



OFFICIAL REPORT
AITHISG OIFIGEIL

DRAFT

Meeting of the Parliament

Tuesday 7 May 2024

Session 6



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Pàrlamaid na h-Alba

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Tuesday 7 May 2024

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Scottish Parliament

Tuesday 7 May 2024

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

Time for Reflection

The Presiding Officer (Alison Johnstone): Good afternoon. The first item of business is time for reflection, and our time for reflection leader today is Rabbi Eliran Shabo, who is honorary Jewish chaplain for the Scottish universities.

Rabbi Eliran Shabo (Honorary Jewish Chaplain for the Scottish Universities): Presiding Officer and members of the Scottish Parliament, thank you very much for the opportunity to address you today.

Two weeks ago, Jews worldwide celebrated Passover, commemorating the Exodus and the end of centuries of Israelite slavery in Egypt. The less familiar part comes the following day: the counting of the 49 days of Omer until the next Jewish festival, Shavuot, which is the celebration of receiving the Torah, the Jewish law. While this tradition appears in the Torah as a commandment from God, Rabbi Nisim from Girondi, a Torah commentator from 14th century Spain, claimed that the Israelites started to count spontaneously and anticipatorily.

This counting is quite unique. First, we count up, not down. Today, for instance, is the 14th day of counting. Secondly, we count with anticipation for law, for meaning and responsibility. Rabbi Lord Jonathan Sacks, the former chief rabbi of the United Kingdom, explained that when a nation of slaves receives freedom, they might be physically free, but they are still not a free society. In his words,

“A free society requires restraint and the rule of law. There is such a thing as a constitution of liberty.”

Hence, we need to grow and develop in preparation for the next step, for receiving responsibility and understanding the meaning of our lives. In these 50 days of counting, we prepare ourselves daily; we consider how to be better and how we can improve our deeds. Indeed, you may refer to these days as “time for reflection”.

It is not a coincidence that these days of counting come at the beginning of spring—a season of renewal marked by blossoming life and the promise of abundant harvests. Farmers anticipate the harvest, hoping that this season will be fruitful and profitable. There is a daily process of observation and growing, in nature as in ourselves.

The counting of the Omer teaches us to set a positive goal and to prepare accordingly. It also teaches us that the celebration of freedom is tied to celebration of responsibility. In past generations, when freedom was taken away from our ancestors they remained free in their minds, as they already held the manifestation of it in their hearts.

In conclusion, as we reflect on the significance of counting the Omer and the journey from slavery to freedom, let us remember that true liberation is not merely the absence of chains, but the embrace of responsibility and the pursuit of meaning.

May this season of growth and introspection inspire us all to cultivate a society that is founded on the principles of justice, restraint and the rule of law.

Business Motion

14:03

The Presiding Officer (Alison Johnstone):

The next item of business is consideration of business motion S6M-13118, in the name of George Adam, on behalf of the Parliamentary Bureau, on changes to the business programme.

Motion moved,

That the Parliament agrees to the following revisions to the programme of business for—

(a) Tuesday 7 May 2024—

delete

followed by Stage 1 Debate: Welfare of Dogs (Scotland) Bill

and insert

followed by Personal Statement: Humza Yousaf

3.00 pm Selection of First Minister

(b) Wednesday 8 May 2024—

delete

2.00 pm Portfolio Questions:
Rural Affairs, Land Reform and Islands;
NHS Recovery, Health and Social Care

followed by Scottish Conservative and Unionist Party Business

and insert

2.00 pm Portfolio Questions:
Rural Affairs, Land Reform and Islands;
NHS Recovery, Health and Social Care;
Social Justice

followed by Scottish Conservative and Unionist Party Debate: Implementing the Cass Review in Scotland

followed by Scottish Conservative and Unionist Party Debate: Supporting Scotland's Colleges

delete

5.10 pm Decision Time

and insert

5.35 pm Decision Time

(c) Thursday 9 May 2024—

delete

2.30 pm Parliamentary Bureau Motions

2.30 pm Portfolio Questions:
Social Justice

followed by Ministerial Statement: 2024-25 Finance Update Following UK Government Spring Budget

followed by Scottish Government Business

and insert

2.00 pm Parliamentary Bureau Motions

2.00 pm Appointment of Scottish Ministers

followed by Legislative Consent Motion: Data Protection and Digital Information Bill - UK Legislation

followed by Stage 1 Debate: Welfare of Dogs (Scotland) Bill—[George Adam.]

The Presiding Officer: I call Douglas Ross to speak to and move amendment S6M-13118.1.

14:04

Douglas Ross (Highlands and Islands) (Con):

Exactly a week ago, I stood here and asked the Scottish Government, now a minority in the Parliament, to work with others, and I did so to seek just one thing: for us to stay behind by just 30 extra minutes, last Tuesday, to get an urgent statement from the Lord Advocate. Last week, Scottish National Party and Green members voted that down. I hope that, this week, they will support this proposal. This is a genuine request to get an update not just from the head of the Crown Office and Procurator Fiscal Service but from a member of the Scottish Government Cabinet.

We last heard from the Lord Advocate in January, when she made a statement to Parliament and was questioned by MSPs. During the statement, she was clear that exonerating everyone—a mass exoneration of everyone who was convicted under the Horizon scandal—was not, in her view, the correct course of action. We are now into May and we do not know whether the Lord Advocate still holds that view or whether her opinion has changed.

We now know that, in just a matter of weeks, this Parliament will be asked, on 21 May, to debate and vote on stage 1 of the Scottish Horizon legislation in Holyrood. The next day, 22 May, we will debate stage 2 as a Committee of the Whole Parliament. How can we go into that important legislative process without knowing the position of the most senior law officer in Scotland?

Last week, when I raised the issue, George Adam said:

“There is no clarity needed. The Scottish Government has repeatedly made clear its position that proposed legislation”—[*Official Report*, 30 April 2024; c 6.]

on the Horizon scandal will be introduced. What is not clear is whether the Lord Advocate agrees with the Scottish Government's position. I do not think it too much for this Parliament to ask for the Lord Advocate to come to this chamber to outline her position and answer questions about it.

We know that questions on the issue are due at First Minister's question time this week. Pauline McNeill has a question on the issue at FMQs.

Pauline McNeill (Glasgow) (Lab): Will the member take an intervention?

Douglas Ross: I will give way shortly. That shows how important it is across the parties that we get a response on the issue.

Pauline McNeill: The member will be aware that there was a five-year period in which the suspicions about the Horizon system were known. He will also be aware that no victims were contacted who had previously been prosecuted. Does the member agree that, given its actions, the Crown Office, which should have known through the Second Sight Investigations report that there were system flaws, should be fully accountable to this Parliament?

Labour is happy to support the amendment to the business motion.

Douglas Ross: I very much welcome the support from Pauline McNeill and the support that we got from Labour and the Liberal Democrats last week. I will be listening with interest to her question and the responses on Thursday.

Is it really too much to ask for this Parliament to sit for an additional 30 minutes tonight? Indeed, I think that we might even finish early this evening. Is 30 minutes too much to ask to allow sub-postmasters in our constituencies and regions across Scotland to hear from the Lord Advocate on whether she still does not believe that mass exoneration is the right approach or whether she thinks that that is now the correct approach and has advised so in relation to the legislation that is coming up in just a couple of weeks?

I am encouraged that the SNP wants to work across the political spectrum. I was disappointed seven days ago that it voted down my reasonable amendment to the business motion. I hope that the SNP will reconsider today, and that it will vote with other parties in this Parliament to hear from the Lord Advocate, to allow that scrutiny from Parliament and, importantly, to give the answers that our sub-postmasters not only need but absolutely deserve.

I move amendment S6M-13118.1, after “3.00 pm Selection of First Minister” to insert:

“followed by Statement by the Lord Advocate on Post Office Horizon Prosecutions

delete

5.00 pm Decision Time

and insert

5.30 pm Decision Time”.

The Presiding Officer: I call George Adam to respond on behalf of the Parliamentary Bureau.

14:08

The Minister for Parliamentary Business (George Adam): As I said last week, the most

important people in this are the families and those who suffered because of the decisions that the Post Office made. That is who we must all think of when we are dealing with the issue. I mentioned last week that that is the reason why we are introducing legislation, so that we can ensure that they have that protection and that they know that the horror of what has happened to them has come to an end.

The Parliamentary Bureau is aware that important protocols must be followed in relation to the introduction of legislation. Following the period of pre-introduction scrutiny, the bill is expected to be introduced on 14 May and published by Parliament on 15 May. Current expectations are that stage 1 will be on 21 May and that stage 2 will be on 22 May. That will allow MSPs the opportunity to see the terms of the Scottish bill ahead of stage 1, and there will be the process that Mr Ross mentioned.

Douglas Ross: Given that that important process is now just a matter of weeks away, can the minister confirm that the Parliament will hear from the Lord Advocate, for the first time since January, before the bill is introduced, to allow us to understand whether she still believes that there should be no mass exoneration of sub-postmasters or whether she has changed her mind?

George Adam: I appreciate Mr Ross’s tone this week. Once again, we have to think of the families outside the Parliament who are dealing with this issue. They want to know that we will create legislation that will make a difference and a change by bringing to an end some of the issues.

Stage 3 of the bill will follow as soon as the United Kingdom bill is finalised, so that any changes can be considered and, when appropriate, reflected in the Scottish bill. Timings will be kept under review, given the uncertainty around the timing of the UK bill.

It is important that everybody knows that we will be going through a process that will allow members to ask questions and will ensure that, finally, the people affected and their families have an end to something horrible that was brought about by the Post Office in the UK.

The Presiding Officer: The question is, that amendment S6M-13118.1, in the name of Douglas Ross, which seeks to amend motion S6M-13118, in the name of George Adam, on behalf of the Parliamentary Bureau, on changes to the business programme, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

There will be a short suspension to allow members to access the digital voting system.

14:11

Meeting suspended.

14:16

On resuming—

The Presiding Officer: The question is, that amendment S6M-13118.1, in the name of Douglas Ross, be agreed to. Members should cast their votes now.

The vote is closed.

For

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Balfour, Jeremy (Lothian) (Con)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Briggs, Miles (Lothian) (Con)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Choudhury, Foyso (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Dowey, Sharon (South Scotland) (Con)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Eagle, Tim (Highlands and Islands) (Con)
 Findlay, Russell (West Scotland) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallacher, Meghan (Central Scotland) (Con)
 Golden, Maurice (North East Scotland) (Con)
 Gosal, Pam (West Scotland) (Con)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Greene, Jamie (West Scotland) (Con)
 Griffin, Mark (Central Scotland) (Lab)
 Gulhane, Sandesh (Glasgow) (Con)
 Hoy, Craig (South Scotland) (Con)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lumsden, Douglas (North East Scotland) (Con)
 Marra, Michael (North East Scotland) (Lab)
 McArthur, Liam (Orkney Islands) (LD)
 McCall, Roz (Mid Scotland and Fife) (Con)
 McNeill, Pauline (Glasgow) (Lab)
 Mochan, Carol (South Scotland) (Lab)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 O'Kane, Paul (West Scotland) (Lab)
 Regan, Ash (Edinburgh Eastern) (Alba)
 Rennie, Willie (North East Fife) (LD)
 Ross, Douglas (Highlands and Islands) (Con)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Simpson, Graham (Central Scotland) (Con)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Smyth, Colin (South Scotland) (Lab)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Sweeney, Paul (Glasgow) (Lab)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 White, Tess (North East Scotland) (Con)
 Whitfield, Martin (South Scotland) (Lab)
 Whittle, Brian (South Scotland) (Con)
 Wishart, Beatrice (Shetland Islands) (LD)

Against

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

Whitham, Elena (Carrick, Cumnock and Doon Valley)
(SNP)
Yousaf, Humza (Glasgow Pollok) (SNP)

The Presiding Officer: The result of the division on amendment S6M-13118.1, in the name of Douglas Ross, is: For 55, Against 70, Abstentions 0.

Amendment disagreed to.

The Presiding Officer: The next question is, that motion S6M-13118, in the name of George Adam, on behalf of the Parliamentary Bureau, on changes to the business programme, be agreed to.

Motion agreed to,

That the Parliament agrees to the following revisions to the programme of business for—

(a) Tuesday 7 May 2024—

delete

followed by Stage 1 Debate: Welfare of Dogs
(Scotland) Bill

and insert

followed by Personal Statement: Humza Yousaf
3.00 pm Selection of First Minister

(b) Wednesday 8 May 2024—

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2.00 pm Portfolio Questions:
Rural Affairs, Land Reform and Islands;
NHS Recovery, Health and Social Care

followed by Scottish Conservative and Unionist
Party Business

and insert

2.00 pm Portfolio Questions:
Rural Affairs, Land Reform and Islands;
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Social Justice

followed by Scottish Conservative and Unionist
Party Debate: Implementing the Cass
Review in Scotland

followed by Scottish Conservative and Unionist
Party Debate: Supporting Scotland's
Colleges

delete

5.10 pm Decision Time

and insert

5.35 pm Decision Time

(c) Thursday 9 May 2024—

delete

2.30 pm Parliamentary Bureau Motions

2.30 pm Portfolio Questions:
Social Justice

followed by Ministerial Statement: 2024-25 Finance
Update Following UK Government
Spring Budget

followed by
and insert

2.00 pm

2.00 pm

followed by

followed by

Scottish Government Business

Parliamentary Bureau Motions

Appointment of Scottish Ministers

Legislative Consent Motion: Data
Protection and Digital Information Bill -
UK Legislation

Stage 1 Debate: Welfare of Dogs
(Scotland) Bill

Topical Question Time

14:19

NHS Dumfries and Galloway (Data Breach)

1. Colin Smyth (South Scotland) (Lab): To ask the Scottish Government what its response is to reports that a large volume of data has been published on the dark web, following the recent cyberattack on NHS Dumfries and Galloway. (S6T-01965)

The Cabinet Secretary for NHS Recovery, Health and Social Care (Neil Gray): The Scottish Government is working with NHS Dumfries and Galloway, Police Scotland and other agencies, as we have done since we were first alerted to the cyberattack, to assess the level of the breach and the implications for the individuals concerned.

