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Wednesday 31 January 2024

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Scottish Parliament

Wednesday 31 January 2024

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

Point of Order

The Presiding Officer (Alison Johnstone): Good afternoon. Clare Haughey has a point of order.

Clare Haughey (Rutherglen) (SNP): On a point of order, Presiding Officer. With reference to section 3 of the “Code of Conduct for Members of the Scottish Parliament”, I raise a concern that proper procedure was not followed at First Minister’s question time on 25 January last week. In a supplementary question, Pam Gosal made a number of claims about the rent cap that was implemented under the Cost of Living (Tenant Protection) (Scotland) Act 2022. However, she failed to declare her interest—in the form of shares that are worth more than £1 million in three letting companies—as listed in her entry in the register of members’ interests.

It is vital that the public who view business in the chamber or who consult the *Official Report* are fully informed of potential conflicts of interest, particularly during business that is as closely followed as First Minister’s question time is. Before making the point of order, I waited one parliamentary sitting day to allow the member to correct the record. As far as I can ascertain, that has not been done. Will the Presiding Officer give guidance on how the *Official Report* can be amended to maintain this Parliament’s high standard of scrutiny in the area of members’ financial interests?

The Presiding Officer: I take the opportunity to remind all members that both the code of conduct and the relevant legislation require members to make a declaration of interest before taking part in any proceedings of the Parliament that relate to their registered interests.

Under the code of conduct, I do not have responsibility for considering such complaints. The responsibility to make an appropriate declaration lies with members.

Portfolio Question Time

Constitution, External Affairs and Culture

14:02

The Presiding Officer (Alison Johnstone): We move to portfolio question time. The first portfolio is constitution, external affairs and culture. Questions 3 and 5 are grouped; I will take any supplementary questions after both those questions have been answered. As ever, concise questions and responses are appreciated.

Robert Burns (Promotion)

1. **Emma Harper (South Scotland) (SNP):** To ask the Scottish Government what support it is providing to cultural organisations to promote Robert Burns this Burns season. (S6O-03022)

The Cabinet Secretary for Constitution, External Affairs and Culture (Angus Robertson): Robert Burns is an essential part of Scottish culture and heritage and continues to provide new and compelling reasons to visit Scotland throughout the year. The Scottish Government undertakes activity, funds public bodies and supports external organisations that help to maintain and increase the visibility of Robert Burns throughout the year in Scotland and overseas.

Burns night is an excellent opportunity to celebrate Scotland’s vibrant and thriving creativity, bring our communities together, boost Scotland’s international reputation and engage with our varied diaspora. For Burns night 2024, the brand Scotland strategic partnership, all the international offices of the Scottish Government and Scottish Development International, domestic stakeholders and more than 50 organisations in the culture sector have had access to a 2024 Burns night toolkit to celebrate how our creativity is influenced by both the heritage traditions of the past and the cultural innovations of today. In addition, our international offices have been engaging in supporting 27 Burns night events, most of which have involved cultural organisations.

Emma Harper: I recently chaired a round-table meeting to discuss funding for winter festivals and in particular the Big Burns Supper in Dumfries, which was impacted by the loss of Scotland’s winter festivals funding this year. In attendance were EventScotland, VisitScotland and many local organisations. The discussion was positive, but it highlighted the crucial importance of support for the promotion of Robert Burns. Will the cabinet secretary make a commitment that the renewed winter festivals funding for next year will support

and promote organisations such as the Big Burns Supper in order to promote Scotland's national bard at home and around the globe?

Angus Robertson: I pay tribute to Emma Harper's relentless work in this area. As she knows, we reluctantly informed stakeholders in September 2022 that the Scotland's winter festivals programme was permanently closed, in the context of operating within the most challenging budget to be delivered under devolution.

Nevertheless, the Scottish Government is taking the first steps on the route to investing at least £100 million more annually in culture and the arts by the financial year 2028-29. As I said to the Constitution, Europe, External Affairs and Culture Committee on 18 January, now is the right time to look in general at how we support festivals and how it all fits together. I understand that the Big Burns Supper continues to have discussions with Creative Scotland, EventScotland and South of Scotland Enterprise. In addition, such events continue to have the opportunity to apply to public bodies such as VisitScotland and Creative Scotland, as well as local authorities, through their general funds.

Alexander Stewart (Mid Scotland and Fife) (Con): The annual report on Scotland's international network states that the Scottish Government's international offices work to promote Scotland's international profile through things such as holding events on St Andrew's day or for Burns night. Will the cabinet secretary confirm how much all nine international offices spent on Burns night celebrations this year? Will he explain the merits of that and how they can justify the cost?

Angus Robertson: I am not in a position to answer Alexander Stewart's question today, but I undertake to write to him. He and other members will have seen the full range of events that have been promoting Scotland and Scottish tradition and culture internationally. I hope that he supports that—I see that he is nodding affirmatively, which I welcome.

I take the opportunity to pay tribute to the Scottish Government offices, the Scottish Development International teams around the world and all the others who have been celebrating Burns. I think that, when the matter was most recently quantified, the University of Glasgow found that there were more than 2,500 Burns suppers around the world, which we will continue to support.

I will write to the member to answer his question directly. I hope that he will join me in praising the international work to promote Robert Burns and

make Scotland an attractive place to visit and to invest, live and study in.

Robert Coltart (Museum or Exhibition Centre)

2. **Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (SNP):** To ask the Scottish Government what support it can offer to assist in the establishing of a small museum or exhibition centre in Galashiels to celebrate the life and times of Robert Coltart, the author of the children's song, "Ally Bally Bee". (S6O-03023)

The Minister for Culture, Europe and International Development (Christina McKelvie): There is no doubt about the cultural significance of Robert Coltart's song "Coulter's Candy"—I am sure that everyone is singing it in their heads as we speak. The song is sung in communities across Scotland and shared across generations.

We welcome and encourage any exploration and celebration of our heritage. I congratulate Christine Grahame on running a keen campaign to have the song and Robert Coltart recognised. Although we cannot guarantee any funding from the Scottish Government or even our partners, Ms Grahame may find it helpful to contact Museums Galleries Scotland, which provides development work and funding on our behalf, for advice and support as she explores the opportunities to tell Robert Coltart's story.

Christine Grahame: The minister may not be aware that I have already had a substantial meeting with Museums Galleries Scotland, which cannot provide seed funding. On Monday, we will launch a crowdfunder to erect a memorial headstone at Robert Coltart's unmarked grave in Galashiels. We are also looking to explore a virtual exhibition that places him in the context, to an extent, of the poverty of 19th century Galashiels. Apart from funding, can the minister provide advice as to how the project or projects may be developed, given that tourism and the culture of the issue are crucial to Galashiels and the wider Borders?

Christina McKelvie: I am sorry that Christine Grahame has not found the Museums Galleries Scotland route to be fruitful. Other organisations, such as Culture & Business Scotland, may be able to offer assistance. However, I am happy to look into the matter and provide further information to her. I wish her well in her crowdfunder and the commemorations.

As far as tourism goes, I will endeavour to ensure that the minister who is responsible for tourism understands the importance of the work that Christine Grahame is doing in her constituency with regard to Robert Coltart and "Coulter's Candy".

