-03232)

The Cabinet Secretary for Education and Skills (Jenny Gilruth): Scottish Government officials last met the executive chief officer for education and learning at Highland Council on Thursday 5 October 2023 to discuss a range of education matters, including attainment.

Edward Mountain: I thank the cabinet secretary for that answer, and it is interesting that no one seems to have seen her since. Does the cabinet secretary believe that members of this Parliament should be allowed to visit schools in their constituencies and/or regions, or should councils such as Highland Council obstruct and deny such visits?

Jenny Gilruth: As a general point of principle, I believe that MSPs should be able to engage with the schools in the areas that they represent. I do so regularly in my constituency. I do not know the specifics of the issue that Mr Mountain has raised. If he would like to share more information with me, that would be welcome.

I am aware—as members will be—that, during election periods, local authorities put rules and restrictions around when elected members might visit schools. However, if the member wishes to share more detail with my office, I would be more than happy to consider it.

Pam Duncan-Glancy (Glasgow) (Lab): Proposals from the University of the Highlands and Islands are set to cut some science, technology, engineering and mathematics subjects at the Moray campus. That will have a negative impact on senior pupils who study there in addition to attending school. Given the importance of that

model of delivery of school subjects, the rurality of the area and the impact on pupils, what can the cabinet secretary do to ensure the continued provision of those subjects to pupils in the area?

Jenny Gilruth: I thank the member for her question. I might ask the Minister for Higher and Further Education to engage with her directly on the substantive point. I have seen reports in relation to some of that challenge. The Government supports the provision of additionality, through funding for bursaries for STEM subjects for example, in recognition of the challenge in that subject area. However, I will ask the minister to write to the member with more specifics in that regard.

ASN Assistants (Qualification and Registration)

2. Mark Griffin (Central Scotland) (Lab): To ask the Scottish Government whether it will provide an update on the development of an accredited qualification and registration programme for additional support needs assistants. (S6O-03233)

The Cabinet Secretary for Education and Skills (Jenny Gilruth): In taking forward that work, my officials have engaged extensively with a range of stakeholders, including local authorities, the Convention of Scottish Local Authorities, the Association of Directors of Education in Scotland, the unions, the association of support for learning officers and pupil support staff. That included a national engagement programme that was undertaken by Education Scotland, which gathered 2,500 responses from pupil support staff across all 32 local authority areas.

Through that engagement, we have heard a wide range of views and now have a substantial amount of information with which to inform the development of a final report. Officials have confirmed that the intention is to publish the final report in the spring, which will contain proposals for further action.

Mark Griffin: We know that support assistants' jobs are expanding. Their teaching burdens are increasing, they are more likely to be attacked and they have higher workloads, but they often get less training and support. They have to be classroom teachers, mental health workers and speech and language therapists in order to cover up some gaps in pupil provision. Will the cabinet secretary be clear about whether the Government will follow through on its commitment and give a timeline for publication of a pathway for additional support needs teachers' training and education?

Jenny Gilruth: The member will be aware that that commitment stems from a Bute house commitment on looking at accreditation for pupil

support assistants. It is vitally important that we consider that. I outlined in my initial response to the member that we expect to have the full detail of that report in the spring—in the coming weeks. I hope that that gives him some reassurance on the timescales involved.

More broadly, I hope that the member will welcome the data that was published earlier this week, which shows that we now have a record number of pupil support assistants working in Scotland's schools. That number increased last year by 725, and that is because the Government is putting additional investment into pupil support assistants, recognising, as the member has done, that they play a key role in Scotland's schools.

The Deputy Presiding Officer: We have a couple of brief supplementaries.

Emma Harper (South Scotland) (SNP): Can the cabinet secretary further detail how the record funding provided by local government—which was provided to it by the Scottish Government—is improving outcomes for young people with additional support needs, including in Dumfries and Galloway?

Jenny Gilruth: Spending on additional support for learning by local authorities reached a record high of £926 million in 2022-23. We have also invested £75 million in it since 2019-20, which, as I said in my response to Mr Griffin, has contributed to Scotland now having its highest level of support staff on record.

It is also worth recognising the achievements of our young people with additional support needs. We know that 93 per cent of secondary and special school leavers with an additional support need were in an initial positive destination three months after the end of the school year. That is certainly welcome news, and it is evidence of the impact of the Government's further investment in supporting our children and young people.

Liam Kerr (North East Scotland) (Con): Statistics that came out on Tuesday showed that Scotland has 392 fewer ASN specialists than it did in 2013. Over the same period, there was a 96.8 per cent increase in the number of pupils identified with an additional support need. What solution can the cabinet secretary offer right now to address the falling ASN teacher numbers and reduce the number of pupils that each of those teachers is supporting?

Jenny Gilruth: Liam Kerr will recognise that the data that was just published showed that the number of specialists was on an increasing trajectory. I hope that he will recognise that those numbers are now going in the right direction, in recognition of the need in the system.

The member and I, and a number of others, discussed that issue yesterday at the Education, Children and Young People Committee. I look forward to hearing the committee's recommendations to the Government on that exact point.

During the committee meeting, I made the point to Ms Duncan-Glancy that, because of additional investment from the Government for teachers and pupil support assistants, we are now seeing record numbers of them in our schools. I hope that Liam Kerr recognises that in relation to pupil support assistants. I see him gesticulating from a sedentary position, but I hope that he accepts that in the past three years there has been an increase in the number of people with additional support needs as a specialism in classroom teaching. The numbers are going in the right direction, and that is because of that additionality in investment from the Government.

The Deputy Presiding Officer: I encourage the minister to ignore any gesticulations coming from Opposition front benches.

Outdoor Learning (Schools)

3. Murdo Fraser (Mid Scotland and Fife) (Con): To ask the Scottish Government what support it is providing to schools to facilitate the expansion of an outdoor learning-based curriculum. (S6O-03234)

The Minister for Children, Young People and Keeping the Promise (Natalie Don): As part of our "Learning for sustainability: action plan 2023 to 2030", which was published in June 2023, we have committed to establishing a new national policy workstream on outdoor learning, to be supported by a national working group that will report to the Scottish ministers. The group will pursue a range of actions to ensure that all children and young people receive entitlement to outdoor learning in all its forms.

In addition, Education Scotland continues to support schools in taking learning outside through professional learning provision. A new learning for sustainability portal will launch later this year, as will a learning for sustainability peer mentor network.

Murdo Fraser: I thank the minister for that positive response. I am sure that she and the whole chamber are aware of the many recorded benefits that regular access to outdoor learning can have for learners—and, indeed, educators—across all levels of schooling. She will also be aware of the success of initiatives such as the teaching in nature programme. Is she minded to lend support to my colleague Liz Smith's member's bill to guarantee outdoor residential experiences for primary and secondary pupils?

Natalie Don: I have discussed the draft bill's proposals with Ms Smith on several occasions, most recently earlier this year, and I will continue to do so over the coming weeks and months following the bill's formal introduction, which I believe is imminent.

As with any new legislative proposal, all stakeholder views must be taken into account and the full range of consequences and costs must be explored. On that note, I had a fantastic visit to the Outward Bound Trust at Loch Eil, where I heard at first hand the benefits of that form of outdoor education and spoke directly to some of the young people who were benefiting from it.

In relation to the proposed member's bill, although the Government will give any draft bill its full consideration, we will reserve our final position until the bill is introduced.

Marie McNair (Clydebank and Milngavie) (SNP): Will the minister set out what role Scotland's universities have in supporting the outdoor learning sector?

Natalie Don: Universities are playing a really important role. A good example of that is Queen Margaret University's new outdoor learning hub, which my colleague Graeme Dey, the Minister for Higher and Further Education, opened earlier this week. Further examples are the courses that are offered by universities including Queen Margaret University, the University of Edinburgh, the University of Stirling and the University of the Highlands and Islands. We are working with colleges and universities and the General Teaching Council for Scotland to develop a new national framework for initial teacher training that embeds learning for sustainability.

Digital Devices (School Pupils)

4. Meghan Gallacher (Central Scotland) (Con): To ask the Scottish Government whether it will provide an update on the roll-out of free digital devices to school pupils. (S6O-03235)

The Cabinet Secretary for Education and Skills (Jenny Gilruth): To maximise the impact of funding, we will provide support at household level, targeting device investment at disadvantaged families with children. That approach will improve equity of access to devices and connectivity for those who need it most, helping families to realise the broad range of benefits that are associated with digital inclusion and enabling access to digital tools and resources for learning. We are currently in the early stages of scheme design with Connecting Scotland, which will use its established model to distribute devices to eligible households.