At my request, NHS Dumfries and Galloway has briefed local MSPs on the situation and issued a statement to staff and the public. A dedicated telephone helpline is now open to the public, and the Scottish Government continues to provide support to the board as it deals with the on-going situation and the live police investigation.

Colin Smyth: There is nothing more personal than someone's medical data, so this serious development will be deeply worrying for patients and staff of NHS Dumfries and Galloway, who will all be asking whether the breach affects them and their loved ones.

NHS Dumfries and Galloway now knows what data files have been released, and that they include a substantial amount of data, including on children's health. We also know, however, that it will take time for the board to work through its data to identify which individuals are affected. Given how important it is to identify any vulnerable people who might be impacted by the breach, what specific resources is the Scottish Government providing to NHS Dumfries and Galloway to ensure that the search of data is conducted as quickly as possible and that individuals are identified and supported?

Neil Gray: I thank Colin Smyth for his question, and I concur with him that for patients and staff across NHS Dumfries and Galloway the incident is very personal and it is a very worrying time. I accept and acknowledge that.

As I mentioned, I am limited in what I can say. However, I can inform Colin Smyth that the Scottish cyber co-ordination centre within the Scottish Government has stood up the Scottish multi-agency cyber incident support arrangements. Those arrangements bring together national agencies, including the National Cyber Security

Centre, Police Scotland, the National Crime Agency, the NHS Scotland cyber security centre of excellence and Scottish Government policy leads, to support NHS Dumfries and Galloway to respond to and recover from the incident.

In addition to providing practical advice and support, the Scottish Government has alerted the wider public sector to the incident and has shared relevant information. That will, I hope, enable public sector organisations to take preventative steps to defend themselves against similar attacks.

Colin Smyth: The ransom demands from the perpetrators of the cyberattack were never going to be met, so it was always highly likely that they would follow through on their threats to release the data and cause maximum disruption and distress. Now that the data is on the dark web, what assessment has the Government made of the likelihood of other criminals being able to access the information, notwithstanding how challenging that is, and then being able to use it to target individuals whose data has been released? That will be a concern for patients and staff in Dumfries and Galloway.

Neil Gray: Again, I thank Colin Smyth for his question, because he is absolutely right. A breach of confidential data is an incredibly serious matter, and I reiterate NHS Dumfries and Galloway's call for staff and the public to be on their guard for any attempt to access their systems, or for any approaches from anyone who claims to be in possession of data relating to them. If anyone finds themselves in that situation, they should contact Police Scotland immediately by calling 101.

Oliver Mundell (Dumfriesshire) (Con): The worrying attack comes at the worst possible time and is adding more pressure on already hard-pressed staff and on a health board that is struggling to meet huge funding cuts. In addition to making information technology support available, will the cabinet secretary explore what additional emergency funding can be put in place to ease the pressures on the board and ensure that the chief executive can focus, at this exact minute, on sorting out the issue of the breach rather than having to balance the books?

Neil Gray: There has been minimal impact on patient care as a result of the breach. However, I know that the incident has resulted in the need for some staff to change working practices in the short term, so I am very grateful to everyone who is working to ensure that people still receive the best possible care while we work at pace to ensure a return to normal working practices.

The Government has made significant investments in all boards; we have seen a real-

terms increase to NHS boards as a result of the most recent budget. Across the country, our teams continue to work with boards on their financial resilience. Should there be particular asks, I would be receptive to at least hearing them, even during the difficult financial situation that we are all facing across the public sector, although I might not be able to commit to being able to realise them fully.

Emma Harper (South Scotland) (SNP): The latest announcement about the cyberattack displays the very real implications for staff and the public of cyberattacks, with personal details now being freely published on the dark web. We also saw just yesterday that China successfully hacked the United Kingdom Ministry of Defence. Such attacks will continue to happen and will have serious consequences. Can the cabinet secretary give a commitment that the Scottish Government is examining the cyber resilience of all our public institutions to protect the public and those who work in those vital services? Can the cabinet secretary also reconfirm that the Government is adequately supporting NHS Dumfries and Galloway to have the resources that are needed to assess and act on the cyberattack?

Neil Gray: I thank Emma Harper for her question. I can give those assurances. We continually review and regularly audit all health boards' cyber resilience. I know that Emma Harper will understand that, for security reasons, I cannot go into detail on that. Health boards take part in an annual audit process that assesses their effectiveness against the public sector cyber resilience framework. It allows them to be as resilient as possible in reducing the likelihood and impact of cyberattacks. That has aided their ability to respond promptly when an attack is discovered, thereby minimising the impact on staff and the public.

In the most recent round of audits, the Scottish Health Competent Authority noted that auditors found that NHS Dumfries and Galloway had demonstrated clear commitment to the audit process.

Finlay Carson (Galloway and West Dumfries) (Con): We know that 91 folders have been published on the dark web, including highly sensitive information from patients' confidential records and staff details. I appreciate that there will be details of the attack that cannot be discussed and that the cabinet secretary will be taking advice from the National Cyber Security Centre, but does he know whether the network was exploited because of a weakness in the security system or because someone's credentials were used? Furthermore, can he set out exactly how NHS Dumfries and Galloway is being technically supported to ensure that all systems

are back online and to help to address the anxiety and concerns of patients and staff?

Neil Gray: I reiterate what I said in response to Emma Harper, which is that NHS boards go through regular annual audits of their cybersecurity. The authority that conducted that audit noted NHS Dumfries and Galloway's clear commitment to that audit process. Finlay Carson will understand that I cannot go into significant detail on that, for obvious security reasons.

In answer to his follow-up question, I note that there has been minimal impact on patient services, which have continued as normal: patients should have noticed very little change. However, I am conscious that there is the possibility of further impact, which is why we are continuing to support the health board and ensuring that it recovers as quickly as possible.

Tess White (North East Scotland) (Con): A major cyberattack on NHS Scotland in 2022 crippled NHS systems and disrupted services. What steps were implemented to prevent a major breach like that from happening again and why did they fail?

Neil Gray: As I have said in response to previous questions, the audit process for reviewing cybersecurity across all areas of the health service is kept under constant review. It is an annual audit process and, as I have already said, the Scottish Health Competent Authority has confirmed that NHS Dumfries and Galloway co-operated with the process and has done everything possible to stop the attack.

As we have seen from cyberattacks elsewhere, this is an incredibly difficult time to defend against increasingly sophisticated actors that are looking to infiltrate our systems, including that of the Ministry of Defence most recently. All we can do is continue to offer support, learn from the situations that have passed and ensure that our resilience is as strong as possible. That is what the Government will continue to do—not just with NHS Dumfries and Galloway, but with other health boards and public sector organisations.

Grangemouth Refinery (Support)

2. **Stephen Kerr (Central Scotland) (Con):** To ask the Scottish Government, in light of recently reported developments, what plans are being made to support the continued operation of the Grangemouth refinery. (S6T-01964)

The Cabinet Secretary for Wellbeing Economy, Net Zero and Energy (Màiri McAllan): The Scottish Government continues to engage extensively with the owners of the Grangemouth refinery and is committed to securing a long-term sustainable future for the industrial cluster. The future configuration of the

Grangemouth refinery is a commercial matter for the owners. However, we have a track record of supporting businesses at Grangemouth as they progress their low-carbon projects, and we are committed to working collaboratively with Petroineos to accelerate its own projects at the site.

Stephen Kerr: I hope that the cabinet secretary will join me in paying tribute to the positive campaign that has been run by Unite the union, which is aptly called keep Grangemouth working. As a Conservative, I have no hesitation in backing that campaign to keep Grangemouth working, because the campaign asks for three things—an extension of the lifetime of the refinery, investment in new technology and support for greener and cleaner energy projects.

From her engagement with Petroineos, can the cabinet secretary confirm Martin Williams's front-page story in *The Herald* this morning that the hydrocracker has been restarted? What impact does the return to sustained profitability mean for extending the life of the refinery?

Màiri McAllan: I am very pleased to join Stephen Kerr in recognising the work of Unite the union. By extension, I again put on record my thanks to the highly skilled workers at Grangemouth, who contribute so much to that asset of strategic importance to Scotland.

I am of course aware of today's media coverage, which explores the issue of the hydrocracker at the Grangemouth refinery. That is purely an operational matter for the company, and it is commercially sensitive. It is not appropriate for me to speculate or theorise on what is, in essence, media speculation at this point, but I can assure Stephen Kerr and members that ministers and officials engage regularly with all those with an interest in the cluster, including with the business, to understand the impact of current operations. We are interested in operations today and how that progresses into the future.

Stephen Kerr: I thank the minister for her response, but I hope that she would agree that it is a matter of interest for her and her team to find out whether the hydrocracker has been restarted. We have it from multiple sources that it has been, and that is a significant development.

I cannot help but think that the window of opportunity that the restarting of the hydrocracker brings is not unrelated to the end of the Bute house agreement. I echo what Derek Thomson of Unite has said in the light of the return to healthy profits for Petroineos at Grangemouth. He said:

"The only sensible commercial decision to be made is to maintain the refinery's operations and in doing so retain 500 highly-skilled jobs."

I say, "Hear, hear", to that.

Investing in cleaner and greener energy projects at Grangemouth is a major strategic issue for the whole of Britain. Both Governments must work together with local interests to secure the future of the site and the local economy. What discussions has the cabinet secretary had with UK ministers, and what have they agreed? In addition to the local council, Forth Valley College and Petroineos, which other local businesses have been recruited to the Grangemouth future industry board?

Màiri McAllan: I will be glad to share with Stephen Kerr a copy of the cast list for the Grangemouth future industry board. It is quite extensive, so I will do that in writing.

Given the importance that Stephen Kerr places on the matter—as I do—I encourage him not to indulge in theories about political configuration on the one hand and, on the other, what are, in essence, commercial matters for Petroineos to consider. I restate the fact that it is not appropriate for me to comment on media speculation, but I reinforce the point that ministers and officials are very closely engaged in the development of these matters.

I close by highlighting that, given the strategic importance of Grangemouth, our objective is to maximise transition opportunities and minimise any gap between those emerging and transition happening, all with a view to securing as many jobs as possible.

Michelle Thomson (Falkirk East) (SNP): We all agree about the need to secure the refinery and jobs in this important industrial cluster in my constituency. However, we also agree on the need for that to be done sustainably, so, to that end, will the cabinet secretary update Parliament on the calls for the United Kingdom Government to remove the regulatory barriers affecting sustainable aviation fuels and thus to allow the possibility that the site will have a future as a biorefinery?

Màiri McAllan: Michelle Thomson is absolutely right to highlight biorefining as a potential transition opportunity for the cluster. Ministers have made several representations to the UK Government and have asked for engagement on issues regarding sustainable aviation fuel. Initial indications suggested that the UK's post-Brexit SAF mandate would inhibit the use of hydrotreated esters and fatty acids and therefore the development of SAF, but more recent developments appear to present a more positive picture. We will continue pressing that issue. I am in on-going dialogue about the matter with UK ministers in both the Scotland Office and the Department for Energy Security and Net Zero and I will be glad to keep Michelle Thomson up to date about that, given my understanding of her concern about the issue.

Sarah Boyack (Lothian) (Lab): Will the cabinet secretary confirm that the just transition plan for Grangemouth will be published this month? Does she acknowledge that staff working at Grangemouth need assurance that their skills, knowledge and experience will be key to a just transition to the cleaner, greener energy projects that can make Grangemouth and Scotland successful leaders in renewable energy and to meeting the aspirations that Unite says are in critical need of our support?

Màiri McAllan: I agree with a great deal of what Sarah Boyack says. Our just transition plan for Grangemouth industrial cluster will be a truly first-of-its-kind vision for the site and will outline the long-term operations that we hope to see taking place by 2045. Beyond that vision, the plan will also set out and chart the series of actions required to secure that vision, focusing on securing long-term investment, developing technical and commercially viable solutions for manufacturing, and fostering the correct policy environment for all that. Work to finalise the just transition plan is under way and I expect it to be published very soon.

Ash Regan (Edinburgh Eastern) (Alba): Having raised the need for urgent action, I welcome the news that Petroineos has invested in and restarted the hydrocracker and that the site is turning a profit. The save Grangemouth campaign, which is headed by my Westminster colleague Kenny MacAskill, aligns itself with the results of a recent survey by Unite the union, which strongly indicates that there has been a collective failure by both Governments to support Grangemouth. What substantive commitment will the Government now make to ensure a long-term sustainable future for this core asset for Scotland's energy industry, so that there is no cliff edge for both workers and Scotland's energy security?