Gaza (Humanitarian Assistance)

3. Rona Mackay (Strathkelvin and Bearsden) (SNP): To ask the Scottish Government whether it will provide an update on its funding for humanitarian assistance in Gaza. (S6O-03024)

The Minister for Culture, Europe and International Development (Christina McKelvie): In November 2023, we provided £750,000 to the United Nations Relief and Works Agency to ease the suffering of innocent civilians caught up in the conflict in Gaza. We do not regularly fund UNRWA, but in that case we responded to a flash appeal for the current crisis. We do not currently have plans to make further contributions, not least because of broader budgetary pressures.

Given that more than 2 million people are at imminent risk of starvation, the United Kingdom Government and the international community must work with the UN to find mechanisms to increase the level of life-saving aid that is getting into Gaza, which Israel must facilitate.

Rona Mackay: As convener of the cross-party group on men's violence against women and children, I wrote to the UK Government and the British Medical Association to request urgent aid for the thousands of women and children, including pregnant women, who have been disproportionately affected by this horrendous war. I have yet to receive a reply from either. Does the minister agree that an urgent ceasefire is the only way in which lives can now be saved?

Christina McKelvie: The situation in Gaza is catastrophic, particularly for women and children, who make up 70 per cent of those killed. More than half of the hospitals in Gaza have ceased to function, and the remaining hospitals provide vastly reduced services. The United Nations special rapporteur on the right to food has warned that famine is now inevitable. If the bombs and bullets do not get those women and children, malnutrition, disease and starvation will get them.

The only way to bring a stop to the horror and bring the hostages home is an immediate and permanent ceasefire on both sides. The international community cannot stand by while women and children starve, knowing that it could have done so much more to save them.

Gaza (Humanitarian Aid)

5. Kaukab Stewart (Glasgow Kelvin) (SNP): To ask the Scottish Government what discussions it has had with the United Kingdom Government regarding the funding that it has made available for humanitarian aid for people affected by the conflict in Gaza. (S6O-03026)

The Minister for Culture, Europe and International Development (Christina McKelvie): We have been in continued discussions with the UK Government on that matter, and we welcome the additional £60 million that has been committed for the humanitarian response in Gaza, which Scottish taxpayers have, of course, contributed to. However, unless there is an immediate ceasefire and sufficient aid is allowed to enter Gaza, thousands more will die from bombardment, starvation and disease. That is why the First Minister has called on the UK Government to make it clear to the Israeli Government that it must comply with the International Court of Justice ruling or face being held accountable for the deaths of thousands of innocent civilians.

Kaukab Stewart: Over the weekend, the UK Foreign Office announced that it was pausing funding aid to the United Nations Relief and Works Agency. What effect will that have, given that by far the largest and most effective aid delivery was through UNRWA and that that leaves the 81 per cent of the Gazan population who are already refugees without support? What is the Scottish Government's response to the appeal by the secretary general of the United Nations, António Guterres, to countries that have suspended funding to the United Nations agency that is assisting Palestinian refugees to reconsider their decisions to ensure the continuity of its vital humanitarian operations?

Christina McKelvie: We recognise the swift action taken by UNRWA to dismiss the implicated employees and to launch a full independent investigation. UNRWA has sufficient funds to cover its humanitarian operations until the end of February. The situation must be resolved before then. The UK and the international community must work with the UN to ensure that aid can be provided to the population to avoid mass starvation, which we are warned is imminent.

Israel must facilitate and secure sustained delivery and distribution of vastly increased levels of aid in Gaza, in line with last week's ruling by the International Court of Justice. We remain mindful of the words of António Guterres and the UN community.

Foysoyl Choudhury (Lothian) (Lab): At the end of last year, the Integrated Food Security Phase Classification warned of a very high risk of famine in the Gaza strip. The report advised that more than half a million people were facing emergency levels of food insecurity, which led to all children in Gaza being at high risk of severe malnutrition and death. What specific discussions is the Scottish Government having with the UK Government about provisions to prevent famine from causing

serious malnutrition and preventable deaths in Gaza?

Christina McKelvie: The UN special rapporteur on the right to food has already laid out the concerns that I think that everyone has about imminent starvation, particularly for women and children, in Gaza. Foyso Choudhury will have heard in my answers to previous questions on the topic that we remain committed to working with the UK Government and speaking with it about ways to ensure that aid gets to the people who need it.

The situation needs to change, and it needs to change now. The only way to do that is through a ceasefire, the hostages coming home, and aid going into Gaza to support the civilians who are impacted by the situation and prevent famine from arising in the next few weeks.

Broadcasting (Football Matches)

4. Alex Rowley (Mid Scotland and Fife) (Lab):

To ask the Scottish Government, regarding the potential impact on health and wellbeing of people in Scotland, what action it can take in response to reported calls for free-to-air broadcasting of Scotland's national team football matches. (S6O-03025)

The Cabinet Secretary for Constitution, External Affairs and Culture (Angus Robertson): Although broadcasting powers are reserved, the Scottish Government has a strong interest in there being a fairer and more representative service for Scotland. We continue to argue for its improvement to ensure that it better reflects and prioritises the specific needs and interests of Scottish audiences and our creative economy.

The Scottish Government has previously advocated for the listed events regime to be expanded, and we will continue to press the United Kingdom Government on that, so that more Scottish events, including Scottish men's and women's international football matches, are accessible to audiences on free-to-air broadcast television.

Alex Rowley: I understand that TV rights for the country's national team matches are currently held by Viaplay, which announced last year that it would be scaling back its involvement in Scottish football. I also understand that there could be financial implications for Scottish football of not getting money from TV rights. Therefore, has the Scottish Government had any discussions with the football authorities to look at what support it can provide, working with those authorities, to bring about the change that we need?

Angus Robertson: Alex Rowley makes a very good point. I will definitely reflect on the potential for further discussions with the Scottish football

authorities on making the matches of the men's and women's sides available to viewers on free-to-air television. However, we could solve the issue quite simply if the Scottish Parliament was in charge of broadcasting, because we could just get on with it and not have to rely on others realising that coverage of Scotland's national teams and our national sport should be on free-to-view television. We should have devolved broadcasting powers some time ago. It would be fantastic if the Scottish Labour Party would confirm that it now supports that.

Kenneth Gibson (Cunninghame North) (SNP): The cabinet secretary has more or less stolen my thunder, because all that I was going to ask was this: is that not a perfect example of why broadcasting powers should be fully devolved to the Scottish Parliament?

Angus Robertson: That would be entirely sensible. Why on earth is Scotland's national Parliament not in charge of national broadcasting? I appreciate the question that Alex Rowley posed, because it should be self-evident to absolutely everybody that our national sport and the important games of our national men's and women's teams, which are doing tremendously at the moment, should be easy to access. The easy way for that to happen is through broadcasting powers being devolved. It would be great to have clarification from the Scottish Labour Party and, indeed, from other political parties on whether they are in favour of that.