Meghan Gallacher: I am afraid that it is broken promise after broken promise—from failing to

close the poverty-related attainment gap to the roll-out of free school meals. Parents, teachers and pupils will now remember the SNP as the Government that stole the weans' IT. Although I appreciate that the cabinet secretary was not in post at the time when the Government promised a free laptop to every school pupil, will she tell members why the Government promised something that it knew it would never be able to deliver?

Jenny Gilruth: It is worth putting on the record the fact that the Government has invested £25 million in devices and connectivity. That has resulted in more than 72,000 devices and 14,000 connectivity packages being distributed to disadvantaged learners all over Scotland.

I find it quite remarkable that Ms Gallacher has come to the chamber today to complain about the investment that is going to support digital connectivity across the country, given that it is her party that has cut this Government's budget, particularly in relation to capital, by close to 10 per cent in real terms. That is having a direct impact on the Government's spending priorities, and it means that there is less funding to go into things such as education. I hope that Ms Gallacher recognises the challenge in her question and the hypocritical approach that she has taken today.

The Deputy Presiding Officer: There are a number of supplementary questions, which I will try to get in. I will have more chance of doing so if we do not have heckling of answers and questions.

Alasdair Allan (Na h-Eileanan an Iar) (SNP): On that previous point, can the cabinet secretary say whether the Scottish Government has assessed the impact of capital budget cuts to Scotland by the United Kingdom Government on providing free digital services or other projects under the education portfolio?

Jenny Gilruth: As I alluded to in my response to Ms Gallacher's question, this is particularly challenging because of the cuts that have come from Westminster, which are having a major impact not just on education but right across the Scottish Government. That is particularly acute in relation to capital funding, which Ms Gallacher's original question was on. Capital funding is due to contract by almost 10 per cent in real terms over the next five years. That will have major impacts in Scotland, where we have one hand tied behind our back, when we want to make spending decisions that affect outcomes for our children and young people.

Willie Rennie (North East Fife) (LD): The education secretary's predecessor, who is making a lot of noise this afternoon, made a solemn promise to the voters in 2021. He said:

"These tools are no longer luxuries."

If they are essential, why has the Government deprioritised this programme, and why is it now means testing access to free laptops and devices?

Jenny Gilruth: Again, as I outlined in my previous responses, decisions that are taken by Governments in other parts of the United Kingdom—Governments that the people of this country did not vote for—mean that the Scottish Government has less money to go around for a commitment that was made some years ago. That is the reality of the UK. If Mr Rennie does not like it, perhaps he should come to the SNP benches and support independence for Scotland, which would give us the spending power that we need to make investments in improving the provision that we currently have in relation to public services. That is the challenge of the United Kingdom and the status quo that Mr Rennie backs.

Foysoil Choudhury (Lothian) (Lab): The most recent Scottish health and wellbeing census found that, for pupils between primary 5 and secondary 3, more than a third of bullying was online. Can the cabinet secretary please advise us what measures the Scottish Government has considered to limit harm to children during the roll-out of free digital devices?

Jenny Gilruth: The member raises a really important point. The Government is committed to rolling out a digital strategy, recognising some of that challenge. More broadly in relation to the issues around bullying, we published data towards the end of last year in the behaviour in Scotland's schools research, which examined the issue in more detail.

Education Scotland has published a suite of resources on online bullying, which support teachers in our schools. In the next few weeks we will produce updated guidance on the use of mobile phones to mitigate some of the challenge in relation to online bullying.

Graduate Visa

5. Audrey Nicoll (Aberdeen South and North Kincardine) (SNP): To ask the Scottish Government what discussions the education secretary has had with ministerial colleagues regarding any potential implications for Scottish universities and colleges of the Migration Advisory Committee's "rapid review" of the graduate route visa, as announced by the United Kingdom Government. (S6O-03236)

The Minister for Higher and Further Education; and Minister for Veterans (Graeme Dey): Scotland needs an immigration system that supports our higher education sector to deliver the best learning, the best research and the best experience for students who choose to study and

stay in Scotland. Along with Scotland's university and college sectors, I am deeply concerned that restricting or scrapping the graduate route will deter talented graduates from staying in Scotland.

Audrey Nicoll: Since 2019, international students have contributed between £4 billion and £6 billion to the Scottish economy. The UK Government has stated that the intended purpose of the review is to confirm, among other things, that the visa can support pathways into high-quality jobs. Any curtailment of the graduate route has serious implications for Scotland's university sector at a time when the UK Government's decision to end dependents' visas for postgraduate students has had a significant impact on demand from key international markets such as Nigeria, India and Pakistan.

Does the minister agree that any change to the graduate route visa must ensure that it remains an attractive and competitive offer to those who wish to study here, and that the UK Government must ensure that Scotland and the UK remain open and that a warm welcome awaits international students?

Graeme Dey: I absolutely agree that we need international students and graduates to make their lives in Scotland. I share the member's concern about the rapid review and the UK Government's approach to international students generally, which is already having a serious impact on our university sector. I am therefore seeking to meet the Migration Advisory Committee's chair in the coming days, prior to which I hope to hear directly from those in the university and college sector on their concerns, so that I can try to ensure that Scotland's needs are reflected in the rapid review.

International students play a vital cultural and economic role in Scotland. We should recognise and celebrate that.

Autistic Pupils (Support)

6. Martin Whitfield (South Scotland) (Lab): To ask the Scottish Government what its response is to the comments made by the National Autistic Society Scotland that some autistic pupils in Scotland have to "fail" in mainstream education before receiving the support that they need. (S6O-03237)

The Cabinet Secretary for Education and Skills (Jenny Gilruth): We want all children and young people, including those with autism, to get the support that they need to reach their full learning potential. The Scottish Government continues to work in partnership with Education Scotland and a range of stakeholders to improve professional understanding of and support for autistic learners in all settings.

In commitment to that work, a range of information, guidance, resources and professional learning opportunities continue to be supported and collaboratively developed for school staff to access. In addition to that, we fund a number of services to support children and young people with additional support needs and their families to get the support necessary to thrive. That includes funding a national autism implementation team.

Martin Whitfield: The situation around additional support needs was discussed earlier in these questions. I will quote Suzi Martin, the external affairs manager for the National Autistic Society. She highlighted the distressing reality faced by families of autistic children, who often find themselves having to "fight the system" to access the necessary support. We have heard that there are 392 fewer specialists in schools, and we have heard from the cabinet secretary about record high spending. What is the Scottish Government going to do to assist families of autistic children so that they do not feel that they have to "fight the system"?

Jenny Gilruth: The member may be aware that the Education, Children and Young People Committee is currently carrying out an inquiry on this very issue, and those comments were discussed at the evidence session yesterday. I am very sympathetic to the points that Ms Martin has raised in relation to parents' experience of the current system.

In responding to the Morgan review, which was published back in 2020, the Scottish Government, in collaboration with the Convention of Scottish Local Authorities, committed to the additional support for learning action plan. We have been able to progress more than half of the actions contained in the plan, which include improving parents' and young people's experience of the system.

The member is right to say that we are investing in record numbers of pupil support assistants in our schools. However, the experience of parents is often challenging, and I look forward to engaging with committee members about their report, which I understand will be published in the coming weeks.

In the coming weeks, the Government will also publish our additional support for learning action plan review. I hope that that plan will identify further tangible steps that we can take to improve outcomes for our young people with additional support needs and to improve the system for our parents and carers, too.

The Deputy Presiding Officer: There are a couple of brief supplementary questions, and I ask for brief answers, if possible.

James Dornan (Glasgow Cathcart) (SNP): Will the cabinet secretary say more about the steps that the Scottish Government is taking to improve the support available to autistic learners and to equip teachers with guidance to support the inclusion of those learners?

Jenny Gilruth: As I said, we fund the national autism implementation team, which produces materials to support professional learning and development for practitioners working in the system. The NAIT has also developed a framework for assessment and planning to support multidisciplinary target setting for autistic children. That was written by allied health professionals, and it is fundamentally important that we recognise the link between health and education, which is another factor that we considered at the Education, Children and Young People Committee yesterday. We have also refreshed the autism toolbox, which provides school staff with professional advice and guidance on supporting the inclusion of autistic learners.

Sue Webber (Lothian) (Con): The education committee recently heard from May Dunsuir, the president of the health and education chamber of the First-tier Tribunal for Scotland, who highlighted the impact that masking is having on cases involving neurodivergent children. Will the cabinet secretary agree to work with Mr Whitfield and me, and with members of the education committee, to analyse the impact that masking is having on autistic and neurodivergent young people in schools and to look at how we can best support them?

The Deputy Presiding Officer: Please be as brief as possible, cabinet secretary.