Màiri McAllan: The Government is absolutely clear about the strategic importance of the Grangemouth complex. That is why future proofing the complex is a priority for us. It is important to our economy and our energy mix and is vital to the workforce in Grangemouth and the surrounding communities. That is why, although decisions regarding the companies on the site are for the commercial entities that are in control there, we are working determinedly with all interested parties on a future plan. We are meeting all who have a stake and are investing, including in plans for future low-carbon opportunities. I end by restating our ambition to maximise transition opportunities, minimise gaps and secure as many jobs as possible.

Daniel Johnson (Edinburgh Southern) (Lab): In her answers so far, the cabinet secretary has stopped short of committing to publishing the just

transition plan. Can she confirm that it will be published by the end of the month? Given that the Scottish Government's web page for the Grangemouth future industry board states that it is updating its workstream priorities for 2023, and that we are five months into 2024, is she comfortable with the pace and volume and actions that have been taken to date?

The Presiding Officer: Please answer in relation to the substantive question, cabinet secretary.

Màiri McAllan: As I said in my response to Sarah Boyack, the work on the vision and actions that will be set out in the just transition plan for Grangemouth is nearing completion. I expect the plan to be published very soon indeed.

The Presiding Officer: That concludes topical questions.

Personal Statement

The Presiding Officer (Alison Johnstone):

The next item of business is a personal statement by Humza Yousaf. There should be no interventions or interruptions.

14:39

Humza Yousaf (Glasgow Pollok) (SNP):

Thank you, Presiding Officer. I am grateful for the opportunity to make a final statement from the front benches. It gives me the opportunity to put on the record some thanks to several people who have supported me on the incredible journey that I have been blessed to be on over the past 12 years as a minister in the Government.

I will say no more about my wonderful family, partly because there are really no words to convey my love for them for putting up with me over the past 12 years and beyond, but also because I promised my 15-year-old that I would not embarrass her again by crying on national television. So, my first thanks are to you, Presiding Officer, and those who preceded you for the fairness that you have shown me during my time on the front benches. I, of course, intend to repay that fairness by being a model back bencher who will be on their best behaviour—I do not believe that the Opposition is laughing—at least for the first few weeks.

I think that many of us will be in a reflective mood as we mark 25 years of devolution this week. I am certain that I am not the only one who has reread the historic and remarkable opening speech that Donald Dewar gave when this Parliament was reconvened. There are many lines that could be quoted, but one in particular stood out for me this week. He said:

“This is about more than our politics and our laws. This is about who we are, how we carry ourselves.”

In that vein, I offer thanks to every colleague across the political divide for the kindnesses that they have shown me over the years. We often—I am guilty of this, too—lament the toxic nature of our political debate, and it is true that there is entrenched tribalism that feels difficult to free ourselves from. However, I will remember far more fondly the kindness and generosity of colleagues over the years.

I got to witness that kindness when I made my first-ever speech in the chamber on 2 June 2011. After I had made my speech, a certain Tavish Scott followed with his contribution shortly thereafter. He addressed me directly and said:

“If that is the standard of your first speech, I cannot wait for the next one, the next one and the next one.”—[*Official Report*, 2 June 2011; c 327.]

I suspect that Tavish Scott did not quite expect me to drone on for as long as I have. However, that compliment—that one moment of kindness—from a very senior MSP in this Parliament made me feel 10 feet tall. It cost Tavish Scott nothing, yet it settled that very nervous 26-year-old new entrant to the chamber and gave me confidence to ensure that I bettered myself.

What I am really trying to say is that this is all Tavish Scott’s fault—I jest, of course. I have had many such instances of kindness over the years, from my SNP colleagues and those right across the political spectrum. They have come at some of the most difficult times in my life—for example, when my in-laws were recently trapped in Gaza—but they have also come at times of great celebration, for example when my daughter Amal was born five years ago.

The purpose of mentioning that is to remind myself—and others, I hope—that kindness costs us nothing. Being good to one another costs us nothing and being compassionate to one another costs us nothing, yet it can quite literally make a whole world of difference. For all the kindness that has been shown to me by colleagues over the years, I say: thank you.

Let me also take a moment to thank the incredible civil service for its unwavering dedication to our country. I cannot possibly thank every member of my private office over the years, or, indeed, all the civil servants who I have had the great pleasure of working closely with, but I am grateful to each and every one of them for their support over the years. There are sections of our society, our politics and our media that enjoy denigrating civil servants and see them as an easy target. Such lazy commentary is often far from the truth. Our civil servants work tirelessly for their country, not seeking the limelight but quietly and diligently getting on with the job of serving Scotland and often going above and beyond the call of duty. For that, they have my eternal thanks and my admiration.

I have had the greatest privilege of my life in serving my country and Government for almost 12 years as Minister for External Affairs and International Development, Minister for Transport and the Islands, Cabinet Secretary for Justice, Cabinet Secretary for Health and Social Care and, of course, most recently, as First Minister. My thanks must go to the people who gave me that opportunity by electing me to this place—the good people of Glasgow in 2011 and the fine people of Glasgow Pollok since 2016, who have continued to put their trust in me to stand up for them and to serve them. I also thank my predecessors as First Minister for giving this boy opportunities that he could only have imagined in his wildest dreams. I am grateful for the trust that they have put in me

over the years—because, you see, Presiding Officer, the young Humza Yousaf could never have imagined that he would be able to lead this country.

I was six years old when I was first told to “go home”, and I am afraid that, since then, that has been a regular occurrence—in fact, it happens almost daily in my social media feeds. I will not lie: that is the racial slur that hurts me most, probably, simply because I have no other home. I never will. I never have. My heart will forever belong to Scotland. To have the opportunity, therefore, to defy the far right—to defy the racists and the bigots who told me to go home, and to be in a position to serve my home, to contribute to public life in my home and to have had the opportunity to lead my home—has been the most tremendous honour, which I did not think was reserved for people who looked like me. There—I have broken my promise to my 15-year-old daughter.

I hope that, from my example, other little boys and girls who look or sound different will know that our differences make us unique and should be celebrated as part of a modern and diverse Scotland, and that they should in no way ever hold us back from achieving our dreams.

Lastly, to my successor—my dear friend, John Swinney—who is one of the most empathetic, kind and compassionate people I have had the pleasure of knowing over the years, I say that such qualities are crucial in life and are absolutely necessary to being First Minister. I remember Nicola Sturgeon saying to me that a First Minister gets to make someone’s day every day in office—I suspect that I am quite possibly also making somebody’s day by leaving office. However, I can testify that Nicola Sturgeon was absolutely right. A First Minister can make someone’s day through the smallest act of kindness—such as stopping for a selfie with someone—or through transformative policy such as the Scottish child payment.

The privilege of serving the people of Scotland through this office never gets tiring. I know that John will do his family, our party and our nation proud as he dedicates his life to the service of Scotland—the country that we are all proud to call home and that we all love so dearly.

To conclude, I will take some time to refamiliarise myself with the back benches. I intend to be an active contributor to the Parliament, as my constituents would expect, and I will continue to champion those issues that are close to my heart—ensuring that I give a voice to the voiceless, be they at home or overseas.

In that vein, I cannot let today’s remarks go by without pleading one last time from the front benches for the international community to stop any further massacre of the innocent people of

Gaza. A full-scale invasion of Rafah, which is home to 1.4 million people, including 600,000 children, will result only in the slaughter of more innocent civilians in what is likely to be one of the clearest violations to date of international law.

A clear signal must be sent to the Israeli Government that to defy the international community in that way will come with significant consequence and sanction. Everything possible must be done to demand an immediate ceasefire, a release of all the hostages and an end to arms sales to Israel. We must be on the right side of history, which must mean standing with innocent men, women and children. To do otherwise would be unforgivable.

My time as First Minister is over. However, I am absolutely certain that, for the rest of my life, every Thursday, at one minute to 12 in the afternoon, my palms will begin to sweat and the knot in my stomach will tighten. That comes from a place of deep respect for the Parliament, for all those in Opposition and indeed for my own colleagues alongside me. That respect will always continue.

I hope that we can all live up to the hopes of the founding fathers and mothers of devolution and work together in the interests of the common good and the common weal—and that we do so with kindness.

Thank you, Presiding Officer. It has been an honour and a privilege. [*Applause.*]

The Presiding Officer: On behalf of the Parliament, I thank Humza Yousaf for his service as First Minister.

14:49

Meeting suspended.

15:00

On resuming—

First Minister

The Presiding Officer (Alison Johnstone):

The next item of business is the selection of the Parliament's nominee as First Minister. A note explaining the procedures that will be followed this afternoon has been made available to members.

I have received four valid nominations for the selection of the Parliament's nominee for First Minister, which I will now announce in alphabetical order. They are Alex Cole-Hamilton, Douglas Ross, Anas Sarwar and John Swinney. I will ask each nominee to speak in support of their candidacy for up to five minutes. There should be no interventions or interruptions.

After the nominees have spoken, members will be asked to cast their vote for their preferred candidate. A separate vote will be called for each candidate, and members can vote only once. Once all voting has been completed, any member who has not yet voted will be invited to cast a vote to abstain. There will be a short suspension while the result is verified, and I will then announce the results of voting.

A candidate will be elected if an overall majority is obtained. If no majority is obtained, the candidate or candidates with the smallest number of votes will be eliminated. I ask members to note that, if we have a vote between only two candidates, all that is required is a simple majority for one of the candidates to be elected. Members might wish to record an abstention; no account of those votes will be taken in establishing whether a simple majority has been achieved. We will then proceed to a further round of voting.

15:01

Alex Cole-Hamilton (Edinburgh Western) (LD): I offer my candidacy for the office of First Minister of Scotland. I do so because, although the governing party might have elected to forgo any democratic process to test the ideas or motivations of its candidate, I do not think that Parliament should.

I do this more in hope than in expectation, but that hope among Liberal Democrats is growing. That hope has been self-evident in last week's English local election results, which saw us overhaul the Conservative Party for the first time in a generation; in Scottish opinion polls, which consistently show that support for us is growing significantly and that Parliament is set to receive many more Liberal MSPs; and in council election results the length and breadth of Scotland. The Liberal revival is well and truly under way.

As the outgoing First Minister just said, this week we commemorate a quarter century of our reconvened Scottish Parliament. In the weeks following his installation as Deputy First Minister in 1999, my predecessor as leader of the Scottish Liberal Democrats at that time, Jim Wallace, said:

"Government involves hard choices, and broad responsibilities, and there are inevitably times when the comfort zone of easy opposition beckons."

I have spent enough time in opposition watching Government ministers make poor decisions that make the lives of our constituents poorer still, and so I stand today.

Those were simpler times. People could see their general practitioner at the first time of asking, and their dentist still offered national health service care. Scottish education was among the best in the world, and all the ferries worked. It was so much easier to rent somewhere to live or to buy a first home. Our economy was growing, and business thrived. However, for nearly 20 years, the Scottish National Party has been ignoring the people who do most of the heavy lifting in our society. People are working harder, but they feel as if they are falling further behind and are being taken for granted.

We need ministers who will not make empty promises, but who will get the basics right. We need new hope in our politics, and hope is at the heart of everything that the Scottish Liberal Democrats stand for. We want to create world-class mental health services by taxing the social media giants that cause so much of the problem. That will also help to get people faster access to their GP, and we will make sure that people can see an NHS dentist, too.

We will lift up Scottish education again by tackling the violence in our schools, with more teachers and more in-class support. We will reduce bills and tackle climate change by rolling out a national insulation programme, and we will get the Government-owned water company to clean up its act and stop filling our rivers and beaches with sewage.

We want to offer a fair deal for our communities by actually giving power away from politicians and back to local people. We want to answer the housing emergency by building more homes, encouraging investor confidence and answering the needs of tenants and homeowners alike, and we want to connect our communities with trains, buses and ferries that people can depend on.

When this Parliament was reconvened, some of the challenges that we now face would have seemed almost inconceivable—the climate emergency, the war in continental Europe, long Covid, cyberattacks on our health service and the insidious reach of abused technology. Those

challenges require a response that is rooted not in the divisions of the past 17 years but in co-operation here and beyond our borders. That is why Liberal Democrats want to put Scotland at the heart of a reformed Britain and to fix our broken relationship with Europe.

The outcome of this election is already decided—I understand that—but if our relatively new democracy is about anything, it is about the exchange of ideas and competing visions of what our country can become. I humbly submit my candidacy for First Minister and, with it, a Liberal vision for the future of Scotland.

15:06

Douglas Ross (Highlands and Islands) (Con):
Presiding Officer,

“It seems pretty likely that the leader of the largest minority party in the Parliament, with the help of the fourth-largest minority party, will be successful in this afternoon’s election.”—[*Official Report*, 15 May 2003; c 30.]

Those are not my words but the words of John Swinney when he was last SNP leader and was seeking this Parliament’s support to elect him as First Minister. That was 21 years ago, in May 2003. They say that a week is a long time in politics, and the past seven days have shown us that, but it is interesting to see John Swinney back seeking the support of this Parliament more than two decades on from his previous attempt. However, today, I put my name forward once more for the position of First Minister, because it is past time that Scotland had a leader who is focused on the issues that really matter to our nation, and not another nationalist leader who is focused on the SNP’s narrow political interests.

When this Parliament was elected almost exactly three years ago, Scotland was still in the midst of the Covid pandemic. At that time, we all promised—each and every one of us—that we would put normal politics aside and focus on the national interest. Yet, before all the votes were even counted, the SNP had reverted to type and was claiming that the election was a mandate for independence. That set the tone for this parliamentary session. Gone was the golden opportunity to deliver transformative change for the people we are so privileged to serve. Instead, we have had three SNP leaders saying that independence was and is their priority, and using this chamber and the Scottish Government as vehicles to campaign for it.