Referendum (Powers of the Scottish Parliament)

6. **Ash Regan (Edinburgh Eastern) (Alba):** To ask the Scottish Government, as part of its work to further the case for Scottish independence, what its position is on whether it could hold a referendum on the powers of the Scottish Parliament. (S6O-03027)

The Minister for Independence (Jamie Hepburn): The Scottish Parliament has a clear mandate from the previous election to hold a referendum on independence. Last year, the Parliament passed a motion calling on the United Kingdom Government to respect the right of people in Scotland to choose their constitutional future. The UK Government should respect the 2021 election result and the position of this Parliament.

At this stage, we have no plans to hold a referendum on the powers of the Scottish Parliament.

Ash Regan: Last week, the Alba Party released poll results that show that an overwhelming majority of the country support the Scottish Parliament having the power to negotiate for and

legislate for independence. Last week, support for independence was at 52 per cent. If the Scottish Government does not want to back a bill that could unblock the constitutional roadblock that the minister just described, how does it propose to move Scotland forward towards independence in this session of the Parliament?

Jamie Hepburn: It was no surprise to me that people in Scotland expect and believe that this Parliament should have responsibility for such matters. The manifesto on which Ash Regan and I stood said that people in Scotland should be provided with the opportunity to have their say on the future of this country, and the UK Government should respect that.

I am also committed to—this, too, derives from the manifesto on which Ash Regan and I stood—continuing to provide the people of Scotland with the information that they need to make an informed decision. Thus far, we have published nine “Building a New Scotland” papers, which cover a range of subject matters. We will continue to take that work forward. Indeed, just yesterday, we debated the paper on the European Union, and Tory, Labour and Liberal Democrat members voted against the simple proposition that Scotland would be best served by being part of the EU. That is further evidence of why Scotland would be best served by being an independent country.

The Presiding Officer: I am keen to get as many members in as possible, so let us keep our questions and responses concise.

Donald Cameron (Highlands and Islands) (Con): On Monday, *The National* newspaper—one of my essential daily reads—reported the latest shock defection to Alba, Ash Regan’s party: the South Ayrshire Scottish National Party Facebook page. Does the minister accept that, as his party’s case for Scottish independence becomes ever more flimsy, support for the SNP is melting away?

Jamie Hepburn: No, I do not, and such has been the impact of that revelation that that is the first that I have heard of it.

International Offices

7. Tess White (North East Scotland) (Con): To ask the Scottish Government how it sets the priorities for its international offices each year. (S6O-03028)

The Cabinet Secretary for Constitution, External Affairs and Culture (Angus Robertson): Scotland’s international network delivers benefits to our people, businesses and institutions that range from attracting overseas investment and growing exports to facilitating cultural exchanges. Our engagement supports the delivery of Scotland’s domestic policy objectives.

As colleagues will be aware, we have now published our international strategy, which describes the three key areas of focus for the Scottish Government’s international engagement and what we aim to achieve in each area by the end of the current parliamentary session. That will see our offices develop business plans on those three main themes: the economy, trade and investment; climate change, biodiversity and renewable energy; and relationships, influence and reputation.

Tess White: In the recent tax-and-axe Scottish budget, spending on international offices increased by 12 per cent. With another office set to open in Warsaw, the Scottish National Party Government is spending millions of pounds on a function that is already provided by the United Kingdom Government, which has a massive overseas network of embassies and high commissions. This is about priorities. Why does the SNP Government believe that funding for international offices should be increased, while Angus residents who lost their homes to storm Babet are desperate for more support?

Angus Robertson: It would be helpful to clarify the Scottish Conservative and Unionist Party’s position. I thought that it was in favour of the Scottish Government’s international network of offices and that, in fact, it had called for it to be increased. Now, from the back benches, we seem to hear calls for it to be reduced.

I am not sure what the head shaking by Conservative members is about. Is it because one wants to close offices that promote inward investment, trade, tourism and education, or is it just because they are saying one thing on the back benches and another thing from the front bench? We really need some consistency on the matter.

Ivan McKee (Glasgow Provan) (SNP): Does the cabinet secretary agree that Scotland’s international offices are critical to growing our economy and are one of the main factors that is driving Scotland’s best-in-the-UK performance on inward investment and export growth?

Angus Robertson: Yes. “Best in class” is the right description. Scottish Development International statistics show that, in the financial year 2022-23 alone, Scotland’s international operations helped to achieve £1.73 billion of forecast export sales and that 8,500 forecast jobs were secured through inward investment support.

Scotland remains consistently the most attractive destination in the UK for foreign direct investment outside London. That success is aided by the hard work and dedication of the people of our international network. There are SDI offices in more than 30 locations around the world, nine of

them in joint presences, supported by the Scottish Government.

I am glad to have the support of some members in the chamber. Certainly, they are all on the governing side. It is a shame to see members of the Scottish Conservative and Unionist Party undermining them.

Music Industry (Support for Venues)

8. Meghan Gallacher (Central Scotland) (Con): To ask the Scottish Government what measures are in place to support the music industry, in relation to sustaining small grass-roots venues. (S6O-03029)

The Cabinet Secretary for Constitution, External Affairs and Culture (Angus Robertson): The Scottish Government delivers a wide-ranging programme of support for all businesses, including the music industry. Business support can be accessed through our enterprise agencies and Business Gateway.

In addition, Creative Scotland can provide programme support for small grass-roots venues, particularly where additional opportunities for emerging artists or new audiences can be identified. The Scottish Music Industry Association is a member of Creative Scotland's regularly funded network, and it exists to strengthen, empower and unite Scotland's music industry.

Meghan Gallacher: The Music Venue Trust welcomed the Chancellor of the Exchequer's announcement that he would continue the 75 per cent relief to business rates for grass-roots music venues. That support is vital to keeping those community venues open, but it has not been replicated in Scotland.

Grass-roots music venues are concerned about their future. Does the cabinet secretary realise that decisions taken in Scotland on business rates relief have dire consequences for the music industry?

Angus Robertson: It is a shame that Meghan Gallacher chose not to recognise that, in the recent budget, the Scottish Government raised the culture budget by more than £15.6 million this year, in the first stage of raising annual culture spending by £100 million. By comparison, the United Kingdom Government has cut spending on culture in England through the Department for Culture, Media and Sport by 6 per cent. In Scotland, we will be delivering for culture; unfortunately, the UK Government is not doing so in the rest of the United Kingdom.

Claire Baker (Mid Scotland and Fife) (Lab): In August, I asked about potential Barnett consequentials following the UK Government's investment in its creative industries sector. I was

advised at the time that the situation was unclear. Can the cabinet secretary now confirm whether, and when, Scotland will receive any additional resource related to that investment?

Further, whether or not the consequentials are there, is the Scottish Government actively considering providing additional funding to support grass-roots music venues in Scotland that would match the £5 million funding in England that has been given by Arts Council England?

Angus Robertson: I am not aware of any Barnett consequentials having been received in Scotland, but I will ask officials for clarification and write to Claire Baker to update her on that point.

To reiterate what I said a moment ago, this Government has committed to increasing culture spending not just by £15.6 million this year but by an additional £25 million in the forthcoming budget for next year, taking us to a position in which annual culture spending in Scotland will include an additional £100 million from 2028-29. That is a very considerable commitment by the Government, given the level of financial pressure. We will do all that we can.