Jenny Gilruth: I am happy to engage with the member on that issue. She should also recognise that the Government is committed to bringing forward legislation in that area. I think that the bill may offer some protection in relation to the issues that have been highlighted to the education committee.

School Transport Costs

7. Monica Lennon (Central Scotland) (Lab): To ask the Scottish Government what support it can provide to any local authorities that are struggling to meet the rising costs associated with providing school transport, so that children and young people can travel to school in a safe, efficient and affordable manner. (S6O-03238)

The Cabinet Secretary for Education and Skills (Jenny Gilruth): The Scottish Government is providing record funding of more than £14 billion to local authorities in 2024-25, including more than £600 million of additional revenue funding for day

to day services, including the provision of free home-to-school transport for eligible children.

It is the responsibility of individual local authorities to manage their budgets and to allocate the total financial resources available to them on the basis of local needs and priorities. Decisions about the provision of home-to-school transport services rest with local authorities.

Monica Lennon: Notwithstanding the funding that the cabinet secretary has mentioned, and without giving away our exact ages, the Education (Scotland) Act 1980 is older than me and the cabinet secretary and many people believe that the act's minimum home-to-school provisions are no longer fit for purpose.

Changing legislation takes time, but my young Lanarkshire constituents and their families need action right now. I am pleased that Jim Fairlie, who has ministerial responsibility for buses, has agreed to meet locally with me and some of those families. Many children now face difficult walks of up to six miles a day between home and school, which is not fair on those children, so we need to find solutions. Will the cabinet secretary agree to take part in those talks?

Jenny Gilruth: I am more than happy to engage with the member on that substantive point, although I place on record the fact that the issue that she raises is fundamentally a matter for the relevant local authority, which I hope she recognises.

The member cites the age of the legislation, but it is important that local authorities are encouraged to engage on the issue of school transport with the communities that they serve.

The Deputy Presiding Officer: There is a brief supplementary question.

Clare Haughey (Rutherglen) (SNP): I have been proud to stand with the local children, young people, parents and carers who have staged a brilliant campaign against South Lanarkshire Council's unsafe and unworkable proposals to increase the qualifying criteria for school bus provision.

The Scottish Government is providing South Lanarkshire Council with record funding this year, although the legacy of Labour's toxic private finance initiative continues, costing the council around £40 million every year.

With the school transport consultation now closing, will the cabinet secretary urge the Labour council in South Lanarkshire not to shirk its responsibilities, but to heed the concerns that communities have aired?

Jenny Gilruth: Although it is, as I said to Ms Lennon, ultimately up to the council to make local

decisions on how best to deliver its services, Clare Haughey is absolutely right that South Lanarkshire Council is receiving record funding from the Scottish Government. That includes more than £752 million to fund local services, which equates to an extra £46.6 million or an additional 6.6 per cent compared with the 2023-24 budget, as well as the council's share of the additional funding that the Deputy First Minister announced recently. There is, therefore, no financial reason for the council to take that unpopular decision. I am sure that people in South Lanarkshire will reflect on a Labour Party that is cutting front-line services and an SNP Government that is investing in communities.

Online Study (Support)

8. Russell Findlay (West Scotland) (Con): To ask the Scottish Government whether it will provide an update on what financial support is available to those in higher and further education who choose to study online. (S6O-03239)

The Minister for Higher and Further Education; and Minister for Veterans (Graeme Dey): Further education students who study through distance learning may be eligible for funds such as a tuition fee waiver if they receive certain benefits, are on a low income or have a disability, and they may be eligible to access support from discretionary funds. Eligible students can also access help with living costs in the form of education maintenance allowance and childcare support.

Higher education students who study through distance learning will typically be awarded tuition fee funding in the form of the part-time fee grant. Students may be eligible for discretionary funds and, if applicable, may apply for disabled students allowance.

Work is under way to review the financial support that is available as part of the wider reform work that is being undertaken.

Russell Findlay: A Renfrewshire constituent has turned his back on a corporate career to retrain as a Church of Scotland minister. The Scottish Government's Student Awards Agency Scotland refuses to pay his fees or give him a loan because his full-time University of Aberdeen course is all online, yet he is doing exactly the same work as those who attend in person. Can the minister tell my constituent and others who are in that position why they are being unfairly penalised and what the SNP Government will do to close that loophole?

Graeme Dey: The member raises a specific case. I would be happy to engage with him further, and if he provides additional detail I will look into that with SAAS.

The Deputy Presiding Officer: That concludes portfolio questions on education and skills. There will be a brief pause before we move on to the next item of business to allow those on the front benches to change positions.

Wildlife Management and Muirburn (Scotland) Bill: Stage 3

The Deputy Presiding Officer (Annabelle Ewing): The next item of business is a debate on motion S6M-12535, in the name of Jim Fairlie, on the Wildlife Management and Muirburn (Scotland) Bill at stage 3.

As members will be aware, the Presiding Officer is required under standing orders to decide whether, in her view, any provision of a bill relates to a protected subject matter—that is, whether it modifies the electoral system and franchise for Scottish parliamentary elections. In the Presiding Officer's view, no provision of the Wildlife Management and Muirburn (Scotland) Bill relates to a protected subject matter. Therefore, the bill does not require a supermajority to be passed at stage 3.

Before we move on to the debate, I call Shona Robison, Deputy First Minister, to signify Crown consent to the bill.

The Deputy First Minister and Cabinet Secretary for Finance (Shona Robison): For the purposes of rule 9.11 of standing orders, I advise the Parliament that His Majesty, having been informed of the purport of the Wildlife Management and Muirburn (Scotland) Bill, has consented to place his prerogative and interests, in so far as they are affected by the bill, at the disposal of the Parliament for the purposes of the bill.

The Deputy Presiding Officer: Thank you, Deputy First Minister. We will now move on to the debate. I invite members who wish to speak in the debate to press their request-to-speak buttons.

15:14

The Minister for Agriculture and Connectivity (Jim Fairlie): I am honoured to present to the Scottish Parliament my first bill as a minister, and to open the stage 3 debate on the Wildlife Management and Muirburn (Scotland) Bill.

As I said in my stage 1 contribution, my boyhood ambition was to get a glimpse of my favourite bird of prey, the peregrine falcon. Never for a moment did I believe that I would one day be standing in this chamber putting legislation through our Parliament that will, I hope, finally rid us of the scourge that has seen too many of those magnificent birds, and many others, disappear—the scourge of illegal persecution perpetrated by a tiny minority, who just do not accept that that will simply no longer be tolerated by Scottish society or the industry that they shame.

With over 10,000 responses to our two public consultations, from stakeholders and the public alike, the debate has generated great interest, and all sides have shown clear support for what the bill seeks to achieve.

The history leading up to the conclusion of the bill's process is long, and many should be thanked, from my friend and predecessor Roseanna Cunningham to Mairi Gougeon, Màiri McAllan and my immediate predecessor, Gillian Martin, who not only started the stage 2 process but has been and continues to be my wingwoman throughout the stage 3 proceedings, including today.

Finlay Carson (Galloway and West Dumfries) (Con): Although I join in the minister's congratulations on the efforts and work of his predecessors, does he not agree that that has led to problems with continuity—in particular, with parts of the bill such as those on snaring and glue traps—which has brought some uncertainty about the Government's position, right up to the very last minute?

Jim Fairlie: I put on record my thanks to the Rural Affairs and Islands Committee for its careful consideration of the bill, and I thank its members for all their hard work.

Each of the people who I just spoke about has played a significant role, and I put on record my grateful thanks to them all.

There were those who disagreed with the principles of the bill, but if the grouse-shooting community had shut down raptor persecution—stopped the killing of our most iconic birds of prey—we would not have had to legislate in this way. Sadly, that community did not shut it down, so it is now up to us to make sure that it does so. It is for that reason that the bill is before us today.

However, the issue is not just about raptor persecution. When the Scottish Government commissioned the Werritty review of grouse moor management, it asked for wider recommendations on how grouse moors could be managed more sustainably. On behalf of the Scottish Government, I thank Professor Werritty and the group for providing the recommendations that are the foundation of this bill and cover a breadth of topics, including muirburn and several other important matters.

The bill introduces licensing schemes for muirburn and for the taking of red grouse. There are measures to better protect animals by regulating the use of traps and giving enhanced powers to officers of the Scottish Society for the Prevention of Cruelty to Animals, to help them to support the police in their efforts to tackle wildlife crime.

We are—finally—banning the use of snares. We are banning not only the use of glue traps but their possession and sale—going further than any other country in the United Kingdom.