It is abundantly clear that Scotland needs fresh leadership that is focused on the national interest, but the SNP has responded to calls for change by replacing one continuity candidate with another and by going backwards instead of forwards. That shows that the SNP cannot change and that it will

be the same distracted nationalist Government, run by the same people, that we have seen for the past 17 years.

After a decade of division, we need to get back to the priorities of the Scottish people, and that is the platform on which I and the Scottish Conservatives are proud to stand. We stand today to represent the people’s priorities against an SNP Government that only ever puts independence first. We believe that Scotland can succeed now, but the SNP thinks that it can succeed only in some fantasy future. We think that the focus should be on the country’s big challenges, not on the SNP’s obsession with independence. We want to focus on improving our schools, not on the SNP’s plan to spend more money on promoting separation.

We believe that our NHS should be focused on clearing patient treatment backlogs, not pushing the SNP’s dangerous gender ideology on kids. We want free speech, not the SNP’s Hate Crime and Public Order (Scotland) Act 2021. We want to upgrade key roads and fix potholes, not penalise drivers with the SNP’s workplace parking tax. We want to support 100,000 workers in Scotland’s oil and gas industry; the SNP wants to shut that sector down. We are standing up for rural Scotland while the SNP continues to pursue a centralisation agenda. We would protect local services and our councils; the SNP is stripping them of the powers and funding that they need. We want to make Scotland competitive within the United Kingdom, not punish families and businesses with SNP taxes. We want the country to unite for a stronger Scotland, not John Swinney’s slogan, which is to “Unite for independence”.

I am not expecting to be elected as First Minister today. We know that the SNP has done a backroom deal with the Greens to ensure that they abstain on the vote so that John Swinney will win. However, beyond the chamber, the Scottish people are watching.

Later this year, we will have a general election. In that election, Scottish Conservative candidates will stand across the country to beat the SNP and end its obsession with independence once and for all. We can see off John Swinney, just as we saw off Humza Yousaf, and get the focus on to the issues that really matter. If voters unite behind the Scottish Conservatives in key seats across Scotland, that is the opportunity for all of us.

15:11

Anas Sarwar (Glasgow) (Lab): Scotland needs a stable and competent Government. At a time when we face the twin challenges of the cost of living crisis, with families struggling to make ends

meet, and an NHS crisis in which too many Scots are struggling to access life-saving NHS treatment, we need a Government that rises to those challenges—the biggest challenges since devolution.

Instead, we have an SNP Government that is proving to be incompetent, divided and chaotic. The change of SNP leader and First Minister has nothing to do with delivering for Scotland. This is all about managing internal divisions within the SNP and is nothing to do with running our country.

It has been a little over a year since we last met to elect a First Minister. Although the headlines will focus on the political personalities, it is worth reminding ourselves that incompetence has consequences and that the very failures that we raised last year are worse today. We need more than just platitudes, or promises of a different way of working, or a re-emphasis, with the Government pretending that its priorities are those of the people. We heard exactly the same thing last year, but Scots are experiencing even worse outcomes now than they were then.

Last year, we demanded action on the NHS crisis to bring down waiting lists. They are now longer, not shorter. Now, more than 820,000 Scots are stuck on NHS waiting lists.

Last year, we demanded action to tackle the record levels of homelessness. Today, that situation is worse, with almost 10,000 children living in temporary accommodation with no home to call their own.

Last year, we demanded action to tackle the appalling levels of drug deaths. However, suspected drug deaths have, shamefully, increased by 10 per cent since that time.

Last year, we demanded action to close the attainment gap in our education system. Today, we see increased violence in our schools and the continued decline of our once-great education system in international league tables.

For all that John Swinney and the SNP want to pretend that this is day 1 of a new Government, the hard fact is that, after 17 years of this SNP Government, there is not a single institution that is stronger. Every single one has become weaker, on the SNP's watch.

I have no illusions about the outcome of today's vote. Terrified of the electorate, the SNP will once again put its party's interest before the national interest. However, I do not believe—and, more important, the public do not believe—that continuity will cut it or that chaos and incompetence are as good as it gets.

Let me quote John Swinney, from 2001. He said then:

“We meet this afternoon to elect a new First Minister—for the third time in ... this Parliament ... The third occasion is the result of a farce: a farce inflicted on Scotland and its Parliament by”

on this occasion, the SNP

“and by absolutely nobody else ... the party that now, without any democratic process, seeks to foist its unelected leader upon our country; the party that promotes its own by making cronyism a way of life—always lets Scotland down.

This afternoon, the farce may be carried to its illogical conclusion.”—[*Official Report*, 22 November 2001; c 4158-9.]

Given that that is what John Swinney's view was then, why does he fear the judgment of the Scottish people today?

Now more than ever, our country needs credible and effective leadership. People need a Government that is on their side and is focused on creating jobs and lowering bills. They need a Government that will renew and repair our NHS, putting patients and staff first; a Government that is focused on building new homes and ending the housing emergency; a Government that will raise education standards and bring opportunities to every community; a Government that believes in economic growth and is willing to unlock the potential of every Scot to deliver it; and a Government of integrity that will restore trust and hope in our politics, and which rejects the politics of division and despair.

Scotland needs a First Minister who is focused on the future, rather than focused on defending a record of failure or focused on the past. Scotland needs a First Minister who knows that they are here in the service of the whole country, not just of their political party. Scotland needs a First Minister who genuinely wants to bring this country together to build a better nation, not to pit Scot against Scot.

I believe that change is possible. I believe that Scotland's best days lie ahead of us. When the people finally get their say, I am determined that I will win their trust, win their support and deliver the change that Scotland needs.

15:16

John Swinney (Perthshire North) (SNP): I am greatly honoured to be a nominee for First Minister of Scotland.

This year is a year of anniversaries for our new democracy. It is 25 years, as colleagues have said, since the establishment of this Parliament, and it is 10 years since the referendum on Scottish independence. It is a time to reflect but, more important, it is a time to look to the future. Both those democratic events were a result of growing demand from many people in Scotland for self-government. The extent of that self-government

journey is still a matter of debate, but we are all sitting here today because a sizable majority believe that, in key aspects of Scottish life, it is better that decisions about Scotland be made here in Scotland.

The Labour Party and the Liberal Democrats should take pride in having governed Scotland through the difficult early years of devolution, when much of the debate was about the cost of this building, rather than about what we could do with the powers that are invested in it. The Conservatives, under the leadership of Annabel—now Baroness—Goldie, can look back with great credit on the constructive way in which they often approached Opposition; they certainly helped me with a budget or two. The Scottish Greens have brought a distinctive voice to our politics, and they became the first Greens to serve in a Government in the United Kingdom.

My party, the SNP, has used the powers of this Parliament to abolish tuition fees and prescription charges. We have brought in a more progressive income tax system and we are, through the Scottish child payment, lifting children out of poverty. Indeed, the Scottish child payment has been hailed as the most significant measure to tackle child poverty anywhere in Europe in 40 years. In our national health service we have, despite its challenges, the best-performing core accident and emergency departments in the United Kingdom.

Policy and record are, of course, a matter of debate and contest, but there is something that I hope we can all agree on. I am proud that it was an SNP Government that was led by the first woman First Minister and then by the first Muslim First Minister. I pay tribute to Humza Yousaf—a man of unfailing courtesy who served my party, but also served this Parliament and his country, with distinction. When Humza Yousaf announced his resignation, he said this:

“To my colleagues in the opposition, regardless of political party, I genuinely do wish you well. I bear no ill-will and certainly bear no grudge against anyone.”

That is the dignified mark of a man whom I am proud to call a colleague and friend.

Throughout all the 25 years of the Parliament, I have been privileged to serve my constituents and the people of Scotland. Indeed, I was a little perturbed to see the following statement against my entry on the Parliament website this morning, under the heading “Previous roles”:

“John has had 22 previous roles”.

The old joke about giving a busy man more to do seems to be relevant at this moment. Under the heading “Parliamentary and Government Roles” the web page says, as of this morning:

“John does not have any parliamentary or government roles”.

It is that entry that I would like to change after this afternoon’s vote.

I hope that we can all recognise that, despite our political differences, we are all here because we want the best for Scotland, whatever our specific role happens to be. For me, it is with all my experience—but with much more than that—and with my burning ambition for a better future for this country that I am seeking to become First Minister.

The idea of ambition brings me to the second of this year’s anniversaries: the independence referendum of 2014. Both those who are against independence and those who are in favour of it deserve to be heard. Through dialogue, debate and deliberations, I believe that it is possible to argue our different positions respectfully.

For my part, I look at the years since 2014 and I see the impact of Brexit, the policy of UK austerity, the economic damage of the mini-budget, and the fact that wages in the UK have stagnated, that productivity is too low and that inequality is far too high. I look at the independent countries that are comparable to Scotland but are wealthier and are more equal than the UK, and it reinforces my core belief that Scottish self-government is the right way forward for Scotland.

Those of us who believe in independence do so because we believe that it will equip this Parliament with the powers that it needs to match the success of those comparable independent states. That, in turn, will mean more resources for our national health service and our public services, the opportunity to grow our economy free from a broken Westminster economic model, and the prospect of rejoining the European Union and escaping the damage of Brexit.

I recognise that, in all this, it is essential for a First Minister to listen to other people’s perspectives. That will, of course, be what I will do. That includes listening to the people who voted for a pro-independence Parliament in 2021 and to those who take a different view, and then engaging in the lifeblood of our democracy—persuasion that is based on evidence while respecting honest and honourable differences.

In that spirit—building on the achievements in Government, with a focus on the economy, our national health service and the public services, and on a drive to lift children out of poverty, through patient dialogue—I ask for the support of Parliament to become Scotland’s next First Minister.

The Presiding Officer: Before we move to the vote, there will be a short suspension.

15:22

Meeting suspended.

15:27

On resuming—

The Presiding Officer: We move to the vote. I remind members that they must vote once only and must use only their yes button in the voting app when voting. Once the voting for candidates is completed, members who have not voted for a candidate will be given the opportunity to vote to abstain by pressing their yes button.

I will announce the result once all votes have been cast and verified.

The first vote is for Alex Cole-Hamilton. Only members who wish to cast their vote for Alex Cole-Hamilton should take part in this vote, by voting yes. No other member should vote. Members who wish to vote for Alex Cole-Hamilton should vote yes now.

*Members voted.***The Presiding Officer:** The vote is closed.

The next vote is for Douglas Ross. Only members who wish to cast their vote for Douglas Ross should take part in this vote, by voting yes. No other member should vote. Members who wish to vote for Douglas Ross should vote yes now.

*Members voted.***The Presiding Officer:** The vote is closed.

The next vote is for Anas Sarwar. Only members who wish to cast their vote for Anas Sarwar should take part in this vote, by voting yes. No other members should vote. Members who wish to vote for Anas Sarwar should vote yes now.

*Members voted.***The Presiding Officer:** The vote is closed.

The next vote is for John Swinney. Only members who wish to cast their vote for John Swinney should take part in this vote, by voting yes. No other members should vote. Members who wish to vote for John Swinney should vote yes now.

*Members voted.***The Presiding Officer:** The vote is closed.

The Cabinet Secretary for Rural Affairs, Land Reform and Islands (Mairi Gougeon): On a point of order, Presiding Officer. My app would not load. I would have voted yes.

The Presiding Officer: Thank you, Ms Gougeon. We will ensure that your vote is recorded.

Clare Haughey (Rutherglen) (SNP): On a point of order, Presiding Officer. I am not sure whether my vote went through—it has not come through on my app. I would have voted yes.

The Presiding Officer: Thank you, Ms Haughey. I can confirm that your vote was recorded.

That concludes the votes for all candidates. The next vote is for any members who have not yet voted and who wish to record an abstention. Members who wish to abstain should press their yes button now.

*Members voted.***The Presiding Officer:** The vote is closed.

That concludes this round of voting. There will now be a suspension while the votes are verified.

15:35

Meeting suspended.

15:38

On resuming—

The Presiding Officer: In this round of voting in the selection of the Parliament's nominee as First Minister, the number of votes cast for each candidate was: Alex Cole-Hamilton 4, Douglas Ross 31, Anas Sarwar 22, John Swinney 64. There were 7 abstentions.

Votes for Alex Cole-Hamilton

Cole-Hamilton, Alex (Edinburgh Western) (LD)
McArthur, Liam (Orkney Islands) (LD)
Rennie, Willie (North East Fife) (LD)
Wishart, Beatrice (Shetland Islands) (LD)

Votes for Douglas Ross

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)
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)
Halcro Johnston, Jamie (Highlands and Islands) (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)

Smith, Liz (Mid Scotland and Fife) (Con)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 White, Tess (North East Scotland) (Con)
 Whittle, Brian (South Scotland) (Con)

Votes for Anas Sarwar

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

Votes for John Swinney

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Brown, Siobhian (Ayr) (SNP)
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Constance, Angela (Almond Valley) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don, Natalie (Renfrewshire North and West) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Dunbar, Jackie (Aberdeen Donside) (SNP)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Harper, Emma (South Scotland) (SNP)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lochhead, Richard (Moray) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 Martin, Gillian (Aberdeenshire East) (SNP)

Mason, John (Glasgow Shettleston) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 McAllan, Màiri (Clydesdale) (SNP)
 McKee, Ivan (Glasgow Provan) (SNP)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 Minto, Jenni (Argyll and Bute) (SNP)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 Regan, Ash (Edinburgh Eastern) (Alba)
 Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Collette (East Kilbride) (SNP)
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Thomson, Michelle (Falkirk East) (SNP)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Yousaf, Humza (Glasgow Pollok) (SNP)

Abstentions

Burgess, Ariane (Highlands and Islands) (Green)
 Chapman, Maggie (North East Scotland) (Green)
 Greer, Ross (West Scotland) (Green)
 Harvie, Patrick (Glasgow) (Green)
 Mackay, Gillian (Central Scotland) (Green)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Slater, Lorna (Lothian) (Green)

The Presiding Officer: There is an overall majority for John Swinney. On behalf of the Parliament, I congratulate Mr Swinney on being the Parliament's nominee for the position of First Minister, and I look forward to working with him. I will now call each of the party leaders to respond.