I am sorry that we have not received—as far as I am aware—any Barnett consequentials whatsoever, but I will reply to Claire Baker and give her clarification on that point.

Mark Ruskell (Mid Scotland and Fife) (Green): This February, the band Enter Shikari will perform in Edinburgh, not only to celebrate their new LP but to prove a point. In the price of their tickets is a £1 donation to the Music Venue Trust, which will go to grass-roots venues in each of the cities in which the band is playing. The band has shown us that ticket levies do not need to come at a cost to fans. Does the cabinet secretary agree that now is the time for the Scottish Government to accelerate progress towards establishing a stadium tax in Scotland to reverse the decline over the past year in the number of music venues in Scotland?

Angus Robertson: I commend Mark Ruskell, because he is consistent in using every opportunity that he has in the chamber and at committee to raise that issue. We are still awaiting the matter to be fully discussed by the cross-party group on music, which I look forward to. There will no doubt be views from across the industry and the culture sector more generally.

However, as Mark Ruskell and members of all the other political parties in the chamber know, we are looking not only at maximising the Scottish Government's commitment to culture and the arts sector in Scotland but at other means that will benefit the sector as we recover from Covid and move towards a situation in which things are on the firmer footing that everybody is committed to.

The Presiding Officer: My apologies to those members whose questions I have been unable to take. We must move on.

Point of Order

14:28

Pam Gosal (West Scotland) (Con): On a point of order, Presiding Officer. This afternoon, a member accused me of failing to declare relevant interests during last week's session of First Minister's question time in line with section 3 of the "Code of Conduct for Members of the Scottish Parliament".

I was accused of failing to declare my shares in three letting companies when I raised concerns about the Scottish Government's rent cap. If the member was truly up to speed with my entry in the register of members' interests, she would know that those are solely commercial letting companies, meaning that I had no relevant interests to declare, as the Scottish National Party's disastrous rent control policy applies to residential property only.

I seek your guidance, Presiding Officer, as to how, in line with the Parliament's standing orders, I can address the claims that were made against me earlier today and as to how the member in question might correct the record.

The Presiding Officer: With regard to the comments that Pam Gosal has made—which are, of course, now on the record—I reiterate that, under the code of conduct, I do not have responsibility in this chair for considering complaints of that nature.

We move to the next portfolio, which is justice and home affairs. I will allow a moment for front-bench members to organise themselves.

Justice and Home Affairs

Drugs (Prisons)

1. **Russell Findlay (West Scotland) (Con):** To ask the Scottish Government what steps it is taking to prevent drugs being smuggled into prisons. (S6O-03030)

The Cabinet Secretary for Justice and Home Affairs (Angela Constance): The health and wellbeing of those who live and work in our prisons remains a key priority for the Scottish Government and the Scottish Prison Service.

Investment in technologies such as Rapiscan machines, which are now available in every prison, and the recent purchase of nine new body scanners, further enhance a comprehensive range of security measures that are already being deployed by the SPS. By working closely with partners such as Police Scotland, SPS must and does remain vigilant to the continuously evolving nature of drug use to ensure that the use of

technology and tactical measures remains current, adaptable and capable of detecting drugs and preventing them from entering our prisons.

Russell Findlay: Scotland's prisons are under siege from gangsters who control the drugs trade, with prison officers on the front line, and I do not say that lightly. The boss of HMP Edinburgh warns that new synthetic drugs are making inmates even more violent and unpredictable. At least one officer has become ill from inhaling drugs that were being smoked by prisoners. Drones are now being used to smuggle contraband. Only seven were detected in 2022, but there were 54 in the first nine months of last year. Many prison officers feel scared and unsupported. Other than warm words and platitudes, exactly what action is the cabinet secretary taking to protect them and to tackle the drugs gangs?

Angela Constance: I reassure Mr Findlay that the safety and security of our prison staff, who do a difficult and, at times, dangerous job, is of the utmost priority to me and this Government. Tomorrow morning, I will chair—as I do every quarter or so—the serious organised crime task force, which is about tackling the grip of organised crime in our communities as well as in our prisons, although, of course, the two are related.

Mr Findlay is right to point to the threat of synthetic drugs, particularly synthetic opioids, given their potency. A number of members, including himself and Ms Hyslop, have written about the impact of psychoactive substances on the health and welfare of staff, and I will discuss that with the chief executive when I next meet her in the not too distant future.

There needs to be a whole range of action, including continuing work to prevent contraband from coming into prisons in the first place, because that does not make prisons safer and it can often add to the violence in our prisons.

On technology, I will say briefly that the Scottish Prison Service continues to work with Police Scotland and an external provider to develop a pilot programme that is trialling covert technology that alerts establishments to drone activity in SPS airspace. That is one of the many actions that are being taken.

Emma Harper (South Scotland) (SNP): Scotland's national mission to improve the lives of those who are impacted by drugs is, of course, not just for people in communities but for those in prisons. With that in mind, will the cabinet secretary outline the Scottish Government's work with partners to embed that work in prisons throughout Scotland?

Angela Constance: As well as disrupting the supply of illicit drugs, we need to reduce demand for those substances. It therefore remains

imperative that we improve access to treatment and recovery opportunities in the community and that we ensure that there is parity of opportunity in our prison estate.

The Scottish Prison Service continues to work in partnership with vital third sector organisations and national organisations such as the Scottish Drugs Forum, Crew 2000 and the Scottish Recovery Consortium to enhance approaches to delivering consistent recovery pathways to help individuals to reintegrate into our communities. Thanks to the good work of prison officers, a full range of innovative projects are supported, such as recovery cafes, recovery walks and the work that mutual aid organisations do.

Crime and Antisocial Behaviour (Highlands and Islands)

2. **Jamie Halcro Johnston (Highlands and Islands) (Con):** To ask the Scottish Government what its priorities are for tackling crime and antisocial behaviour in the Highlands and Islands. (S6O-03031)

The Minister for Victims and Community Safety (Siobhian Brown): The Scottish Government supports action by Police Scotland and partner bodies to reduce crime and antisocial behaviour in the Highlands and Islands and across the whole of Scotland.

Police Scotland and local authorities have a range of options available to them to address antisocial behaviour, and I have established a working group to examine our current approach to the issue and propose improvements.

The 2024-25 Scottish budget will increase funding for policing by £92.7 million, which is an increase of 6.4 per cent. That includes a 12.5 per cent increase in capital budget, to a record figure of £1.55 billion. As of 30 September 2023, northern division in the Highlands and Islands had 668 officers, which is an increase of 44 on the figure of 624 at the same point in the previous year.

Jamie Halcro Johnston: In the past few years, police stations have been lost across the Highlands and Islands while concern has been growing in many local communities, rural and urban, that, despite the efforts of officers, there is a move away from local policing and a reduced police presence. After the cuts to the previous budget, are there fewer or more police officers in the Highlands and Islands today than there were at this time last year? Does the minister expect that the number of police officers across the Highlands and Islands will have increased or decreased by this time next year?

Siobhian Brown: As I said in my previous answer, between last year and this year, the number of officers increased by 44.