The bill has caused concern for folk who work legally and responsibly in moorland pursuits, and I completely understand that. However, I am clear that there should be no victory parade, and I reassure them that the Government recognises their economic contribution—and, just as important, their work in combating biodiversity loss and guarding against the risk of wildfires. We value that immensely. As often as not, keepers are on the front line beside our fire and rescue services, protecting local communities when fire breaks out. They are a highly skilled standing army of vital volunteers in our rural and remote areas—the very places that we are looking to protect—and I thank them for their continued efforts.

Throughout the progress of the bill, ministers and officials have worked hard to develop and improve its measures. At stages 2 and 3, we have sought to address the concerns that have been raised with amendments from Government and from members across parties, and I am pleased to have seen a willingness from everyone to find real solutions to the sometimes complex issues that have had to be addressed. Although we may not have agreed on everything, I hope that members see that we have tried to find a balance and common ground. That has helped us to achieve clarity and a workable bill, which has been made better through members listening to each other, and which the industry will embrace and ultimately benefit from.

I believe that we will all benefit from the bill. I am fully committed to continuing to listen to the concerns that have been raised about the detail of the coming schemes. I commit to working with people from all sides, and for those people to be fully involved in the work that NatureScot will now lead on to implement those schemes, not least to complete the development of the grouse moor and muirburn codes of practice that will accompany the bill.

Rachael Hamilton (Ettrick, Roxburgh and Berwickshire) (Con): I welcome the minister's confirmation on Tuesday that historical offences will not be a basis for revoking a licence that is granted under proposed section 16AA of the Wildlife and Countryside Act 1981. However, we would like some clarity on whether there will be a retrospective angle to the granting of such a licence. Would a historical offence be a lawful basis for refusing to grant a licence in the first place?

Jim Fairlie: That issue will be addressed by NatureScot as we go through the process that we have already talked about.

Amid a climate and biodiversity crisis, science and research are demonstrating to us all that some practices undertaken in the past, such as draining peatland, are harmful, despite the fact that—as Edward Mountain rightly pointed out—we thought that they were advantageous at the time. Oh, for the gift of hindsight. Others are simply no longer going to be tolerated.

The aims of the bill are not mutually exclusive. It is possible to manage wildlife while ensuring the highest standards of animal welfare. People who live and work on our land do so every day. It is possible to undertake muirburn in a manner that does not damage fragile ecosystems and brings positive benefits for rural communities. It is possible to support activities that contribute immensely to our rural economy, such as grouse shooting, while at the same time taking a zero-tolerance approach to raptor persecution and wildlife crime.

We may have our differences of opinion in the chamber, but one thing that I know for sure is that there is an unwavering commitment to protect our wildlife, support our rural businesses and protect our iconic moorlands. That is why the bill is so important.

If members vote to pass it today, we will vote to end the stain and the shame of raptor persecution, put animal welfare at the forefront of responsible land management, and support the hard-working people in our rural communities—those highly responsible grouse moor managers who manage their land in an environmentally sustainable manner that will give long-term security to them and their families.

I move,

That the Parliament agrees that the Wildlife Management and Muirburn (Scotland) Bill be passed.

15:21

Rachael Hamilton (Ettrick, Roxburgh and Berwickshire) (Con): I am pleased to speak to the Wildlife Management and Muirburn (Scotland) Bill at stage 3 on behalf of the Scottish Conservatives.

I take the opportunity to thank all stakeholders who provided evidence on what is a very complex and intricate piece of draft legislation. I also thank Marina Sinclair-Chin and Lucy Scharbert from the Scottish Parliament bills team for their extreme patience and efficiency. Last but not least, I thank the various ministers for meeting me. In total, four ministers have presided over the bill—which is quite a churn. I noted that Gillian Martin joked on X

with Jim Fairlie about how quickly she could send her bill folder off to her successor.

Scrutinising this bill has been an eye-opening experience for my colleagues and me. The extent to which the Scottish National Party-Green Government has ignored evidence and sidelined science has been, frankly, astonishing—but why should I have been surprised? After all, we have had a raft of bills and policies since the SNP has been in power that have been completely off the mark. Take gender recognition reform, the deposit return scheme, the Hunting with Dogs (Scotland) Act 2023, highly protected marine areas and the Hate Crime and Public Order (Scotland) Act 2021—which, of course, comes into force on April Fool's day. You could not make it up.

Members across the chamber will know that the catalyst for the bill was the Scottish Government's independent review of grouse moor management, chaired by Professor Alan Werritty. Since the publication of the review's report, ministers have been on the record saying that they are implementing the review's recommendations. At best, that is a gross mischaracterisation. Professor Werritty's review in 2019 was very clear that the licensing of grouse shooting—the flagship provision of this bill—should be implemented only if, within five years, the ecological favourability of grouse moors in relation to three key raptor species had not been improved.

Jim Fairlie: Would Rachael Hamilton not recognise that the Werritty review was brought in because of decades of raptor persecution, and that the Parliament, the Government and the public had finally lost patience?

Rachael Hamilton: I think that bringing forward a bill because people have lost patience is entirely the wrong way to do it. Legislation should be evidence and science led.

Jim Fairlie: It was.

Rachael Hamilton: It was not. *[Interruption.]*

The Deputy Presiding Officer: We do not want sedentary chit-chat, members.

Rachael Hamilton: Raptor persecution is at a historic low. I will come to that.

Let us be clear that ministers ploughed on with implementing the bill and, in effect, ignored the flagship recommendation of their own independent review, which was commissioned by ministers and cost £86,000. The disdain that this Government seems to have for evidence-led policy making and independent arbitration is, frankly, shocking.

Let us take another key section of the bill: the provision of enhanced powers for the SSPCA to investigate wildlife crime. Ministers commissioned an independent task force to consider whether the

SSPCA should be given enhanced powers. It concluded that the extension of such powers would not be appropriate without the institutional support of the police and the Crown Office. Yet, despite receiving a crystal-clear recommendation calling for partnership working over enhanced powers, yet again, ministers rode roughshod over it. What is the point of commissioning independent review after independent review if ministers ignore them?

In reality, SNP ministers do not care about the bill or the people who are set to be impacted by it. They do not care about independent arbitration, evidence-led policy making, and the wildlife that the bill is likely to affect. The bill is a shameful reflection of the Government's derision for rural Scotland. It is for all those reasons that the bill has ended up being conceptually flawed. Ministers appear to have no understanding of proportionality, which should be a central component of every bill that is put before the Parliament. In effect, a bill should go no further than is required to achieve its policy aim. Ministers' appetite for punishing landlords for anything and everything knows and sees no bounds—a fact that has crystallised in other legislation that has been passed in this place.

The Minister for Energy, Just Transition and Fair Work (Gillian Martin): No, it has not.

Rachael Hamilton: We know that the genesis of the licensing scheme comes down to one issue and one issue only: raptor persecution, the prevalence of which is, thankfully, now at a historic low. Raptor persecution was a problem on Scotland's grouse moors in the past, but it has been largely consigned to the history books, with on-going issues now limited to a tiny minority. To be clear, Scottish Conservatives condemn that minority, who should be punished with full force.

With a licensing—*[Interruption.]*

The Deputy Presiding Officer: Ms Hamilton, please take your seat. I have said already that I do not want sedentary chit-chat. Members, please have the courtesy to listen to the member who has the floor. In this instance, it is Ms Hamilton. I ask her to resume her contribution.

Rachael Hamilton: I am surprised. I would have thought that, with grouse shooting on the horizon, Shona Robison ought to be focused on tackling raptor persecution. Not so, Presiding Officer.

The SNP continues to demonise and penalise grouse moor operators at any cost. The bill—

The Cabinet Secretary for Transport (Fiona Hyslop): On a point of order, Presiding Officer.

Rachael Hamilton: —is a classic example of the tail wagging—

The Deputy Presiding Officer: Excuse me, Ms Hamilton. Fiona Hyslop has a point of order.

Fiona Hyslop: I understand that people feel strongly about the subjects of various debates, but on the matter of standing orders on respect for other colleagues, I point out that I have been sitting next to Ms Robison, who has not uttered a word since she spoke before the beginning of the debate. Such behaviour is creeping into debates too often. Your guidance would be gratefully received.

The Deputy Presiding Officer: I thank Ms Hyslop for her contribution. That is not a point of order, but the matter is on the record. I had already indicated to members on the Government front bench that they should not be engaging in sedentary conversations while another member had the floor. Notwithstanding my entreaty, that was ignored.

Ms Hamilton, please continue.

Rachael Hamilton: The bill is a classic example of the Green tail wagging the yellow dog. The antipathy of the Scottish Greens towards people who live in rural areas, landowners, landlords and virtually anyone else who has been remotely successful in their life knows no bounds. Country sports are like catnip for the Scottish Greens. We should be in no doubt that the disproportionality inherent in the licensing scheme is their doing, because SNP ministers are too weak to say no while rural Scotland again suffers the consequences.