15:39

Douglas Ross: I begin by congratulating John Swinney on his election as First Minister. The opportunity to lead the Scottish Government is the chance to serve every single person across our country, to give them the education that they deserve, to ensure that they can access the healthcare that they need, to keep them safe from crime and to help them to find the work that they need to provide for themselves and their families. That responsibility should not be taken lightly. Given his long career in Cabinet, I know that the First Minister will be acutely aware of the demands and that the decision to take up the role will not have been an easy one for him. I wish him well in taking on that burden.

I also want to say how rightly proud his family must be today. We all know the strain that elective office has on our families, but that is magnified tenfold when the politician holds the office of First

Minister. On behalf of the Scottish Conservatives, I offer our strength and support to the entire Swinney family as they provide the personal backing that will be so important to our new First Minister. *[Applause.]*

I now turn to the Government that the First Minister leads. It cannot serve just one side of the constitutional argument; it must deliver for the whole of Scotland. A Government acting in the national interest is what the Scottish people deserve, but the Scottish National Party has failed to deliver that during its time in office.

The legislative achievements of the current parliamentary session are few and far between. Instead, the SNP Government, having run out of its own ideas, increasingly looked for policy direction from the extreme Greens. At the same time, it was continuing to push the same old, tired campaign for independence and a referendum. John Swinney must swiftly change course and deliver a bold new policy agenda for the SNP Government instead of treading water in the same way as his predecessors. He should start by ruling out any agreement, by the back door or otherwise, with the Greens.

If the First Minister wants to lead a Government that represents the values of a clear majority of our country, he cannot be reliant on the Greens for his agenda. The SNP must reach beyond creating a nationalist coalition to compromise and find consensus within the Parliament. Key to delivering that would be putting the campaign for independence on the back burner. The First Minister and his party must treat today as a reset moment. They must bring an end to a decade of division that has plagued our country since the 2014 referendum. With our education system at record lows in international rankings, one in seven Scots on a national health service waiting list, violent crime rising and our economy lagging behind that of the rest of the United Kingdom, Scotland faces significant challenges that demand the SNP Government's attention now.

In the 25th anniversary year of our Scottish Parliament, it is clear that the institution is not living up to its promise to change the lives of people across Scotland for the better. The new First Minister must focus the chamber and his Government on the issues that they were created to resolve.

Although today marks a new job for John Swinney, he has been at the heart of an SNP Government for the past 17 years. He was Alex Salmond's finance secretary, Nicola Sturgeon's deputy and Humza Yousaf's most prominent supporter. He sat around the Cabinet table and rubber-stamped every single one of the policies that the Government enacted. Now, at long last and perhaps with some reluctance, he has a shot

at the top job. We know the kind of Government minister that John Swinney has been, and we even know the kind of SNP leader that he has been, but John Swinney the First Minister remains unknown. Scotland waits to see whether he will be a nationalist leader like his predecessor or, as we in the Conservative Party hope, the national leader that Scotland needs to take our country forward. *[Applause.]*

15:44

Anas Sarwar: On behalf of the Scottish Labour Party, I offer John Swinney my sincerest congratulations on being nominated as Scotland's next First Minister. I know that this will be a moment of tremendous pride for him and his family, as well as the culmination of a long career of public service in which he has made many personal sacrifices. I wish him and his loved ones well and the very best in the weeks and months to come.

I am particularly pleased to see Mr Swinney's wife, Elizabeth, and his family in the gallery today. We send them our best wishes and love. We choose to be in politics, but our families do not. It is often they who have to carry the heaviest burden and feel the most significant impact. As other members have said, we wish them all the very best for the future.

Our political disagreements are many, but we share a common purpose to make Scotland the best place in which to grow up and grow old. I note Mr Swinney's comment that he will look to work across the chamber in a way that has, sadly, escaped his predecessors. We will continue to work constructively where we can and to promote the national interest. We believe in the principles of devolution and the consensus that we can try to build across our Parliament. However, it is important to note that the SNP has been one of the architects of divisive politics, so I question the rhetoric and the pretence of the SNP on now being the great unifiers of our nation.

I hope that we will finally do away with the use of words such as "traitors" and the default outrage and language of betrayal that has come from far too many ministers, let alone activists. I hope that this work can start immediately, so that we can move on and try to show the very best of Scotland.

As I said before, I fear that this election is more about managing the SNP than about delivering for Scotland. We need more than just a change of leader or a change in language; we need an acceptance of what has gone wrong and a change of direction. At this time of national crisis, people need a Government that is willing to lend a hand and support them, so that they do not feel abandoned by this Government or, indeed, the UK

Government time and time again, with politicians putting party before the country.

The truth is that this internal stitch-up has delivered a continuity candidate who bears responsibility for much of the instability that we have seen. Let us not pretend that this is day 1 of a new SNP Government. We should not forget that John Swinney, as Deputy First Minister during the Covid pandemic, was responsible for deleting thousands of records and withholding evidence that was meant for the Covid inquiry. Yes, we need an end to the culture of secrecy and cover-up, but I fear that the SNP has elected to the highest office one of its champions.

We also need an end to the incompetence in managing our public services, but, instead, the SNP has elected as First Minister perhaps the worst education secretary in the history of our Parliament, because, in classrooms across the country, violence is on the rise, teachers feel unsupported and pupils are being failed by our Government, and they do not feel that ministers have the same ambitions as they do. On the 25th anniversary of devolution, the SNP has chosen as First Minister the finance secretary who decimated local government and sucked up power to Holyrood, decimating local services as a result.

I hope that we see a new approach from John Swinney—one that genuinely puts the national interest before party interest. The promise that we make is that we will work constructively to achieve the best for Scotland and its people. However, to put it bluntly, continuity will not cut it. We cannot afford more distracted, divided and incompetent Government. We need to get on with fixing the mess of the past 17 years and get on to delivering for the people of Scotland.

Of course, I wish the First Minister well for the future, but he must recognise that the public are crying out for change. That change can come only with an election, and I cannot wait to get on with the job of delivering for the people of Scotland.

15:48

Lorna Slater (Lothian) (Green): I congratulate John Swinney on behalf of myself and the Scottish Green group. We recognise the right of the SNP, as the largest party in this chamber, to form a Government, and we are content, in the spirit of stable governance, that it has managed to do so.

The Scottish Greens have worked constructively with John Swinney over many years, both as partners in Government and from the Opposition benches, and we look forward to building a similarly constructive relationship as he takes up the role of First Minister. However, our explicit support for an SNP First Minister has always been conditional on a shared vision and policy

programme—one that tackles the climate crisis head on, builds a fairer and more equal future, and continues to make the case for an independent Scotland. The new First Minister has yet to lay out the vision for his new Government, hence our group's abstention in the vote today.

I am proud of what the Scottish Greens achieved during our time in Government, lifting 100,000 children out of poverty, delivering free bus travel for young people, banning new incinerators and the most polluting single-use plastics and putting in place emergency rent controls during the cost of living crisis.

Those things are already making people's lives better, thanks to the Scottish Greens, but much work is yet to be completed. We had just introduced the Housing (Scotland) Bill, which creates new rights for tenants and a permanent system of rent controls. Our heat in buildings programme, which was transforming the way we heat our homes to drive down emissions and give everyone a warm home that they can afford to heat, has been billed by the Climate Change Committee as a template for the rest of the UK. The process to designate Scotland's new national park was well under way, driving investment into rural communities. The proposed natural environment bill would have created new protections and legislative tools to help restore nature in Scotland and we would have brought in a watertight ban on conversion therapy to protect some of the most vulnerable people in society.

All those remain priorities for the Scottish Greens and we will continue advocating for the fairer, greener and more equal Scotland that they create. In the coming days and weeks, the First Minister must lay out whether his Government will continue those progressive policies, as well as meeting the recent commitment to ramp up action on the climate emergency, or whether he will retreat to the middle ground and rely on the Tories and other pro-union parties to complete the work of Government.

If our parties can continue working towards a shared vision of a fair, progressive and independent Scotland that takes its responsibility to future generations seriously, our door remains open. The Scottish Greens will keep working with courage and determination for a better future and I hope that the new Scottish Government will do so, too.

15:52

Alex Cole-Hamilton (Edinburgh Western) (LD): On behalf of the Scottish Liberal Democrats, I offer John Swinney our sincere congratulations on his appointment as nominee for First Minister. I also record our thanks, as others have done, to his

family in particular for the sacrifice that this nation is now asking of them. I know that that consideration weighed heavily on his mind as he made the decision to stand.

Before I talk in more detail about what comes next and about the challenges that will befall our new First Minister, I thank Humza Yousaf for his service. I wish the outgoing First Minister, Nadia and their family well, particularly as they await a new arrival to the family. Politics can be a bruising business: you win some, you lose some. Anyone in any elected position has to offer their ideas, character and values up for scrutiny and public debate, which can be tough. We need our loved ones around us in those moments, which is why I liked knowing that, on the night of his resignation, Humza Yousaf's reaction was to go straight home and read bedtime stories to his children. Those precious moments help to provide perspective at the end of a hard day. The story reminded me of the Humza Yousaf I first met 12 years ago, when I was a youth worker, and I sincerely wish him well. I am also in the market for tips on how to deal with Tavish Scott.

When he relinquished the reins of the SNP leadership 20 years ago, John Swinney did not know that his party was on the threshold of power. Today, as he picks those reins up again, he may not know, or may choose not to believe, what I believe, which is that the SNP now stands on the threshold of defeat. He has come full circle. I genuinely hope that, in the time that he has, he can make a positive impact on the public services on which we all rely, that he can bring growth back to our economy and that his Government can get the basics right.

I say that because I love my country and want the best for it. Every day from 2004 to 2024, John Swinney has been party to and complicit in every significant decision taken by SNP high command or around the Scottish Government cabinet table. The SNP's record in Government is John Swinney's record in Government and I am not sure that fair-minded people will be convinced that, after 17 years, that Government has the fresh ideas and vision needed to move Scotland forward. It appears to be business as usual when it comes to independence, even though the circumstances under which the SNP once again wishes to press that divisive agenda could not be less forgiving.

I want to welcome, though, John Swinney's commitment to striking a more consensual tone. In a Parliament that has been too divided in recent years, I am confident that there will be areas in which we can find common ground, but my party will also continue to hold the Government to account where it falls short.

First and foremost, I would like the new First Minister to overhaul the Government's approach to transparency and record keeping, because the pandemic further exposed the culture of secrecy that has existed throughout the Scottish Government. The work of the UK and Scottish Covid inquiries has been made harder by the deletion of evidence, which Anas Sarwar referenced. John Swinney now has the power to change that culture. He also has the power to drop the ministerial takeover of social care, put that money towards services and staff and unlock the crisis in our health service. He can give councils the power surge that they need to deliver locally and improve outdated standards that see sewage dumped in our rivers.

As John Swinney was the finance secretary for many years, I am sure that tax and spend will also be at the front of his mind. We have just learned that the Scottish Government's medium-term financial strategy will be delayed, and there will also be delays to the draft tax strategy and the infrastructure plan. We need those long-term visions now, because taxpayers and businesses have no idea what will happen next. That is not a conducive environment for growth and it will not give people the confidence to invest here.

John Swinney may have arrived here with some reluctance, but he is Scotland's new First Minister. I accept that and I congratulate him. He is known as a deal maker, but the enmity that now exists across the chamber will make the paralysis that gripped Scottish politics last week all the more likely. When that happens in our democracy, the best way forward is to go back to the people who sent us to this place and ask them for new instructions in the form of a Scottish parliamentary election. I appreciate that he has ruled that out, but our votes will remain available towards the dissolution of this place and that end.

We will always look for consensus where we can find it on the priorities of our party and those who sent us here—a renewed focus on net zero, ready access to GP services at the first time of asking, and NHS dentistry. On all those issues, which have been crying out for ministerial attention, we will lay aside our differences where we can. I conclude by offering John Swinney the hearty congratulations of my party.

15:57

John Swinney: I am very grateful to Douglas Ross, Anas Sarwar, Lorna Slater and Alex Cole-Hamilton for their kind comments this afternoon, especially in relation to the support of my family.

When I stood down as Deputy First Minister in March last year, I believed that that would be the last senior office that I would hold in politics.

Having then served as a senior minister for 16 years, I felt that I had, to coin a phrase, done my bit. To find myself accepting office as First Minister of Scotland today is, therefore—to utter a classic understatement—something of a surprise. It is, however, an extraordinary privilege and it is my honour to accept the office of First Minister, committing myself to doing the best that I can for Scotland.