Since 2017-18, we have tripled the capital budget for policing, which has supported continued investment in police assets. Responsibility for the allocation of those resources and for the management of the police estate, including police station closures, sits with the Scottish Police Authority and the chief constable.

I agree with Deputy Chief Constable Malcolm Graham, who has stated:

“Our presence in communities is not defined by buildings but by the officers and staff who work there”.

That is an important point. We have already introduced technology that enables our officers to remain in local areas and reduces the need for them to return to police stations to deal with paperwork. In essence, we want officers to spend more time in communities, and the role of modern policing does not mean that they should be tied to a station.

HMP Highland (Budget)

3. Edward Mountain (Highlands and Islands) (Con): To ask the Scottish Government whether it anticipates that the total cost of HMP Highland will remain within the £139.5 million budget by its planned completion in June 2025. (S6O-03032)

The Cabinet Secretary for Justice and Home Affairs (Angela Constance): We do not anticipate that the total cost of HMP Highland will remain within £139.5 million. The Scottish Prison Service is making good progress on the new state-of-the-art prison. However, like many large-scale capital projects, the project continues to face supply chain and labour market challenges, as well as increased costs due to inflation. That is consistent with the position of large-scale projects of such a nature globally. The costs of the construction contract are currently being finalised, and the contract award is scheduled to take place thereafter.

Edward Mountain: I am somewhat surprised by that answer. We have seen the budget for the new prison go from £86 million to £110 million to £139.5 million, and we have seen the completion date go from 2023 to 2025. If the cabinet secretary checked the Government website, she would see that it has been confirmed that there will be another delay and that the new prison will not be operational until 2026, rather than—as I mentioned in my question—2025. Can we really believe that, with another year’s delay, the price will not go up, as it has done over consecutive years during the design process?

Angela Constance: I know that Mr Mountain regularly asks questions with respect to the replacement of HMP Inverness, and I very much welcome members championing the local prison resource in their local communities.

However, although the delay has not been within anybody’s control, it is important to recognise that it is due not just to the pandemic but to the time that it has taken the contractor to secure prices in a very challenging market condition.

I hasten to add that there are some things, such as Brexit, inflation, hostile immigration policy and the cost of living crisis, that are not within my gift. The cost of construction labour in the UK rose by 30 per cent between 2015 and 2022, in comparison to a rise of 14 per cent in European countries. The Department for Business, Energy and Industrial Strategy’s construction material price index has shown, for example, that the price of precast concrete has risen by 56 per cent and the price of doors and windows has risen by 52 per cent.

The Presiding Officer: Briefly, please, cabinet secretary.

Angela Constance: I very much look forward to that progress being implemented.

Katy Clark (West Scotland) (Lab): The Scottish Government has committed to prison replacement at Inverness and Glasgow but not Greenock. I know that the cabinet secretary has visited Greenock and is aware of what His Majesty’s chief inspector of prisons has said about cells there being not suitable for human habitation. Will she provide an update on what work is being done and what consideration is being given to an allocation within the capital budget?

Angela Constance: As, I hope, I have explained to Ms Clark, the Parliament and the Criminal Justice Committee, significant financial and operational pressures have meant that the priority in replacing prisons is the new HMP Highland and the new HMP Glasgow.

There is recognition of the challenges in HMP Greenock, which the member narrated, and remedial action will, of course, be undertaken to maintain the estate, but there is no imminent plan to replace HMP Greenock, because, at this point, the priority is HMP Highland and, crucially, the new HMP Glasgow.

Police (Highlands and Islands)

4. Rhoda Grant (Highlands and Islands) (Lab): To ask the Scottish Government what action is being taken to tackle any police staffing shortages and operational capacity issues in the Highlands and Islands. (S6O-03033)

The Cabinet Secretary for Justice and Home Affairs (Angela Constance): The recruitment and deployment of officers and staff is a matter for the chief constable. However, Police Scotland recruited almost 600 officers in 2023, and there have been around 1,480 new recruits since the beginning of 2022. Furthermore, as I mentioned in response to an earlier question, Police Scotland's N division, which covers the Highlands and Islands, had 668 officers as at 30 September 2023, compared with 624 at the same point in the previous year. Additionally, individual divisions can access specialist expertise at a regional and national level to meet demand, which would not have been possible before the creation of Police Scotland in 2013.

Rhoda Grant: The chief superintendent for Highlands and Islands division has stated that, due to centralised decision making, rural policing is facing a massive challenge. He quotes an example. Following an incident in Benbecula last year, staffing shortages meant that it had to be dealt with by two off-duty officers. The only two officers on duty on Lewis and Harris were also required to deal with the incident the following day, meaning that there was no police cover on the islands. That would be absolutely unacceptable in the central belt, but it is allowed to happen on our islands. What actions is the cabinet secretary taking to ensure that rural policing has the resources that it needs to keep people safe?

Angela Constance: The member raises a fair point: that there are particular challenges in and around rural communities, which are perhaps less obvious here in the central belt. Of course, this Government has duties with respect to the Islands (Scotland) Act 2018.

I have been advised by Police Scotland that local recruitment events have been undertaken in different areas of the division, which is inclusive of all three island communities. I will endeavour, at the member's request, to make further inquiries and to report back to her.

The Presiding Officer: There is much interest in that portfolio, so I would be grateful for succinct questions and responses.

Survivors of Domestic Abuse (Justice System)

5. **Clare Haughey (Rutherglen) (SNP):** To ask the Scottish Government what action it is taking to support survivors of domestic abuse while they are engaged in the justice system. (S6O-03034)

The Minister for Victims and Community Safety (Siobhian Brown): Domestic abuse is abhorrent and totally unacceptable. It is vital that perpetrators are held to account and that women and children have access to front-line services that deal with violence and domestic abuse.

We are investing record levels of funding to support victims through a range of front-line specialist services. Our victim-centred approach fund will provide £48 million to 23 organisations between 2022 and 2025, including £18.5 million for specialist advocacy support for survivors of gender-based violence.

Of the annual £19 million delivering equally safe fund, £7,719,700 is provided to Women's Aid groups across Scotland. In addition, the Scottish Government funds the domestic abuse and forced marriage helpline to offer free confidential support.

Clare Haughey: I thank the minister for meeting me earlier this month, when we discussed a number of issues that have been raised with me by constituents about their experiences with the justice system. Those issues included domestic abusers using civil courts to continue to exert power over the survivor, potential limitations to the disclosure scheme for domestic abuse Scotland and, among other things, the cost of taking out non-harassment orders. How is the Scottish Government listening to the views and experiences of domestic abuse survivors in order to inform future policy and legislative plans?

Siobhian Brown: The Victims, Witnesses, and Justice Reform (Scotland) Bill has been and will continue to be informed by listening to survivors, victims and their families. The bill includes provisions on special measures to protect vulnerable witnesses and parties in civil cases, recognising that domestic abuse can be raised.

Another example of our commitment to learning from lived experience is the targeted engagement that informs decisions, which is a fundamental aspect of the domestic homicide and suicide review model for Scotland. We are also working with SafeLives Scotland to explore how the expertise of people with lived experience can continue to meaningfully support the development of the model. We are committed to understanding and improving the interaction between civil and criminal courts.