At an event held by the British Association for Shooting and Conservation, the minister addressed a roomful of aspiring gamekeepers and told them that the bill addresses what society demands. This week, he doubled down on the snaring ban and said:

“We did not support the licensing scheme because of the overwhelming evidence that the public simply will not accept snares any more.”—[*Official Report*, 19 March 2024; c 40.]

That is not evidence, Mr Fairlie; it is the view of a weak SNP Government that is led by ideology. Ministers have taken a wrecking ball to the toolkit for effective predator control, which is likely to have dire consequences for nature, biodiversity and protection of livestock during lambing months.

I regret that I did not lodge an amendment to reflect the need for humane cable restraints to be used under licence during the lambing season or, indeed, a derogation from the total ban, to protect livestock and lambs. People who are opposed to that might argue that, if a farmer wants to reduce predation, he or she should consider lambing indoors. For many farmers, that simply is not practical. They might not have the facilities, or

their flock might have traditionally lamed outdoors.

The Deputy Presiding Officer: Ms Hamilton, you need to bring your remarks to a close, please.

Rachael Hamilton: Overall, the bill is the product of disinterested and unevidenced policy making, exacerbated by disproportionality in the flagship provision. Scottish Conservatives will always stand up for Scotland, and rural Scotland in particular. As such, we will not be supporting the bill at decision time.

15:29

Rhoda Grant (Highlands and Islands) (Lab): I, too, thank the clerks to the committee, all those who work for the committee and all those who gave evidence on the bill. I also thank the parliamentary staff who stayed late on Tuesday night to allow us to get through the stage 3 amendments.

This was an extremely difficult bill to scrutinise. We were handed a bill and told that major amendments would be added at stage 2, but at that time we did not realise that major amendments would also be dropped in at stage 3. That is not the way to make good legislation, and I fear that there will be consequences to the way in which the Scottish Government has handled the issue.

The regulation of grouse moors is not a new issue. The Government had time to legislate. Indeed, my colleague Peter Peacock raised the issue way back in 2010, during the passage of the Wildlife and Natural Environment (Scotland) Act 2011. It is not something that was raised only recently. However, it is a shame that behaviour regarding raptor persecution has not changed sufficiently in the intervening years. We are now licensing grouse moors because of that behaviour, and I hope that grouse moor owners realise that they are on notice. If illegal raptor persecution on grouse moors does not stop, I am sure that there will be further legislation.

I am not a fan of grouse moors. I cannot understand how someone gets pleasure from killing a living thing for sport. However, the bill is not about banning grouse moors; it is about putting them on notice. I was interested to learn from the evidence that we heard that other species, such as curlew, merlin and golden plover, thrive on grouse moors. There is something to be learned from the management of grouse moors about how we can provide habitats for those birds, to encourage their numbers and protect them in the future. A huge amount of knowledge on land and habitat management is held on those moors and we need to learn from that, regardless of our opinion of the purpose of grouse moors.

I have concerns about the amount of legislation that is coming through the Parliament, and this bill is no different. We are presided over by a Government that does not believe that it will ever lose power. Its back benchers do their masters' bidding, and I, for one, will have a wry smile when they cry foul, in opposition, when a new Government uses the powers bequeathed by them to carry out policies that are not to their liking. A wise Government legislates as though it is its last day in office and in the full knowledge that it will be required to keep future Governments in check. That is not about the balance of power; it is about legislating wisely and ensuring that there are checks and balances in place.

There is, of course, a need for enabling legislation on occasion, and muirburn is a case in point. The science is not clear. Wildfires on degraded peat with a large fuel load release huge amounts of carbon, as we saw in the devastation in Cannich last year. Does muirburn have the potential to protect peat from wildfires? We must ask that question, because we need to manage the fuel loads to ensure that wildfires are kept in check. However, we do not know the science—we have to be honest about that. Therefore, it is necessary to have the ability to adapt regulations. When scientific knowledge evolves, the regulations need to evolve, too, but that needs scrutiny and the bill does not allow for that.

I hope that the bill will provide a step change in how grouse moors are managed. Raptors should no longer be persecuted and grouse moors should be playing their role in protecting nature and the environment. I very much hope that that is what comes from the bill.

15:34

Beatrice Wishart (Shetland Islands) (LD): I am pleased to speak for the Scottish Liberal Democrats at stage 3 of the Wildlife Management and Muirburn (Scotland) Bill. As others have done, I offer my thanks to organisations that provided briefings and gave evidence, and to all who were involved in organising the stage 2 and stage 3 amendment processes. I extend my particular thanks to the clerks and supporting staff of the Rural Affairs and Islands Committee for their hard work.

From the beginning of the bill process, the Scottish Liberal Democrats have been broadly supportive of the legislation. We committed to implementing the recommendations of the grouse moor management group, which was chaired by Professor Werritty. We recognised the need for action to address raptor persecution and we noted that, although most estates on which red grouse are shot are run responsibly, there was not sufficient evidence that the situation regarding

raptor persecution had improved since the Wildlife and Natural Environment (Scotland) Act 2011 was passed. Wildlife crime and raptor persecution are never acceptable, and I hope that future reviews of the legislation will demonstrate its effectiveness in reducing instances of those crimes.

The bill introduces a licensing scheme for land that is used for the shooting of red grouse. At stage 1, I raised the concern that the bill would grant licences for only one year. That was at odds with the consensus from stakeholders and NatureScot that a longer licence period would be preferable and would correspond to similar schemes. I supported the amendment at stage 2 that changed the licence period to five years and improved that aspect of the bill.

The Scottish ministers are required by the bill to create two codes of practice—one relating to licences to shoot red grouse and one on how to make muirburn safely and appropriately. Both codes need to be workable and proportionate, and relevant stakeholders need to be involved in their creation.

There has been much debate about the use of an arbitrary depth measurement to define peatland in the bill. I am persuaded that, when done correctly, muirburn burns only the vegetation on top of the soil. I supported the addition of a requirement in the bill for the Scottish ministers to approve training courses on muirburn and the muirburn code. Under the new provisions, all those who conduct muirburn under licence will be trained. That should reassure those with concerns about muirburn that takes place on peatland.

I turn to other provisions in the bill. At stage 1, I noted my concern about evidence that the committee received on the lack of alternatives to glue traps and the potential impact of banning them on the ability to control rodents in public health settings. I welcome Scottish Government amendments that enable ministers to make a scheme for the authorisation of glue traps for the purpose of protecting public health. I trust that the Scottish Government will continue to engage with the industry as research into alternatives to glue traps develops, but I consider that that limited authorisation is necessary to safeguard against outbreaks in settings with enhanced public health risk.

It is important that there is monitoring and evaluation of any new law. I note the Scottish Gamekeepers Association's opposition to the banning of snares and its view that humane holding devices were not fully assessed. The bill's impacts must be evaluated to ensure that they are proportionate and fair. I supported amendments to include a review of the bill's operation and effectiveness. I ask the minister to give assurance

that the Scottish Government will bring forward changes if a review shows that they are needed.

I hope that the bill's process has brought a better understanding of the rural way of life as something to be valued. Those who work and live on the land have demonstrated their passion for our rural areas. Important discussions that affect rural areas need to engage all communities, and they must not just be viewed through an urban lens. I also hope that we can all agree that Scotland's unique countryside and wildlife are to be celebrated and protected.

The Deputy Presiding Officer: We will now move to the open debate.

15:38

Alasdair Allan (Na h-Eileanan an Iar) (SNP): As a member of the Rural Affairs and Islands Committee, I can confirm that the bill has been the subject of rigorous debate and scrutiny since it was first brought to the Parliament. Despite some of the more colourful comment, I believe that, in the end, the committee managed to steer some sort of middle path and improve the bill. At stage 3 this week, members have gone through the legislation in the chamber with a similarly fine-toothed comb.

As was pointed out at stage 1, the bill deals with subjects as disparate as raptor persecution and rat traps. I will deal with the latter first, as they were raised as an issue in amendments at stage 3 this week. The Government and the committee faced no simple task in reaching a workable solution. However, I hope that we have reached a reasonable solution this week by seeking to move glue traps out of use by the general public while retaining residual powers for the Government to deal with any scenario, such as an outbreak in a healthcare setting.

Perhaps a more substantial part of the bill's scope is that which deals with the issue of raptor persecution. Raptor persecution is, by its very nature and location, a crime largely committed without witnesses. I hope that the bill that we have put together provides the means that we need to finally tackle that issue more effectively. We certainly received much evidence that the criminal standard of evidence that currently applies around raptor persecution is proving virtually impossible to meet.