As I navigated my way through the media pack in the corridors of this Parliament last week, prior to announcing my candidacy for the SNP leadership, I tried to explain that I was taking my time to decide whether to stand because I had to be certain that the decision was right for my family. For me, my answers to the media were not a stalling tactic or an evasive answer from an experienced politician. For me, it was the truth.

Members will know that my wife, Elizabeth, has multiple sclerosis. She is indefatigable in trying to make sure that MS does not get in the way of her living life to the full but, much to her frustration, she often has to rely on her husband for support and assistance. I could not just commit myself to becoming First Minister without being able to properly work out with my family how we would be able to manage as a family. We have talked that through and we will manage, but I cannot let this moment pass without making clear to Elizabeth my profound, eternal gratitude for the sacrifices that she is prepared to make to enable her husband to serve our country as First Minister. *[Applause.]*

I am so pleased that my father, my wife and children, members of my family and our dearest friends are able to be here today to see this moment. My only regret is that my beloved mother did not live long enough to see this day. As her parish minister wrote to me yesterday,

“Your mum would have been—quietly—proud.”

My mother’s love of literature and poetry, which rubbed off on her two sons, would have prompted her to find some words to sum up this moment. Yesterday, I was asked what the single most important policy objective would be for my Government. I made it clear that it would be the eradication of child poverty. In searching for words to sum up this occasion, therefore, perhaps my mother would have chosen these, which are from one of Scotland’s greatest poets: Hamish Henderson, who was born in Blairgowrie, in the very beating heart of my Perthshire North constituency. In his epic anthem, “The Freedom Come-All-Ye”, which I heard him sing in the early 1990s from an open-top bus in the Meadows of our great capital city, during a rally that demanded the establishment of this very Parliament, Hamish Henderson wrote:

“So come all ye at hame wi’ Freedom,
Never heed whit the hoodies croak for doom.
In your hoose a’ the bairns o’ Adam
Can find breid, barley-bree and painted room.”

If there was ever an anthem that railed against child poverty, those words from Hamish Henderson echo through the straths and streets of our diverse country as a call for us to act. I will therefore be unapologetic about bringing to the Parliament measures that we can take to eradicate child poverty, and I look forward to seeking the support of others to achieve that aim, because I recognise that that is how it is going to have to work. I am leading a minority Government and I will need to reach out to others to make things happen—to pass legislation and to agree a budget. To “pass legislation” and “agree a budget” sound like dry and technical parliamentary terms. However, in reality, they mean that, to fund our schools and hospitals, give our businesses a competitive edge, take climate action, eradicate child poverty and change people’s lives for the better, we will have to work together.

As colleagues have—fairly—recognised, the Parliament is intensely polarised at this time. I accept my part in creating that environment, whether by shouting put-downs from the front bench or heckling from a sedentary position. I promise that that will all stop. I have changed. *[Laughter.]* Perhaps time will tell on that one.

This is not the collaborative place that it has been in the past—a collaborative place that has done so much good to improve the lives of people in Scotland. As the Parliament marks its 25-year anniversary and as one of the relatively small group of members who have been here from the start, I reflect on the major developments that have taken place through collaborative work and agreement over that time: for example, the ban on smoking in public places, which was taken forward by the Labour and Liberal Executive; minimum unit pricing, by the SNP Government; and the introduction of free bus travel for the under-22s, by the SNP-Green partnership. I commit my Government to working to create such agreement across the chamber. I hope that there is space and willingness for that to happen, in the interests of the people who sent us here.

It is hardly a surprise to anyone in the chamber that I believe that this country could do more if we had the powers of a normal, independent nation. Others in the chamber take the opposite view. That is the essence of democracy—that people are free to hold, express and pursue different opinions. The question that we face in the Parliament today, however, is the more practical one of whether our disagreement on the constitution prevents us from working collaboratively within the existing powers of the Parliament to eradicate child poverty, build the

economy, support jobs, address the cost of living crisis, improve the health service and tackle the climate crisis. I will give all my energy and willingness to engage and listen in order to ensure that that is not the case, and I invite others to do the same.

When I pitched up at Forrester high school in this city in 1979 at the age of 15 wearing my SNP badge, and my friends and teachers wondered why I had become involved in this fringe party, I could scarcely have imagined that my journey would involve becoming the First Minister of Scotland. It is an extraordinary privilege to hold this office, and I thank Parliament warmly for the honour that has been given to me.

To the people of Scotland, I say simply this: I offer myself to be the First Minister for everyone in Scotland. I am here to serve you. I will give everything that I have to build the best future for our country. [*Applause.*]

The Presiding Officer: The concludes the selection of First Minister.

Motion without Notice

16:06

The Presiding Officer (Alison Johnstone): I am minded to accept a motion without notice, under rule 11.2.4 of standing orders, that decision time be brought forward to now. I invite the Minister for Parliamentary Business to move the motion.

Motion moved,

That, under Rule 11.2.4, Decision Time be brought forward to 4.06 pm.—[*George Adam*]

Motion agreed to.

Decision Time

16:06

The Presiding Officer (Alison Johnstone): There are no questions to be put as a result of today's business, so we will move on to the next item of business.

Further Education Pay

The Deputy Presiding Officer (Liam McArthur): The final item of business today is a members' business debate on motion S6M-12540, in the name of Richard Leonard, on supporting the further education workforce. The debate will be concluded without any question being put. I invite members who wish to participate to press their request-to-speak buttons.

Motion debated,

That the Parliament recognises that members of the EIS-FELA, including those in the Central Scotland region, have been engaged in industrial action in pursuit of a fair pay settlement; understands that this began with action short of a strike, but that it has escalated to taking strike action in the face of a pay offer from College Employers Scotland that is reportedly below the current rate of inflation, and therefore a real-terms pay reduction; further understands that the pay offer is below the Scottish Government's public sector pay policy; regrets reports that Scotland's further education lecturers last received a pay uplift in August 2021, and that they should have received a pay rise in August 2022, but are still waiting for an acceptable offer from college employers a year and a half later; believes that management in some colleges have taken draconian action, outwith the spirit of the Fair Work Framework, including pay deductions for action short of strike, and notes the calls for the Scottish Government to intervene, as it has in other public sector pay disputes, to ensure that workers in the further education sector receive a fair pay settlement that properly reflects what it sees as the invaluable work that they do.

16:09

Richard Leonard (Central Scotland) (Lab): I begin by thanking members from across all parties for supporting tonight's motion, and I welcome Educational Institute of Scotland members to the public gallery.

The EIS has just finished its rolling programme of one-day strikes, but it has not finished its dispute. In fact, industrial action is going to escalate, go national and move to two days, to three days, to four days. When I speak to EIS members on the picket line or when they come through to Edinburgh to lobby this Parliament, they tell me to ask the minister, "Why is there a flat cash settlement for further education, leading to cuts in courses, cuts in student places, cuts in lecturer numbers?"

It is no good the minister telling us to use the gross domestic product deflator rather than the consumer prices index to calculate the huge real-terms financial deficit that our colleges face at the hands of this Government. Whichever way he defines it, however he cuts it, it represents a clear drop in resources and a massive rise in the deficit. It is no good, either, the minister asking us where we would make the cuts instead. We are not in the business of making cuts—although I would cut all

public funds to all Scotland's arms manufacturers who are selling to the Israeli Government to bomb the people of Gaza.

The Government is in charge of a £50 billion budget. There is Covid money in the system, still unaccounted for. There was a half-a-billion-pound underspend last year. It is no good the minister asking, "Where will the money come from?" He is the Government minister in a Government that can find money when it wants to. It does not have a fixed budget—it can raise revenue.

Beyond all of this, education is, in any case, an investment. So, to the Government, we say that if you think education is expensive, try ignorance. Those EIS members I speak to also say, "Ask him why the employers are not negotiating," and they say, "Ask him why he will not step in to resolve the impasse and so resolve the dispute. Ask him why it is that college principals cannot attend a meeting to end the pay dispute but can turn up in numbers to attend a meeting to discuss deeming."

In his resignation speech, just last week, the former First Minister warned that

"it is often the most marginalised in ... society who bear the brunt",

and he is right. But let me tell the new First Minister and the Minister for Higher and Further Education and Minister for Veterans that these cuts to further education funding will mean cuts to student places—and they will be cuts to student places for the most disaffected, for the most disengaged, for the most marginalised in society. For some of those students, it will mean the difference between engagement with the education system and being driven to social disengagement and isolation at home. For others again, it will mean the difference between engagement with the education system and engagement with the criminal justice system. That is the difference it will make.

People do not live individually in a market. We all live in a society, in a community, where we look out for each other. Further education colleges provide huge community benefit. They are part of our social infrastructure as well as our economic future. I firmly believe in the idea that, in the words of Eugene Debs,

"Full opportunity for full development is the unalienable right of all."

That is what this debate is about. It is about whether people get the chance or not, whether further education expands or contracts, and whether opportunities expand or contract, and it is about whether we value the people who make those opportunities possible.

Paul Sweeney (Glasgow) (Lab): I thank my friend for giving way. He is making a typically

powerful speech. Does he agree that this spiral of decline is most tragic because our industries in Scotland are crying out for the skills, yet the colleges are not being given the investment to respond to that need from our industries?

Richard Leonard: Absolutely. In my view, we need lifelong learning so that everyone can realise their full potential—economically but also socially, personally and even spiritually.

One of the problems that we face is that, too often, our education system is built on the premise that, if at first you don't succeed, you don't succeed. People deserve a second chance, and that is what further education and training is about. So, I say to the minister that there is nothing more corrupting in politics than remaining inactive and feigning impotence. What the Government is doing on this lecturers' pay dispute is not even second rate—it is non-existent.

We are sent here to represent the aspirations of the people who elect us. Change will not come about by waiting around. It demands vigour, ingenuity and determination, and we see none of that from this Government. All we see instead is obstinacy, complacency and mediocrity. When the Government speaks, we hear the voice of a Scottish National Party minister but the ideology of a fiscal conservative. What about our educational tradition? What about our democratic tradition? What about our radical tradition?

We cannot have another year of unrest in our colleges. The minister has the duty and he has the power to get it sorted out. This would not be about surrendering his authority; it would be about exercising his authority. This requires Government intervention, it demands renewed political leadership, and that is what all sides of this Parliament are urging the Government to show us this afternoon.

16:16

Fulton MacGregor (Coatbridge and Chryston) (SNP): I thank Richard Leonard for bringing the debate to the chamber. My interest in speaking in the debate is driven mainly by a constituency interest. Over the years, I have had a lot of contact from constituents on this issue.

I put on the record my thanks to union officials such as Eileen Imlah and Angela McCormick, in my constituency, for the work that they have done on the matter. I know that Richard Leonard has had regular contact with them. In fact, we have a bit of a joke about the fact that they come to see me at a constituency surgery every year, as such issues come up again and again. I also take the opportunity to thank them for the recent event that they held in the Parliament, which many members across the chamber went to.

As I said, such issues come up every year. Almost every year since I was elected, in 2016, Eileen, Angela and others have come to my constituency office to talk about issues around pay. It strikes me that there has been a real breakdown somewhere in communication between the workers, the lecturers, the unions as a whole and those who run colleges. I do not fully agree with Richard Leonard that it is for the Government to come in to sort things out—I would not go quite that far—but surely something must be done to improve communication between colleges and lecturers.

Monica Lennon (Central Scotland) (Lab): Fulton MacGregor has been very generous to constituents and FE workers with his time, but does he agree that this is not a communication problem but a political problem? Governments make political choices, and they are making the wrong ones. Can we not all work together to get the minister to finally do something today? Eight years is a very long time.

The Deputy Presiding Officer: I can give you the time back, Mr MacGregor.

Fulton MacGregor: I do not disagree with Monica Lennon's premise—we could say that everything is a political problem. I have already said that some intervention is required to bring about some sort of solution, but I do not think that it is the Government's job to negotiate the pay element. The Scottish Funding Council and others should be doing that.

Something has definitely broken down, because people are coming to see their MSPs and other representatives about the issue every year, so something needs to be sorted out. If the minister does not mind my saying so, I agree with Monica Lennon that the Scottish Government could possibly be more involved in trying to identify where the issues are and in bringing the matter to some sort of solution, because the same issues are there every year.

We have joked about people coming to surgeries at constituency offices every year, but that is not a joke. There are strikes every year as well. I have been to the picket lines, too—I know that Monica Lennon and Richard Leonard have been to them and that other colleagues from the SNP have attended them. We do not want to be in that position every year—that is absolutely clear.

In the motion, Richard Leonard mentions a tactic that has been reported to me. I am not sure of the full ins and outs of it, but Eileen and Angela have reported to me that some colleges are threatening not to pay because of action that is short of strike action from lecturers. I do not believe that that is acceptable, if I understand it from the way that it has been put to me, because I

fully believe in the rights of all workers in all organisations to strike. They should not have that threat hanging over them.

I believe that colleges across Scotland and their lecturers do an absolutely excellent job. I cover Coatbridge and Chryston, and I am proud that the Coatbridge campus of New College Lanarkshire is in my constituency. That is an absolutely fantastic facility, which I have visited on numerous occasions to hear about some of the great and innovative work that it is doing. That could not happen without the lecturers who give it their full commitment. My constituency is a particularly impoverished part of the country and it is very important that people—particularly young people—have the opportunity to go to further education on the Coatbridge campus as well as on other New College Lanarkshire campuses.