In addition to the work on the domestic abuse round table, the Scottish Government is considering recommendations in the recent research on domestic abuse and child contact and the interface between criminal and civil proceedings. Workshops are being held with a range of interests to consider the issues and the improvements that are needed, and to discuss potential solutions.

The Presiding Officer: I must continue to call for brief responses. I would be grateful, minister, if you could direct your microphone towards yourself. We have a brief supplementary question from Liam McArthur.

Liam McArthur (Orkney Islands) (LD): The Law Society of Scotland has indicated that women seeking to leave a violent relationship often struggle to access the help that they need due to an absence of legal aid services. As I mentioned to the minister last week, the problem is even more acute in rural and island areas, where a small number of legal aid solicitors are stretched over an even wider area. There is a growing reluctance among mainland practices to take on clients in the islands. What action will the minister take to address that problem and ensure access to legal services for domestic abuse services in places such as Orkney?

Siobhian Brown: Solicitors in all parts of Scotland are able to access funding for the work that is carried out under the legal assistance schemes. The schemes are flexible enough to allow solicitors to travel to rural and remote parts of the country to carry out work, should it not be possible to instruct a local agent.

I had a question on the topic from Beatrice Wishart last week, and I have statistics that I could write to the member with.

Pam Gosal (West Scotland) (Con): In recent years, Scottish Government statistics have shown domestic abuse incidents at record highs. New statistics for the past year have been delayed until March, so we do not yet have the most recent information about domestic abuse in Scotland. The given reason for that is to allow additional time to complete development work. Can the cabinet secretary give more details about that work and its progress? Will the statistics be stronger, and will that work provide greater information on repeat attacks, which we know account for more than half of domestic abuse cases?

Siobhian Brown: I do not have that information to hand, but I will write to the member regarding that. I know that the member has a proposed domestic abuse prevention bill coming forward, and I am happy to consider innovative policy interventions that commit to do more for victims of domestic abuse.

HMP and YOI Polmont (Adult Male Prisoners)

6. Alexander Stewart (Mid Scotland and Fife) (Con): To ask the Scottish Government, in light of reports that the housing of adult male prisoners at HMP and YOI Polmont is being considered, what its position is on whether such an announcement should be made to the Parliament. (S6O-03035)

The Cabinet Secretary for Justice and Home Affairs (Angela Constance): The management and location of prisoners is an operational matter for the Scottish Prison Service. The SPS wrote to the Criminal Justice Committee and the relevant

cross-party group on 19 January this year to notify them about the phased transfer of adult male prisoners, which will be undertaken in small numbers and which began on 23 January.

The safety and welfare of people in custody are a top priority, and the Scottish Prison Service's decision has been made in the context of an 84 per cent reduction in the number of under-21s in custody between 2009-10 and 2022-23. The Prison Service has a strong track record of keeping different groups of prisoners separate, and robust mitigations are in place to provide separate accommodation for adult males, including separate regimes, a reception area and an exercise regime that involves no view to other residential areas.

Alexander Stewart: The Scottish National Party Government has let crime spiral out of control. As a result, there is a rapidly increasing prison population, which is putting enormous pressure on already stretched resources. Those factors mean that prison services feel that they have no other option than to house male adults in prisons alongside young offenders. Will the cabinet secretary confirm that the move is necessary because the SNP's soft-touch approach to justice has failed to deter criminals from committing crimes that are serious enough for them to go to jail?

Angela Constance: A prison population of 7,898 does not smack of soft justice; neither, indeed, is it smart justice. I have always been clear that we need to respond to the rise in the prison population, and we will indeed.

As for the member's assertions about crime statistics, I should let him know that the level of crime under this Government is among the lowest since 1974. Crime has actually fallen under this Government. The Conservatives are always soft on solutions and soft on options but—my word—tough on the old rhetoric.

HMP Kilmarnock (Public Ownership)

7. Brian Whittle (South Scotland) (Con): To ask the Scottish Government what evidence it used as the basis for its decision to bring HMP Kilmarnock into public ownership. (S6O-03036)

The Cabinet Secretary for Justice and Home Affairs (Angela Constance): For 17 years, it has been Scottish Government policy that prisons should be owned and managed by the public sector. We do not believe that public safety, rehabilitation and wellbeing should be driven by private profit.

With the 25-year contract coming to an end, there were really only two choices. One was to tender the contract; the other was to bring the prison into public ownership, in line with our long-

running policy on private prisons. The decision was made not to put the contract out to tender.

Brian Whittle: HMP Kilmarnock is one of the most cost-effective prisons in the United Kingdom. It is regularly recognised for the positive approach that it takes to community engagement and for its relationship with community organisations.

The current operator had reportedly offered to build a new wing at no cost to the taxpayer. Meanwhile, His Majesty's chief inspector of prisons has described six Scottish Prison Service-run prisons as

"ill-suited to a modern prison system",

and the replacements for two of those prisons are delayed and over budget. Will the cabinet secretary accept—as she did during my members' business debate—that the decision is not being based on results or evidence but is being driven by ideology, regardless of whether it will deliver the best outcomes for prisoners and staff at HMP Kilmarnock?

Angela Constance: I say with the greatest respect to Mr Whittle that he is taking some liberty there. As he well knows, I have a high regard for the staff and the work that takes place at HMP Kilmarnock. I very much look forward to welcoming the staff and the establishment into public control, as they become part of the wider Prison Service family.

The decision was taken some time ago, and cost comparisons between the public sector and the private sector are not straightforward. In more recent times, under the pricing mechanism where costs increase at a rate that is greater than the retail prices index excluding mortgage interest payments, prices have escalated to a higher level in private prisons in comparison with public sector prisons. Of course, with the Conservatives, it is always about money and cost, as opposed to safety, security, care, rehabilitation and the terms and conditions of prison officers.

Willie Coffey (Kilmarnock and Irvine Valley) (SNP): When I visited the prison on Monday, the director assured me that the transition process is going well. Will the cabinet secretary provide an update on the engagement process that has taken place between staff and the SPS to ensure that the transition programme is delivering on its objectives for everybody who is concerned?

Angela Constance: Staff engagement is of the utmost importance in the process that we are pursuing, and I very much welcome the enhanced engagement that the Scottish Prison Service has carried out with employees in group settings and on a one-to-one basis to support the transition and ensure a smooth move into public sector ownership. I assure Mr Coffey that the SPS

continues to work closely with Kilmarnock Prison Services Ltd and Serco to deliver the smooth transition in a way that supports the crucial front-line staff and those who are in our care and custody.

Post Office Horizon Prosecutions (Frank Mulholland)

8. Murdo Fraser (Mid Scotland and Fife) (Con): To ask the Scottish Government what its position is on whether the former Lord Advocate Frank Mulholland should make himself available to the Parliament to answer questions, in relation to matters for which he was responsible in his former role, in connection with Horizon information technology prosecutions in Scotland. (S6O-03037)

The Lord Advocate (Dorothy Bain KC): As the Lord Advocate, I am accountable to Parliament for the actions of prosecutors, regardless of when those actions were taken. The wrongful conviction of sub-postmasters that arose from the Post Office's failure to disclose errors in the Horizon system is deeply concerning. While cases that relied on Horizon evidence were being prosecuted, the Post Office did not disclose to prosecutors the true extent of the system issues. There is no record of Lord Mulholland discussing that issue with the Scottish Government or taking any decisions in relation to cases that involved Horizon evidence.