I do not doubt that the vast majority of land managers are working within the law. However, a licensing scheme around grouse moor estates is a proportionate response to ensuring that raptor persecution, where it happens, is tackled. Indeed, when so many other areas of activity operate via a licensing scheme, I think that such an approach is

a more proportionate response than some of the criminalising alternatives.

Snaring accounts for a substantial part of the bill. I believe that, with a ban on the use of snares, we are aligning Scotland's criminal law with that of other European nations.

On the issue of muirburn, the bill has been improved in a number of ways. A number of the amendments that were lodged at stage 2 recognised that not all the alternatives to muirburn were necessarily practical and that allowance should be made for that fact. I am pleased that an amendment in my name that made that point was accepted at stage 2. The committee heard evidence from a variety of sectors, including the crofting sector, that wanted to make sure that that and other issues would not be overlooked. I believe that in that area, as in other areas of the bill, improved wording has been arrived at.

There are areas of the bill that, for some interest groups, will always remain contended and contentious. That is the nature of any legislation that touches on biodiversity, animal welfare and land management practices. The bill addresses all those issues. However, it is a necessary and balanced measure that has been subjected to a process of rigorous scrutiny and improvement, and I believe that that means that we should vote for it now.

15:41

Finlay Carson (Galloway and West Dumfries) (Con): The catalyst for the bill was the review by Professor Werritty that reported in December 2019. Four years on, licensing schemes are to be introduced for grouse shooting, muirburn and wildlife traps.

Professor Werritty made it clear in his flagship recommendation that the matter of whether grouse shooting should be licensed was to be addressed in December 2024—five years on from the review's publication. It was envisaged that such a decision would be predicated on an assessment of the ecological favourability of grouse moor management with regard to golden eagles, hen harriers and peregrine falcons. However, ministers pressed ahead with their own interpretation of the recommendations without conducting sufficient assessment of the aforementioned ecological favourability. It is clear that that was not in the spirit of good, evidence-based policy making. Should we be surprised by that, given that rural communities feel increasingly marginalised by the SNP-Green Government's approach to traditional rural sectors, which is anecdotal rather than scientific?

I remind the chamber that the bill was intended to deter raptor persecution linked to grouse moor

management in Scotland. We are all united in our belief that raptor persecution is absolutely deplorable and that there is no place for it in modern-day society. The bill represented a fantastic opportunity to address that heinous crime, but it has fallen short, and it takes away some of the tools that are critical for good wildlife management.

Over the years, significant progress has been made in driving down raptor persecution, and I believe that we all recognise that that illegal activity is engaged in on only a tiny minority of grouse moors. Many moorland managers are doing incredible work in the name of conservation and are whole-heartedly committed to helping raptors to flourish. It is critical that the licensing of grouse shooting does not detract from the work of those operators who are doing everything right and more.

In a nature crisis, we cannot afford to compromise extensive private investment that has been shown to deliver decisive net gains for biodiversity through good moorland management. The bill will have a disproportionate effect on those who are doing tremendous things for conservation, who will ultimately hold licences to shoot grouse.

Grouse moors are being singled out—targeted, even—by ministers, and certainly by the Greens and Scottish Labour, who have a desire to bring an end to country sports. The bill gives the Scottish Government broad enabling powers to add further species to the licensing scheme. Constituencies such as mine are heavily reliant on the shooting of other types of game, including pheasant, red-legged partridge and duck. The possibility that those birds could be brought within the scope of the licensing scheme by regulation is extremely worrying, not least because the entire premise of the scheme is about deterring the persecution of raptors on grouse moors.

The mission creep that has taken place with the bill has been quite astonishing, and it is important that I and other Conservative members make it clear that the bill exceeds what it set out to do, including by banning glue traps and snares, which are measures that were added to the bill after it was introduced.

The Scottish Government knows just what is at stake if landowners that are investing in moorland management for grouse shooting decide to pack up and go home. It knows because it commissioned research in order to better understand the socioeconomic and biodiversity impacts of grouse moor management. The research could not have been clearer on the benefits that the sector brings to rural Scotland: more jobs per hectare than other comparable land use; the employment of gamekeepers, shepherds and countless seasonal workers in the form of

beaters, flankers, pickers-up and hospitality staff; and the highest level of local and regional spending compared to other land uses, stimulating rural businesses across the business divide, from garages to game dealers. It also benefits from no public subsidies, unlike some non-governmental organisations, in return for delivering the conservation of some of our most threatened upland birds, including curlew, lapwing, black grouse, oystercatchers and the golden plover. It is a sector that we need to support, not disincentivise.

In closing, I put on record my thanks to the committee clerks, committee members and all stakeholders I have had the privilege of engaging with about the bill. It has been an interesting experience to be at the sharp end of a topic that clearly divides opinion. Success now depends on NatureScot taking heed of the considered views of those who will, ultimately, have to obtain the licences.

15:46

Ariane Burgess (Highlands and Islands)

(Green): The legislation is a momentous step forward in the laws that protect the welfare of Scotland's wildlife. Raptor persecution was described by the late First Minister Donald Dewar, in the early days of the Parliament, as a "national disgrace". Today, we can take confidence that the window of opportunity has closed for those few individuals who continue to perpetrate crimes against our birds of prey and other wildlife. Indeed, since the Scottish Greens have been in the Parliament, we have demanded tougher penalties for those who commit wildlife crime and an end to blood sports and the wildlife management practices that are associated with them. Although the bill does not go as far as entirely outlawing grouse shooting, we should make no mistake that the robust licensing system will regulate the industry and the small number of people within it who have continued to flout the law.

The legislation was a fundamental component of the Bute house agreement, which brought the Scottish Greens into Government. It is built on the legacy of work by my Scottish Green colleagues past and present, who have campaigned with steadfast determination for a full ban on snares, tougher restrictions on the use of inhumane wildlife traps, increased powers for animal welfare inspectors, and restrictions on muirburn to address the climate emergency. All those measures have made it into the bill.

I will take a moment to highlight the important provisions that have been secured to extend the powers of Scottish SPCA inspectors. For more than a decade, shameful wildlife crimes have gone unpunished because of the difficulties that are

faced by the police in gathering evidence to secure prosecutions. Such crimes often occur in remote, isolated areas, with evidence having disappeared by the time that the police arrive on the scene. SSPCA inspectors, who may arrive earlier as part of their duties, have found themselves unable to take action on illegally set traps that are in the vicinity. The extension of SSPCA inspectors' powers to gather evidence to aid police prosecutions is a proportionate way forward. It will enhance the work of the police and should bring more of those who perpetuate wildlife crime to justice.

That progress could not have been achieved without the tireless work of stakeholders from animal welfare and environmental organisations. I extend personal thanks to the brilliant team at RSPB Scotland, the dedicated Revive coalition, Trees for Life, and third sector animal welfare champions including OneKind. The peatland programme of the International Union for Conservation of Nature also provided valuable impartial advice that was based on the latest science, which has certainly deepened my understanding of the vital importance of protecting our fragile peatland ecosystems.

The bill is a significant step forward in bringing Scotland's wildlife management into the 21st century. However, as with any legislation, there is more that I hope to see the Parliament act on in the future. The conversation on implementing ethical principles for wildlife control, which the Rural Affairs and Islands Committee started last year, during consideration of the Hunting with Dogs (Scotland) Bill, and continued in stakeholder evidence during stage 1 of this bill, should not end. There is more that the Government can do in the years ahead to implement those principles in a meaningful way.

Finlay Carson: Will the member give way?

Ariane Burgess: I am just about to wind up.

Members working on the bill have heard about the emerging science in the areas of raptor population recovery, about the control of wildfire, about the environmental impacts of muirburn, and about the restoration of peatland. An amendment in the name of Elena Whitham that was passed on Tuesday evening commits the Government to reviewing the legislation every five years. We should use the time between now and the first review to improve our evidence base and data sources and to ensure that the legislation continues to deliver for Scotland's wildlife and uplands for generations to come.

The Scottish Greens whole-heartedly support the bill, and I am proud to vote for it today.

15:50

Emma Harper (South Scotland) (SNP): I welcome the opportunity to speak in the stage 3 debate, not least because I am member of the Rural Affairs and Islands Committee and because I lodged a number of amendments to the bill at both stage 2 and stage 3. I very much appreciate the minister's help with that.

It has been interesting to be part of the scrutiny process for the bill, which supports wildlife management and muirburn. I will focus my comments mostly on birds of prey. Fundamentally, we know that—as members from all parties have stated—the illegal killing of Scotland's magnificent birds of prey cannot be tolerated. It is right, therefore, that the bill seeks to tackle the destructive minority who continue to commit those wildlife crimes.