I know that the issue is very complicated, and I do not envy the minister's position at all. It is very difficult, but the Government has probably taken the approach that it is for other people to sort out.

The Deputy Presiding Officer: You need to conclude.

Fulton MacGregor: Perhaps what is being asked today is whether the Government could somehow be involved even in trying to bring people together to sort the issue out and find some sort of solution.

16:22

Pam Duncan-Glancy (Glasgow) (Lab): I thank my colleague and friend Richard Leonard for bringing this important debate to the chamber.

Colleges are the engines of our future. They sit at the heart of opportunity for all, and they are responsible for skilling Scotland's young people of today and tomorrow. They are not only key to widening access; they are the embodiment of it. Of this year's 250,000 college students, more than 40 per cent are over 25, a third come from the most deprived areas of the country, 15 per cent are disabled, 17,000 are black and ethnic minority students, and 3,000 are care experienced.

Colleges are not just the engines of our future; they are the engines of our collective efforts to meet the aims of the Promise and to make Scotland a land of opportunity for all. I see that every day in the great work of colleges throughout the country and in the Glasgow region, which I represent. I thank each and every student and member of staff whom I have met for continuing to do all that they can do to deliver for education and for communities.

I have said this many times before in the chamber, and I will say it again: colleges really are key to breaking the glass, class and stepped

ceilings. That is why I am so determined that colleges get the changes that they need.

However, if we want high and rising standards in education, we have to invest in staff: we have to invest in their terms and conditions and in their professionalism. For too long, college staff have felt that the Government has not given them that or the support that they need. In evidence to the Public Audit Committee last year, EIS-FELA said:

“In other areas of the education system, such as schools,”

the need to invest in staff

“seems to be accepted. However, that has never been accepted in the college sector in the same sort of language, which is disappointing.”

For the umpteenth year in a row, college staff have had to take to picket lines across the country because they have seen their colleges struggling, courses being dropped and their pay losing value and themselves facing redundancy. Job losses mean cuts in educational opportunities for students. As the EIS also said in that committee session:

“cuts to provision are happening, and the areas that are cut first are community learning and provision for additional support needs. That is how it works—that is what happens. The most vulnerable people in society are the ones who are losing out as a result of the cuts.”—[*Official Report, Public Audit Committee*, 30 November 2023; c 4, 24.]

Just when we need colleges the most, the Government is delivering less for them and for the most vulnerable people in our country.

Martin Whitfield (South Scotland) (Lab): I am very grateful to Pam Duncan-Glancy for taking my intervention.

Is it not also right to say that it is the students—those who use the colleges—who are standing behind their lecturers, because they understand the importance of settling the dispute so that they can break the glass ceiling and the stepped ceiling and move on?

Pam Duncan-Glancy: I thank my colleague for his intervention. He is, of course, absolutely correct. That is the case: students have rightly stood shoulder to shoulder with their staff on the picket lines, because they know that staff and students together make colleges and communities.

When I tried to raise the gravity of all that with the minister, he demanded that I provide answers. I cannot hide my frustration at that. He is in the Government, and his failure to act demonstrates a complete dereliction of duty. College staff are stuck in perpetual strike action because the minister has failed to take the reins and offer a fair deal. They have been striking for nearly a decade,

with more strikes to come, and it seems that there is no end in sight.

Some college staff have felt compelled to stop marking in a desperate attempt to catch the Government's attention. In response, colleges feel so strongly that students deserve to be graded that they have taken extreme action and have disproportionately docked wages. The Government's failure to act is tantamount to implementing anti-trade-union rules and minimum service level agreements, for which the Government rightly criticises the Tories.

College principals are struggling in despair, too. Their students might not get their grades, their staff are striking for better pay and conditions, they face rising costs for heating and fixing their buildings and their student support budget is to be slashed. The minister's inaction has allowed internal college tensions to grow and industrial relations to descend into a war of attrition. If all that is not enough, there are warnings that four colleges might no longer exist at the end of the year. The situation has become so bad that college lecturers are now saying that the minister is the invisible man.

On behalf of college lecturers, I ask the minister today: does he accept staff calls for pay that is in line with public sector pay, and does he accept that colleges need help to deliver that? Will he show leadership and deliver an emergency funding package to help colleges with voluntary redundancy schemes? Will he fix the flawed national machinery that is meant to govern all that? Will the minister step up and step in, take responsibility and stop expecting others to provide him with the answers to the crisis that 17 years of his Government has created?

Students and staff need the Government's help. Enough is enough. Let us get colleges back on track and support them to be the engine rooms of our future that we all know they can be, spreading opportunity for all.

16:27

Graham Simpson (Central Scotland) (Con): I congratulate Richard Leonard on securing enough support to be able to debate this important issue today. I think that I got him over the line by being the only Conservative to sign his motion, although we are using our parliamentary debating time tomorrow to debate the subject again. It is such a worthy topic.

I have a very good relationship with my local EIS-FELA reps, and have had for a long time. They are representatives of staff at South Lanarkshire College and New College Lanarkshire, and I get to see them regularly—not just once a year. We have liaised on a number of

issues, some of which are on-going, but what always comes up is the dire straits that the sector is in.

Richard Leonard's motion focuses on the current pay dispute. I have huge sympathy with EIS-FELA members, who feel compelled to strike every single year. College bosses, who can be fantastically well paid, should be on the same side as their staff, who should not be having to wait for longer than 18 months for what Richard Leonard described as "an acceptable offer". Those devoted public servants have bills to pay, and they are not paid a king's ransom.

Richard Leonard and I sit on the Public Audit Committee: we carried out an inquiry into the college sector on the back of a very worrying report from the Auditor General for Scotland. All the issues that we considered are, in fact, linked to the current pay dispute. It all comes down to money, which the sector has been starved of. I say respectfully to Fulton MacGregor that it is not a communications issue: it comes down to lack of resources.

The Herald ran a week-long series about colleges last week. It concluded that, over three years, there has been a funding gap of £464 million. That is the figure with which we are left if we compare what funding would be, if it had kept pace with inflation, to what the sector is given. Graeme Dey might dispute that figure, but he admits that there is a gap and he must admit that there is a problem.

Prior to the Public Audit Committee's inquiry, I heard that the Scottish Funding Council keeps a list of the colleges that are in the bleakest financial state and was told that there is a colour-coding system in which those colleges are coded black. When Karen Watt, the boss of the Funding Council, appeared before the committee in January, she revealed that four colleges face what she called "significant cash-flow issues". They were, and are, in dire financial straits. I do not know which colleges they were because she would not tell us, but the fact that they exist should be a badge of shame for the minister and his many predecessors. I hope that he is taking a note of that, as he writes.

The committee repeatedly heard that colleges are having to consider cutting courses, cutting staff and skimping on maintenance. In November, Derek Smeall, the principal of Glasgow Kelvin College, who was representing the college principals group, told us:

"Colleges and the college sector, as they are just now, are certainly not sustainable."

For his college, he predicted a deficit of £1.3 million for the year 2022-23. He said:

"In 2022-23, I have already released 6.5 per cent of my workforce, and over each of the next two years, I will release a similar amount."—[*Official Report, Public Audit Committee*, 30 November 2023; c 2-3.]

His story is typical of the sector.

The Herald shone a light on the value of our college sector. Universities get more of the limelight and more of the funding, but we could argue that colleges and their courses have more value. We need to invest in them better.

The minister will close with warm words. He needs to close with action.

16:32

Carol Mochan (South Scotland) (Lab): I thank my colleague Richard Leonard for bringing this important debate to the chamber and pay tribute to members of EIS-FELA, who are fighting passionately for pay and conditions that reflect the work that they do in the further education sector.

Further education lecturers make up a skilled and dedicated workforce and they have my full support and solidarity as we continue to stand with them on the picket lines and stand up for them in the Parliament. It is the responsibility of Opposition and back-bench members to make the point to the minister that it is a fair fight and we should bring it to the Parliament.

I have stood side by side with further education lecturers and other staff at Ayrshire College, and the overwhelming feeling that they expressed is of being undervalued. We can talk about valuing those staff, but the sector needs action. It needs members on these benches and the Government's back-bench members to talk about the action that the Government can take.

Our further education workforce teaches key skills and sets up people for a life in skilled employment. The members of that workforce are experts in their individual fields and choose to dedicate their lives to improving others' outcomes. However, Colleges Scotland and the Scottish Government still cannot bring themselves to recognise that value. As the motion states, the offer that is on the table represents a real-terms pay reduction. That means that, while the Scottish Government is underfunding colleges, as we have heard, and cuts are felt across the country, Colleges Scotland is doubling down and making an insulting offer to lecturers.

Further education lecturers have been forced into industrial action. Action short of a strike was not met with an acceptable response. In some cases, the actions of management in colleges have fallen well short of the expectations that are set out in the fair work framework. The minister's response should reference those matters. It is

nothing short of appalling that our lecturers are being treated in this way. They do not deserve to have to go through such a gruelling battle simply to see their pay and conditions reflect the valuable work that they do. They deserve so much better and they will continue to have the support of members on these benches.

I turn briefly to students. I put on the record my thanks to all the students who have come out in support of the action that is being taken by their lecturers. When attempts have been made to pit students against lecturers, it has been truly heartening to see so many students standing with their lecturers, recognising their importance and the importance of the action that they are taking. The sector is so important to ordinary working people, and the students recognise that.

The minister will not like to hear this, but my colleague mentioned that he is often described as the missing man, and he must do better. I can say to him today that these workers will not stop their fight for better pay and conditions and the trade union movement will not be deterred by a lack of co-operation from the Scottish Government. That will merely intensify efforts, and I urge the minister to get key stakeholders around the table and intervene.

The reality is that the further education lecturers' ask is not unreasonable. The work that they do is invaluable and the impact that their efforts have on improving skills, supporting employment opportunities, growing the economy and delivering positive outcomes for those in areas that need it most cannot go unnoticed and unrewarded. The minister must act.

16:36

Ross Greer (West Scotland) (Green): I thank and congratulate Richard Leonard for bringing the debate to the chamber this afternoon. It has been about 18 months since I led a members' business debate on the chronic challenges and industrial action that we see in Scotland's college sector.

The Scottish Greens believe that colleges have a critical role to play in building a fairer, greener Scotland and in delivering the key priorities that we can all agree on, such as the climate action that is required to reach our net zero targets and the eradication of child poverty, which the First Minister has just reaffirmed as his priority for his new Government. Education is both a social and an individual good. It can be genuinely transformational for people's lives.

We should not pretend that a good education can simply undo all the structural inequalities that we face in society. That places far too much burden on teachers, college and university lecturers. However, it is a key ingredient in a

successful society. By "successful society", I do not mean a society that defines its success by gross domestic product wealth or even by average incomes, although that is an important measure. A successful society is one that is collectively able to meet the needs of every individual and to give every opportunity for a happy, healthy life.

The ability of colleges to play a critical role in doing that has been held back in the past decade by chronic problems in industrial relations. It is a clear example of class inequality that it has gone on for so long, with so little attention relative to the much shorter bouts of industrial action that we have seen in schools and universities, which have garnered far more political and media attention.

What would the Scottish Greens do differently? How do we believe that we can break out of this cycle? For a start, we would apply stricter fair work conditions to the funding of colleges, policies such as the elimination of zero-hours contracts and the implementation of pay ratios to demonstrate, particularly to the lowest-paid college staff and to support staff, that efforts are being made to improve their conditions. We want to see far more enforcement of fair work conditions, whether it be the national conditions that we would like the SFC to set out or local fair work agreements that are reached between college management and unions on an individual college basis. The Funding Council's evaluation of that element of the outcome agreements seems almost non-existent, frankly. Fair work policies are worthless if they are not being enforced by the body that has the power to do so—the body that controls the purse strings.

I am proud that college boards must now include at least two trade union representatives. That was delivered by the Scottish Greens in our time in government. However, I believe that college governance requires far more strengthening than that. Consideration should be given to the appointment of reserved spaces for local councillors, for example, to ensure that there is a stronger connection between colleges and the communities that they are in, and better co-ordination between colleges and councils, which are two sets of bodies that are obviously key for local economic development.

We also need to address issues that arise where individual boards are not providing sufficient scrutiny. We have clearly seen that with City of Glasgow College, where the proximity of the senior management to the board, in particular the chair, has corroded effective scrutiny and workforce confidence. It is hard for staff to stomach lectures on fiscal constraint from principals who are paid more than the First Minister. We need to see college principals brought into the public sector pay strategy, in particular the chief executive pay framework.

The Scottish Government needs to respond to the recommendations in the Strathesk Resolutions “Lessons Learned” report. If we are to break out of the cycle, we need to ensure that all sides come out of their comfort zone and consider recommendations that may not be their preference but would provide something of a route forward.

I want to see the restoration of the £26 million that was initially allocated by the Greens for transformation in our college sector. I understand why that money was reallocated—it was to fulfil the needs of the teacher pay deal, with which I was involved, so I recognise that—but it absolutely needs to go back into our college sector. It is not good enough for MSPs from parties that voted against increasing tax on the top 5 per cent in order to mitigate cuts to simply demand more money. It is incumbent on all parties in this place, in particular now that we have entered a period of minority government, to come forward with credible tax and spend proposals.

I want to see more funding for our college sector and my party is prepared to detail where we would get that from. For the sake of college staff, students and wider society, it is incumbent on all parties, and all MSPs, to bring forward credible proposals at the upcoming round of budget negotiations so that we can play our part in breaking the cycle.