Murdo Fraser: I thank the Lord Advocate for her response and welcome her back to the chamber to answer questions about this disgraceful episode, in which innocent sub-postmasters were wrongfully convicted. When she was last here, she could not—or perhaps would not—answer the direct question that I asked her about why there was a delay between the Crown Office being alerted to problems with the Horizon computer system and its deciding to suspend prosecution proceedings against sub-postmasters. Will she now give me an answer, or do we have to ask Lord Mulholland?

The Lord Advocate: I reject what Mr Fraser said. I did answer the question clearly, and my statement was available to Parliament before I took to my feet.

In relation to the period between 2013 and 2015, the concerns that were raised then were not the concerns as they are now known to be. The Crown was told of limited concerns in England and Wales that did not impact on Scotland. Accordingly, engagement with the Post Office, as a specialist reporting agency, was appropriately directed and managed by prosecutors in the Crown Office. As the Post Office identified no systemic issues or concerns regarding Scottish cases, there was no need to take further action.

As I said last time, I stress that it was not until the judicial findings of the courts in England and Wales were issued in 2019 and 2021 that the true and full extent of Horizon issues became known. At that point, it transpired that the Post Office had misrepresented—deliberately or otherwise—the true extent of the problems with Horizon during its engagement with Scottish prosecutors.

The Presiding Officer: That concludes portfolio question time. I will allow a moment for members to organise themselves before we move to the next item of business.

UK Covid-19 Inquiry

The Deputy Presiding Officer (Liam McArthur): The next item of business is a debate on motion S6M-12010, in the name of Douglas Ross, on United Kingdom Covid-19 inquiry revelations. I invite members who wish to take part in the debate to press their request-to-speak button now or as soon as possible.

14:59

Douglas Ross (Highlands and Islands) (Con): The Covid-19 pandemic affected people across the globe, and every single person in Scotland. The public were forced to spend months effectively restricted in their homes, unable to see family and friends. They were prevented from doing the activities that they loved, in the places they loved to go, with the people they loved to spend time with. Children missed out on crucial education; examinations in schools, colleges and universities were affected. Important milestones were delayed or cancelled altogether and, perhaps most devastatingly of all, so many people were denied the chance to say a final goodbye to loved ones in their last moments.

Those were the hard sacrifices that people in Scotland made to protect one another: sacrifices that they made because their Governments asked them, and because they believed that those actions were being taken forward for the right reasons. They believed that their protection and the protection of their fellow citizens was the number 1 priority—the only priority—for Government in those difficult times. They believed that, even if different decisions were being made across the United Kingdom, those were based on sound public health advice.

Now, nearly four years on from the start of the first lockdown, the work of the UK Covid inquiry has let us see just how blatantly the Scottish National Party Government abused that trust. This morning, Nicola Sturgeon was asked why she had got rid of all her WhatsApp messages despite knowing that a do-not-destroy order was in place. She was asked why she had assured a journalist that all her messages would be handed over to the inquiry despite knowing, when she gave that answer, that she had already deleted them.

Nicola Sturgeon has apologised for giving unclear answers, but she should be apologising to the people of Scotland for much, much more. Nicola Sturgeon should apologise for destroying vital evidence. Nicola Sturgeon should apologise for misleading the press and the public about deleting those messages. Nicola Sturgeon should apologise for breaking a clear promise to be open. Nicola Sturgeon should apologise for her secrecy,

her dishonesty and her arrogant disregard for transparency.

The rules of this Parliament prevent me from describing Nicola Sturgeon using the only language that I think truly reflects what she did. While I am not allowed to say that Nicola Sturgeon is a liar and the UK Covid inquiry has exposed her lies, I say this: the evidence proves that the former First Minister deliberately made statements that she knew to be untrue and deleted key evidence that she knew would be requested.

However, in this Covid inquiry, we have learned about more than just the culture of secrecy in the SNP Government. Rather than treating the pandemic with the seriousness and sobriety that it deserved, we had the Cabinet Secretary for Health and Social Care, who is now the First Minister, and the national clinical director joking about “winging it”. During a pandemic that had killed 10,000 people in Scotland by that point, they were joking about “winging it”. Maybe that is why Humza Yousaf offered to take £100 million out of the national health service budget when it was on its knees during the pandemic.

John Mason (Glasgow Shettleston) (SNP): The member talks about people being serious. Does he think that Boris Johnson was serious enough about the pandemic?

Douglas Ross: We had a question in the office about how long it would take the SNP to mention Boris Johnson—I had gone for earlier than four minutes, in fairness.

Let us focus on what we are discussing here: the UK Covid inquiry meeting in Scotland and the actions of the SNP Scottish Government during the pandemic.

We also know that, as well as “winging it”, the First Minister admitted, when he was health secretary, that he would

“get found out sooner rather than later”.

On that, I think that we can agree that Humza Yousaf was correct. He should not just be apologising for his Government’s failure to hand over WhatsApp messages; he should also be apologising for the crass content of those messages and how that has impacted the families of the Covid bereaved.

In recent days, and again earlier today when the former First Minister was questioned at the inquiry, we have found out about minutes that were not taken of key meetings that were even kept secret from cabinet secretaries. Members of the Scottish Government Cabinet, who were tasked by all of us to make responsible decisions during the pandemic, were excluded from those meetings. Worse than that, we had the former First Minister and her chief of staff plotting to start a

“good old-fashioned rammy”

with the UK Government for “purely political” reasons. Let me just repeat that. Nicola Sturgeon and her closest spin doctor thought that they should be acting in purely political ways during a global pandemic. Does any SNP member want to intervene to defend that? None of them—

John Mason rose—

Douglas Ross: Mr Mason will defend the SNP Government for using the pandemic for purely political purposes.

John Mason: I ask again whether the UK Government and Michael Gove did not do exactly the same.

Douglas Ross: No, they did not. In this inquiry, we have seen that the top spin doctor to the former First Minister was looking to start a fight with the UK Government. Remember, she wanted to ask for things that she knew would be refused. They admitted to wanting to

“think about something other than sick people”.

That is what Nicola Sturgeon and her chief of staff were discussing.

We now know that, in June 2020, just a few months into the pandemic, the SNP Government was discussing how the public health crisis could be used to boost independence. Children could not go to school, restaurants remained shut and friends and family were just beginning to be able to meet up again. I will give way to any SNP member who wants to defend, months into the pandemic, SNP Government ministers looking to use the pandemic to boost independence. [*Interruption.*] No one is standing up, but some of the SNP members are actually laughing. John Mason is still laughing. He thinks that it is funny.

I will give way to Ruth Maguire in a moment. When I give way to Ms Maguire, John Mason might want to take the smirk off his face during this important debate.