As a representative of a large rural area in the South Scotland region, I think that it is important to put on record that the Scottish Government recognises the economic contribution of grouse shooting to Scotland's economy. Wildlife crime is abhorrent, reprehensible and unacceptable, and the persecution of birds of prey has no place in a modern Scotland. It is also completely at odds with work to address the biodiversity crisis, which is supported by many people and organisations across Scotland.

Rachael Hamilton: Will the member take an intervention?

Emma Harper: Presiding Officer, I do not know how much time there is for interventions.

The Presiding Officer (Alison Johnstone): We are very tight for time this afternoon.

Emma Harper: Okay—I will not take an intervention, then; I will keep going.

Raptor persecution is a serious problem in some parts of Scotland, particularly in areas that are linked to driven grouse shooting. We heard another report just four hours ago on STV about a missing hen harrier called Shalimar, which is the fourth bird to disappear suspiciously from the Angus glens.

Of the 131 tagged golden eagles that were analysed in the 2017 Fielding and Whitfield report on "Analyses of the fates of satellite tracked golden eagles in Scotland", 41 birds suspiciously disappeared and were assumed to have been killed. Since the report was published, RSPB Scotland has reported the sudden stop, or "no malfunction", of satellite tags of a further eight golden eagles, 21 hen harriers, five white-tailed eagles and a red kite on Scottish grouse moors. We also know that Merrick, the female golden eagle, who was translocated from the Angus glens to the South Scotland region, was reported

missing; she was last recorded on 12 October 2023 in an area of the Scottish Borders that is associated with grouse moor management.

The bill will include monitoring and reporting on, and improving, investigation powers for any incidents that are reported. The Scottish Government recognises that grouse shooting contributes immensely to the rural economy, and the bill is not about stopping that activity. It is interesting to note that, while we keep hearing that the Scottish National Party does not care about rural, there are 29 SNP members in the chamber and online, and only five Tories in the chamber and three online. It is interesting to see those numbers.

Rachael Hamilton: Will the member take an intervention?

Emma Harper: I have said that I am not taking any interventions.

It is worth repeating that the Scottish Government recognises that grouse shooting contributes immensely to the rural economy. For many years, conservation groups have reported the number of raptors over grouse moors to be lower than expected.

I will touch on one other issue, because I realise that we are short of time. The introduction of muirburn licensing—one of the subjects to which my amendments to the bill related—will ensure that muirburn is undertaken in a safe, environmentally sustainable manner in line with best practice. The licensing scheme will allow muirburn for a number of purposes, including preventing and reducing the risk of wildfires.

I know that time is really short, so I will conclude. The bill is important in ensuring that the balance between conservation, muirburn and wildlife management is supported and sustained. Finally, I thank the committee clerks, all the witnesses and colleagues for their input to the bill.

The Presiding Officer: We move to winding-up speeches.

15:54

Colin Smyth (South Scotland) (Lab): It has been a long stage 3 process, but it has been an even longer wait for action to disrupt the undeniable link between driven grouse moors and raptor persecution. Rhoda Grant reminded us that it is nearly 14 years since Labour member Peter Peacock lodged an amendment to the Wildlife and Natural Environment (Scotland) Bill that sought to establish licensing. It was dismissed at the time by the SNP as being “too far reaching”. When I look back at the dozens of unsuccessful amendments that I have lodged to the Wildlife Management and Muirburn (Scotland) Bill, I am comforted by the

fact that Parliament eventually gets round to agreeing with Labour.

I suspect that the exception to that will be the Conservatives, if their contributions to this debate are anything to go by, with their warnings of Armageddon for rural Scotland, simply as a result of licensing. The truth is that they do not speak for rural Scotland on the issue. Rural Scotland overwhelmingly backs the reforms and, in fact, rural Scotland wanted to go further, as polling has shown. The bill could and should have been better, but it was not.

If the Conservatives' contributions have been many and noisy, I have to say that I am disappointed at the silence of the Greens throughout the process. Not one amendment to the bill was pressed by a single Green MSP. Many amendments to improve animal welfare were lodged but, on every occasion, the Scottish Greens voted with the Tories against them—and against the very views of the animal welfare charities that Ariane Burgess listed earlier. Has a party ever voted—

Mark Ruskell (Mid Scotland and Fife) (Green): Will the member give way on that point?

Colin Smyth: Absolutely.

Mark Ruskell: I do not know whether Colin Smyth has recognised that the Greens are now a party of government. We have been influencing and working on the bill for some time, including in respect of the important provision of SSPCA powers that probably would not be in the bill had it not been for the Bute house agreement and the amazing work that the Government has done on the back of that.

Colin Smyth: The reality is that Mark Ruskell fails to explain why, when we had stage 2 and stage 3 amendments, he took the whip from Edward Mountain more than he listened to the animal welfare charities. Dozens of amendments were lodged, and Mr Ruskell voted against every one of them. [*Interruption.*] He thinks that it is amusing that we cannot have the improvements to the bill that could have been achieved if his party had stuck to its policies and principles.

I thank those who stuck to their principles and campaigned for reform for so long, including the Revive coalition members—OneKind, League Against Cruel Sports, Raptor Persecution UK, Common Weal, Friends of the Earth—and charities such as RSPB, the SSPCA and Scottish Badgers. It was their tenacity, persistence and determination that led to the bill in the first place. It is a bill that will end the cruelty of snaring; call time on the barbaric use of glue traps; properly utilise the immense skills, professionalism and experience of the SSPCA in the battle against wildlife crime; and pave the way for the long-

overdue licensing of traps and of muirburn on our grouse moors.

I am sorry that we did not succeed in making the bill stronger, and it will remain a mystery to me as to why Green and SNP MSPs joined the Tories to block even modest improvements, such as the recording of the numbers and species killed, to improve our understanding of species biodiversity. We also have to be honest that the bill will not end the mass killing of one animal to protect another solely for the purpose of subsequently killing that animal for sport—the “circle of destruction” that Revive described.

I also thank those who will feel that the bill goes too far. Groups such as BASC, the Scottish Gamekeepers Association and Scottish Land & Estates suggested a number of constructive changes to improve the workings of the bill, and we backed some of those changes.

I know that, with their skills and experience, it will be our land managers, gamekeepers and others who work the land who will implement the legislation and continue to manage and protect our countryside. They have absolutely nothing to fear from the bill and what is a modest, overdue licensing scheme that will protect the innocent and start to rid the grouse moor industry of the minority that brings it into disrepute.

The Presiding Officer: You must conclude, Mr Smyth.

Colin Smyth: Those people who think that it is acceptable to illegally shoot, trap and poison protected birds of prey on our grouse moors are the only ones who should fear the bill. I hope that, as a result of the bill, their time will, at long last, be well and truly up.

15:59

Edward Mountain (Highlands and Islands) (Con): Where do I start? The debate has been heated, but I do not think that anyone in the chamber would sanction or approve any shape or form of wildlife persecution: it is just not on. I have made the point on numerous occasions that it needs to stop. A selfish and stupid few carry it out. I am happy to put that on the record.

I thought that I was going to enjoy talking about a subject that has taken up a huge period of my life. I have enjoyed engaging with the committee and with some of the groups that sought to change activities that I have been involved in during my life. Most of those engagements have been good natured, although we have agreed to disagree. I hope that, as we progress, dialogue can continue on an open and frank basis.

The bill's progress has been unusual; a new section was added at stage 2, which I always think

is not good for parliamentary procedure. We have, unfortunately, had a change of ministers, although I understand the reason for that. We heard a minister arguing against his own amendments at stage 2, which I found quite odd. When he was challenged about it the other day in the chamber, the minister said that since becoming a minister, his eyes had been opened and he is aware of more figures. It is a pity that that was not the case during stage 2.

I will talk only briefly about glue traps, because I understand that my time is short. At stage 3, we saw an about-turn on glue traps. It has been a bit of a rollercoaster ride. I am disappointed, in some respects, that we are where we are with glue traps. I hope that the minister will bear it in mind that there are plenty of places where it is not appropriate to use rodenticides—certainly their use is not appropriate in schools, hospitals and restaurants. We do not want dead rats and mice lying around. People who have smelled them when they have been under floorboards could have been put off more than just their dinner. Glue traps are something that we should consider.

I am disappointed in respect of snaring. I make no bones about the fact that removing snaring as a tool is regressive and will end up bringing firearms closer to conurbations. That is bad news. It will also make it very difficult to control rabbits. For example, in one particular patch that I managed, in one year alone we had to kill 12,000 rabbits to maintain and look after designated habitats.

As far as trapping generally is concerned, there are bits of the bill with which I am unhappy. I welcome the Government's point about damage to traps. That was helpful, and I hope that the Government will ensure that it follows through on that.