16:41

Colin Smyth (South Scotland) (Lab): I thank my colleague Richard Leonard for lodging his motion.

Once again, it is left to Opposition parties to bring to the chamber for debate the important issues that face our college sector. Ministers are quick to come to the chamber to claim that junior doctors are not on strike in Scotland because of Government intervention, or to say that the teachers’ dispute was resolved because of the actions of ministers. Yet, when it comes to the dispute in our colleges, there has been no meaningful intervention. Ministers have been posted missing.

It was 2021 when our college lecturers last had a pay deal. I have lost count of the number of picket lines that I have stood on since then, listening to college staff. Not one lecturer on those picket lines has wanted to be there, or anywhere other than teaching their students, but they are scunnered. Three years on from that last pay rise, they are tired of being offered a real-terms pay cut; worn out by threats of deeming and compulsory redundancies; and sickened by being told that their pay deals can be funded only by the loss of their colleagues’ jobs.

The minister needs to understand, however, that those lecturers are in absolutely no doubt that they are determined to keep fighting. They will keep standing on those picket lines until they are listened to by the Government—and rightly so, because their demands, as Carol Mochan said, are not unreasonable. Crucially, they are flexible.

The cost of resolving the dispute, getting people back to work and ending the disruption to our students would be a fraction of the cost of resolving those disputes in which the Government has already intervened. The fact that ministers are posted missing tells us all that we need to know about the lack of priority that the SNP and the Greens have given to our colleges.

I listened to what Ross Greer had to say. One would be forgiven for thinking that Green MSPs had not voted for the biggest cuts to colleges since devolution.

Ross Greer: Earlier, Mr Smyth’s colleague Richard Leonard said that the Labour Party was not in the business of proposing cuts. Why, then, did every Labour MSP—every one of these socialists—vote against increasing tax on the top 5 per cent so that we could mitigate cuts to public services?

Colin Smyth: The reality is that Ross Greer did not mitigate the cuts to colleges—he voted for those cuts. That is why we have a dispute going on at the moment. The buck stops with the Green and SNP MSPs—it is Mr Greer’s budget, so he should take responsibility.

Our colleges should be the powerhouse of our economy—something that Ross Greer and the Greens fail to accept. Colleges should be there to deliver the skills at every stage of the learning journey, providing new qualifications for school leavers and upskilling and retraining those in the workplace. Every week, I speak to local businesses about the labour skills shortages that they face. At the same time, however, when I speak to my local colleges, they tell me that they are having to axe apprenticeship places, remove courses and make staff redundant because of the brutal cuts to college budgets year after year, for which Green and SNP MSPs voted. It was bad enough that our colleges saw an 8.5 per cent real-terms cut between 2021 and 2023; it is utterly indefensible that the most recent budget will see a further 8 per cent cut being made this year. That is not because of a lack of demand from students or employers but because of the lack of priority that the SNP-Green Government gives to colleges.

Construction and engineering firms in Dumfries and Galloway tell me that they are crying out for skilled workers in the region, but that a £1 million cut in this year’s local college budget means that there is now a waiting list for courses in those

crucial roles. Young people from our most deprived communities are having their chances to get on being cruelly snatched from them because of this Government's choices. In rural areas, where there is a crisis because of the outward migration of young people, businesses, which often include small firms, are having their opportunities to grow and to create jobs scuppered because of ministers' short-sightedness. That is the economics of the madhouse.

Now that the music has stopped in the merry-go-round of First Ministers, I make a direct appeal to John Swinney for this failing Government to show some leadership and direction. It should stop hiding behind Colleges Scotland and the Scottish Funding Council, get round the table with our colleges and unions, and find the resources to give our lecturers a fair pay deal. It should end the dispute now and get our lecturers and students back where they want to be, which is in the classrooms.

The Deputy Presiding Officer: I call Monica Lennon, who is the final speaker in the open debate.

16:46

Monica Lennon (Central Scotland) (Lab): I join other members in thanking my colleague Richard Leonard and congratulating him on securing the debate. I congratulate him, too, on his passionate speech, which, from where I was sitting, sounded like a call to action amid the ongoing and escalating industrial action in our vital further education sector.

I say to members here that if they are getting fed up with having to go along to picket lines and listen to members of the EIS-FELA union, they should think what it must be like for that union's members, who are having to sacrifice pay and sometimes feel as though they are letting their students down. However, as we have heard, the students have their backs. If we are fed up with the situation, we should remember what it must be like for the lecturers.

Many of us have been out on those picket lines, and continue to go there. In my case, recently, the picket lines have been on the Motherwell campus of New College Lanarkshire, and up in East Kilbride for South Lanarkshire College. I see the same faces when I do regular visits. Recently, when I was at a graduation ceremony for South Lanarkshire College, in the setting of the Town House in Hamilton, where I was on the stage and could see everything that was happening, I could really witness the relationships, the connection and the love among the lecturers and FE staff and their students.

As other members have said, further education is not just about giving people their first chance, or even their second one; it is about giving them the lifelong opportunities that they need if they are to lead happy and fulfilled lives. It is also absolutely about our economy and skills, and about ensuring that we function and progress as a society. I am, therefore, not surprised when I hear that employers in my region of Central Scotland champion our local colleges. That is why I was pleased to sponsor a recent event in the garden lobby to shine a light on apprenticeship week and to hear from employers, apprentices and everyone in our community who sees the value in apprenticeships.

In the Net Zero, Energy and Transport Committee, which I sit on and attend every week, I hear about the importance of skills and training, and about the need to have proper community wealth building and to achieve a just transition. Everything comes back to further education and skills.

I want to mention some of the people behind the issues that we are debating. I am grateful to Fulton MacGregor for reminding us how long these debates and disputes have been going on for. When I was at New College Lanarkshire just a couple of weeks ago, I was able to catch up with Gabriel, who is one of the lecturers there. He has been out on the picket line for eight years and, for about seven of those years, his young son, Julio, has been on the picket line with him. They have recently made a video. I am not sure whether EIS-FELA members have put that online yet, but, if so, I appeal to everyone to watch it, because you watch a wee boy in the video whose childhood is passing by—yet here we are.

We hear colleagues suggest that the issue is perhaps just too complex. If there are ministers or people in positions of power who are finding it too hard, I would say to them that, given that there might be a reshuffle tomorrow, they should offer their resignation. To whoever is in charge of this situation, I say, "Do not walk on by, do not walk away and do not shut your door". A couple of weeks ago, EIS-FELA members were in the Parliament in a room off of the garden lobby, and I regret to say that I witnessed the minister walk on by, even though those people had turned up to say, "Come and chat to us—we are here to find solutions". Whether we are a minister or a back-bench MSP, we all have a duty to find those solutions.

I am glad that we are having this debate today, and there will be another debate tomorrow, but the time for talking must surely come to an end. We need action.

16:51

The Minister for Higher and Further Education; and Minister for Veterans (Graeme Dey): I thank Richard Leonard for securing the debate, and I thank members for their contributions, because the issues that have been raised across the chamber are important. I acknowledge the contribution that is made by all staff who are engaged in Scotland's college sector, from the lecturers delivering teaching and equipping learners from all backgrounds with the skills that they require to flourish to the staff keeping buildings open and campuses safe. Each and every one of them contributes to the college sector in Scotland. I say that noting that, strangely, the motion makes no mention of support staff, who, for me, are every bit as important in all this as anyone.

In essence, the motion asks the Scottish Government to find—from somewhere in the education or wider Government budget—money to give to colleges to go beyond the present offer and satisfy the expectations of the EIS-FELA. I have every respect for Mr Leonard. He is consistent in his view of trade union pay expectations and the need to meet them. However, I have to say to him that the Government is in no position financially to do that. Just as importantly, the Strathesk Resolutions report was clear that Scottish Government interventions in previous industrial disputes in the sector have not been helpful. It is for college employers and trade unions—*[Interruption.]* No, I will not give way. I have heard quite a lot from the Labour side of the chamber on this, and I want to put an alternative view, as well as to pick up on some of the legitimate points that members have made.

It is for college employers and trade unions to negotiate a settlement; it is not for the Scottish Government to do that. Our intervention would fundamentally alter the nature of the voluntary national bargaining process. What the Government can do is seek to actively encourage the employers and unions to find a resolution and, more generally, try to facilitate an improvement in the approach to interaction between them. I will return to that point later, because, as Fulton MacGregor highlighted, it is important.

I meet both sides regularly through various forums. In fact, tomorrow I was to meet Colleges Scotland and, separately, the sector chairs. Those engagements would absolutely have touched on the need to seek an outcome to the industrial action in the sector. Unfortunately, the scheduling of Conservative business will prevent that from happening. Throughout such engagement, I continue to make it clear that I expect both sides to work collaboratively to reach a settlement that is affordable and fair. Indeed, it was at my

suggestion that they moved on to considering a three-year agreement, in the belief that that might give the sector some respite from the industrial strife of the past decade.

I am aware that, at formal meetings of the National Joint Negotiating Committee in March, both sides agreed to continue informal discussions with a view to seeking a resolution to the dispute. I understand that, following those informal discussions, the employers met today and have agreed a revised three-year offer to take to support staff trade unions. The offer includes further proposed wording in regard to job security, and it will be discussed in full at an NJNC meeting in the coming days. I also understand that a date is due to be agreed in the coming days to allow further formal discussions to take place between the EIS-FELA and College Employers Scotland.

I acknowledge the proactive willingness of Unison to find a solution, as well as the efforts of the management negotiating team to bring us to this point. Between them, they have demonstrated that, when the collective will is there, we can have progress. Let us not forget that Unite and the GMB had already reached agreement. I am keen to see a deal concluded that would see some of our least well-off staff in the sector secure a £5,000 boost to their pay packets, with other deals to follow. Let us see the progress that is made with the support staff replicated with the teaching staff.

Graham Simpson: The minister seems to be saying that other unions have reached agreement but that the EIS-FELA has not. Is he suggesting that the EIS-FELA has been too greedy in all this, on behalf of its members?

Graeme Dey: I am suggesting that, if we can get a proactive willingness to engage, we can begin to make further progress. That is what I am suggesting needs to happen. To be fair, dialogue has been going on behind the scenes.

The budgetary circumstances that we all find ourselves in are not ideal. The Government's financial position is the most challenging since devolution, and colleges, as a consequence, are not as well placed financially as I would want them to be. Opposition politicians had the chance, during the budget process, to bring forward alternative proposals, and they sat on their hands. Of course they want more money, not just for colleges but for universities, to pay for student support, apprenticeships and so on, yet they voted against tax increases.

Although I am pleased to hear that the dialogue has continued and the resolution of the support staff dispute seems to be in our sights, I share the concerns of many across the chamber about the impact that continued strike action has on students. Every student in Scotland deserves the

qualifications that they have worked hard to achieve, and although colleges need to get back round the table, they also need to put mitigations in place.

On the point that was raised about colleges deducting pay for action short of striking, I expect any employer to consider its position carefully before making such a move. I understand that all colleges have taken individual legal advice that has set out that they are within their rights to consider such action. I also understand that the EIS-FELA has acknowledged that fact in the advice that it has given its members.

It is clear that further industrial action is in no one's interests—least of all the interests of students. Although I absolutely respect the right of trade unions to take industrial action, I think we would all rather that a settlement was reached without impacts being felt. I hope that the progress that we are seeing in the support staff space can be replicated with the lecturers.

However, I reiterate that any settlement must be affordable for the sector. It is simply unrealistic to suggest that affordability can be discounted or that the Government can magic up additional sums of money. I have acknowledged during previous exchanges in the chamber that the funding settlement creates challenges for colleges, but that is the reality that we, as a Government, are confronted by. We are working hard to be as accommodating as we can be with the sector when it comes to flexibilities that help to stabilise finances.

As members have noted, the Scottish Government recently introduced legislation to add trade union nominees to college boards. That demonstrates the Government's commitment to ensuring that the staff voice is reflected in college decision making and secures good college governance. Progress is being made in that area, but I would encourage those who have yet to do so—whether unions or management—to return to actively working together to achieve this important step forward. I genuinely believe that the proposed legislation has the potential not only to improve governance at a local level but to improve understanding and perspectives on campuses.

Turning to lessons learned, I absolutely understand concerns about the frequency of industrial action in the college sector. Pretty much everyone I meet who has been involved in the negotiating process over the past decade would say that it is in no one's interest for the approach that has come to characterise that process to continue. Frankly, everyone is scunnered with it. I am committed to facilitating tackling the underlying issues. Fundamentally, though, it is for college management and the trade unions to find a way to work more constructively.

A few weeks ago, I hosted a round-table meeting with all parties to look at the important lessons from the report and to explore how we might turn the sentiments that are being expressed into tangible progress. I was heartened to hear of a willingness to explore that, including by potentially appointing an independent facilitator to move the NJNC process into a more constructive space.

None of that is in the Scottish Government's gift to determine. We certainly cannot impose it; it must be fully explored in partnership with employers and trade unions, to ensure that the national collective bargaining process is not undermined. However, I believe that it is an opportunity to move on from the near inevitability of annual industrial action in the sector.

I will conclude on that positive note and, once again, encourage employers and unions to do their utmost to resolve the current action.

The Deputy Presiding Officer: That concludes the debate.

Meeting closed at 16:58.

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Official Report
Room T2.20
Scottish Parliament
Edinburgh
EH99 1SP

Email: official.report@parliament.scot
Telephone: 0131 348 5447
Fax: 0131 348 5423

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