I remain deeply concerned in relation to muirburn. Everyone thinks that muirburn is done to promote grouse shooting, but it is absolutely not done purely for grouse shooting. As Kate Forbes said during stage 2, muirburn is vital for protecting communities and making sure that there is not a heavy fuel load within and close to habitation.

Muirburn is also about managing the vegetation on a hill, and not just for grouse. Other species need long rank heather to nest in—hen harriers prefer to nest on burn edges where there is longer heather. However, to allow them to do well on the moor, they need prey species, such as grouse or other birds that benefit from shorter heather. Eagles also probably benefit from shorter vegetation that hares can go in.

I urge the minister to monitor carefully the effects of muirburn on all wildlife—it is not just about grouse—and, if necessary, to come back

with amendments at a later stage to make it easier to carry out muirburn to benefit management of our high hills.

To conclude, I say that I found one thing amusing in the debate—the justification for making something that was already illegal, illegal, in case anyone illegally makes it legal in the future. That was the argument that the minister put in relation to making traps for killing birds illegal.

The Presiding Officer: You must conclude.

Edward Mountain: That twisted logic perhaps defines much of the bill.

16:04

Jim Fairlie: As I close the debate, I again thank the Rural Affairs and Islands Committee and the Parliament, especially the committee clerks and the members who have spoken today, as well as all the organisations that have contributed to the debate.

At the inception of the Scottish Parliament, it was hailed as “the people’s Parliament”. The levels of engagement and participation in this bill and many other bills demonstrate how much better legislation is when the Government and the people engage to get it right. I thank everyone who has done that in order to get us to where we are today. I will aim much of my closing speech at those who are listening now.

My final thanks are probably the most important. The only way that this very new minister was able to manage a stage 2 with 23 groupings and more than 200 amendments, and a stage 3 with 15 groupings and more than 100 amendments, was by having an absolutely brilliant team, supported by outstanding policy and legal officials, who have helped me every step of the way in navigating the complexity of making complex law. They do all the heavy lifting: I am not sure that many members in the chamber really realise just how hard Scotland’s civil servants work in the service of Scotland. I give them my thanks for their expertise, their diligence and, most of all, their patience.

Because my entire adult life has, until recently, been bound by the rhythms of nature, the ebb and flow of seasons, the understanding of new life and, of course, the acceptance of death as a reality of our natural environment, it is perhaps fitting that this has been my first bill as a minister. It is vital that part of the Scottish Government’s wider programme of work is to protect and restore our wildlife, biodiversity and natural environment. The bill builds on the strong foundations of the Animals and Wildlife (Penalties, Protections and Powers) (Scotland) Act 2020 and the Hunting with Dogs (Scotland) Act 2023, which we passed last year.

I remember being brought up in a council housing estate in Perth before, as a young man, going to spend more than 30 years working on the land. I have always had love and a passion for our countryside and the wildlife that we share with it. I have lived through some great highs and very real lows in my farming career. I would like to touch on that briefly and make a comparison for the folk whom we rely on now to manage our landscapes.

Today, most folk in our country and, most certainly, in this Government absolutely get that farmers play a vital role in our society and in serving the nation, by providing the raw products for feeding us and generating income that we spend more widely, and by enhancing our environment and working with nature. A new agriculture reform law will do even more to strengthen that symbiotic relationship and the respect that we have for each other, and to cement that absolutely vital relationship.

It was not so long ago that farmers were seen as the villains. The occurrence of BSE, “Frankenstein foods” and foot-and-mouth disease had the industry on the rack, with farmers feeling as though they were public enemy number 1. As a young shepherd with a very young family in a tied house, I was well aware of the anxiety that that uncertainty could bring. During work on the bill, we have been reminded of the uncertainty that hangs over a group of rural workers with regard to housing. The Minister for Housing has agreed to meet me to discuss that issue, so I will revisit it at a later date.

Through farmers’ engagement with the public, the telling of positive stories and reminding folk of the good work that farmers do, the narrative started to change, and attitudes changed with it. We now have a healthy relationship between farmers and consumers, which should be celebrated and continued. That is an opportunity that the passing of the bill affords rural practitioners on grouse moors and in game businesses. It is a demonstration that the industry is regulated and that regulation is adhered to by hard-working responsible people who love the natural environment as much as, if not more than, the rest of us do. That should be celebrated.

If the BBC can get blockbuster viewing figures from the farming heroes in “This Farming Life”, could it not do the same with environmental heroes in a programme called “This Moorland Life”? It could do worse than to start off with the aforementioned Dee Ward of the Rottal estate, who is, as I have already stated, doing amazing work.

When taking the bill forward, the Government and all the ministers who have helped in its passage have been clear that balance is the key to making the legislation work for all. Our aim was

clear: the tiny number of bad apples should be weeded out. We will consider our burnings far more. We will have the highest standards of animal welfare, thereby demonstrating that the industry will do its job better than anyone could have imagined was possible. The industry will gain the respect that it so richly deserves by being the custodian of the landscape and of the standards that society expects and wants.

I urge the industry to grab this opportunity and to make it its quest to be recognised—not just in Scotland, but across the world—as the beating heart of an environment that we can all be proud of for generations to come.

For the benefit of our environment, our wildlife and our rural communities, I urge all members to agree to the Wildlife Management and Muirburn (Scotland) Bill today.

Parliamentary Bureau Motion

16:09

The Presiding Officer (Alison Johnstone):

The next item of business is consideration of Parliamentary Bureau motion S6M-12592, on committee membership.

Motion moved,

That the Parliament agrees that—

Meghan Gallacher be appointed as a member of the Constitution, Europe, External Affairs and Culture Committee; and

Tim Eagle be appointed to replace Jeremy Balfour as a member of the Delegated Powers and Law Reform Committee.—[George Adam]

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

Decision Time

16:10

The Presiding Officer (Alison Johnstone):

There are two questions to be put as a result of today's business. The first question is, that motion S6M-12535, in the name of Jim Fairlie, on the Wildlife Management and Muirburn (Scotland) Bill, be agreed to. As it is a motion to pass the bill at stage 3, the question must be decided by division. There will be a short suspension to allow members to access the digital voting system.

16:10

Meeting suspended.

16:12

On resuming—

The Presiding Officer: The question is, that motion S6M-12535, in the name of Jim Fairlie, on the Wildlife Management and Muirburn (Scotland) Bill, be agreed to. Members should cast their votes now.

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)
 Boyack, Sarah (Lothian) (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)
 Dornan, James (Glasgow Cathcart) (SNP)
 Dunbar, Jackie (Aberdeen Donside) (SNP)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 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)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Neil (Airdrie and Shotts) (SNP)
 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)
 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)
 Martin, Gillian (Aberdeenshire East) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 McAllan, Màiri (Clydesdale) (SNP)
 McArthur, Liam (Orkney Islands) (LD)
 McKee, Ivan (Glasgow Provan) (SNP)
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 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) (Alba)
 Rennie, Willie (North East Fife) (LD)
 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)
 Stevenson, Collette (East Kilbride) (SNP)
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Sweeney, Paul (Glasgow) (Lab)
 Swinney, John (Perthshire North) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Whitfield, Martin (South 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)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Dowey, Sharon (South Scotland) (Con)
 Eagle, Tim (Highlands and Islands) (Con)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Findlay, Russell (West Scotland) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallacher, Meghan (Central Scotland) (Con)
 Golden, Maurice (North East Scotland) (Con)
 Gosal, Pam (West Scotland) (Con)
 Greene, Jamie (West Scotland) (Con)
 Gulhane, Sandesh (Glasgow) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Hoy, Craig (South Scotland) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Kerr, Stephen (Central Scotland) (Con)

Lumsden, Douglas (North East Scotland) (Con)
 McCall, Roz (Mid Scotland and Fife) (Con)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Ross, Douglas (Highlands and Islands) (Con)
 Simpson, Graham (Central Scotland) (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 Presiding Officer: The result of the division on motion S6M-12535, in the name of Jim Fairlie, on the Wildlife Management and Muirburn (Scotland) Bill, is: For 85, Against 30, Abstentions 0.

Motion agreed to,

That the Parliament agrees that the Wildlife Management and Muirburn (Scotland) Bill be passed.

The Presiding Officer: The final question is, that motion S6M-12592, in the name of George Adam, on behalf of the Parliamentary Bureau, on committee membership, be agreed to.

Motion agreed to,

That the Parliament agrees that—

Meghan Gallacher be appointed as a member of the Constitution, Europe, External Affairs and Culture Committee; and

Tim Eagle be appointed to replace Jeremy Balfour as a member of the Delegated Powers and Law Reform Committee.

The Presiding Officer: That concludes decision time.

Meeting closed at 16:15.

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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