Ruth Maguire (Cunninghame South) (SNP): I will not be the only person in the chamber who lost someone during the pandemic and who will be finding this display quite despicable. We are serious politicians in a serious place. It would be good if we could talk about the actual issues, rather than grandstanding. It is a disgrace to the people who lost their lives.

Douglas Ross: This is the actual debate. I respect Ruth Maguire. She stood up and could not defend her own Government wanting to use a pandemic to boost independence. I am not the one grandstanding. That is what Nicola Sturgeon and her Cabinet were agreeing to do, months into the pandemic. Just as it has always done and will continue to do, the SNP was fixated by its political

obsession when there were far bigger issues affecting Scotland. The SNP is a national disgrace.

That is from the messages that we know about, because the then First Minister, Nicola Sturgeon, her deputy, John Swinney, and countless political advisers and civil servants have all manually deleted their WhatsApp messages. He is not here just now—I know that he is in the Parliament—but no one will ever refer to Mr Swinney as “Honest John” ever again. Sleekit Sturgeon will be remembered for deleting vital evidence on an industrial scale, denying grieving families the truth that they deserve. The current First Minister is winging it so badly that he told the inquiry that he had deleted all his messages but told the public that he had retained them—and all those actions by all those characters despite both the UK and Scottish inquiries making it clear that destroying evidence, including WhatsApp messages, is an offence.

We have seen the national clinical director, Jason Leitch, describe deleting WhatsApp messages as a “pre-bed ritual”. Ken Thomson, who was then a director general at the Scottish Government, bragged about “plausible deniability” being his middle names. The chief medical officer, Gregor Smith, advised his colleagues to delete messages

“at the end of every day”.

John Swinney revealed in his evidence to the inquiry this week that he has been following that practice for 17 years. For 17 years, the Scottish Government has been deleting evidence. If there was nothing to hide, why did those involved feel the need to have daily digital bonfires of evidence that they knew had been specifically requested by two public inquiries? It can only be, as we have seen from the few messages that the UK Covid inquiry has been able to get its hands on, because of the appalling culture of secrecy that has permeated through every level of this rotten SNP Government.

At the question-and-answer session with journalists in 2021 that I referred to earlier, Nicola Sturgeon said that,

“for the avoidance of doubt”,

nothing would be off limits in providing evidence to a public inquiry, including WhatsApps. However, Jamie Dawson KC has said:

“at the time that request was made Nicola Sturgeon, the former first minister of Scotland, had retained no messages whatsoever in connection with her management of the pandemic.”

Nicola Sturgeon made the promise of transparency in the full knowledge that she had already deleted what evidence she could and that,

far from nothing being off limits, there was nothing to give.

“What a fraud this woman was”.

If SNP members do not like that, I can say that those are not my words. That is the verdict of one of their former SNP colleagues, Joan McAlpine. I am sure that that is a verdict that more and more of the public are beginning to agree with.

The Scottish Conservative motion today calls for the COVID-19 Recovery Committee to be reconstituted to look into the very serious matters that we have raised, and for Nicola Sturgeon, John Swinney and Humza Yousaf to be referred to the independent adviser on the Scottish ministerial code to look at what has happened.

We know that Governments across the world made mistakes during the pandemic, but we now know that the perception that the Scottish Government was better—that it was whiter than white—was achieved only because it was frantically deleting every shred of evidence that would have shown otherwise. What little evidence we have seen shows an SNP Government that is steeped in secrecy, that was joking about the virus spreading across the country, that was “winging it” instead of making decisions based on hard public health evidence and that was pursuing “purely political” objectives while people died.

For all the sacrifices that the Scottish people made during the pandemic, the very least that they deserve from this SNP Government, even at this late stage, is openness and transparency. It is truly unforgivable that it looks as though they will never get that. I urge members across the chamber today to support the Scottish Conservative motion to get the answers that the public desperately need.

I move,

That the Parliament expresses its concern at the evidence revealed from the UK Covid-19 Inquiry from Scottish Government ministers, special advisers and officials, both past and present, on their handling of the COVID-19 pandemic; calls for the Parliament’s COVID-19 Recovery Committee to be reconstituted for the purpose of providing parliamentary scrutiny of evidence revealed by the Inquiry; recognises that the former First Minister promised to handover WhatsApp messages to the UK Covid-19 Inquiry; believes that the former First Minister, Nicola Sturgeon, and the former Deputy First Minister, John Swinney, have failed grieving families by deleting evidence that they knew would be required for the Inquiry; further believes that the current First Minister has misled the public on the detail of the retention of his WhatsApp messages, and recommends that all three be referred to the independent adviser on the Scottish Ministerial Code so that COVID-19-bereaved families and the public can get the answers that they deserve.

The Deputy Presiding Officer: I call Shona Robison to speak to and move amendment S6M-12010.5.

15:12

The Deputy First Minister and Cabinet Secretary for Finance (Shona Robison): The Covid-19 pandemic touched every life in Scotland. Throughout it, the Scottish Government's absolute priority was always to keep the people of this country safe.

The threat that was posed by a novel virus, whose long-term effects we are still working on trying to fully understand, wrought a fear around the world. Through constituents' experiences or, indeed, our personal experiences—I know that many people in the chamber have been personally affected—we know about the pain of the loss of loved ones during the Covid-19 pandemic. I put on record my condolences to all those affected.

Loss was, of course, made harder in the early days of the pandemic by the necessity of distancing to help to reduce the spread of the virus. That sacrifice compounded the pain of grief, and I will never be fully able to express my gratitude to people for that sacrifice. Those simple acts of following the rules, despite the absolutely human desire for connection and solace, were, for me, the unspoken acts of heroism of the pandemic, as were, of course, the efforts of those who worked on the front line day in, day out to look after us and keep us safe.

Those in Government here and in London, Cardiff and Stormont and across the world were faced with a fast-moving threat that they had to respond to quickly. To do so, those tasked with taking decisions were, of course, supported by civil servants, scientific advisers and clinical advisers. I place on record my thanks to those staff across the whole of the UK, who did their very best in the most challenging of times.

The Scottish Government was clear throughout the pandemic that our response would not be perfect, that mistakes would be made, and that we hoped that lessons would be learned for the future. The necessity that lessons are learned in case we face a new disease in the future is why we commissioned a judge-led inquiry in Scotland—indeed, Scotland is the only part of the UK with a dedicated national inquiry. That necessity is also why we are participating fully with the UK Covid inquiry. We must learn from our shared experiences and improve together. That is exactly what we hope that the two independent, judge-led inquiries will enable us to do.

Douglas Ross: Does the Deputy First Minister accept that, although everyone wants the inquiries to come up with conclusions that can be used in the future, their work is being hampered because Nicola Sturgeon, John Swinney and senior civil servants deleted key messages, which are now not available to them?

Shona Robison: I do not believe that the work of the inquiries is being hampered. I believe that the inquiries are being robust, they will get to the truth of the matter, and they will put on record their analysis of what they believe has taken place. They will hold politicians throughout these islands to account for the decisions that they made, and we await their reports.

Sadly, today's debate is partisan in nature. It is taking place before the UK Covid inquiry has even finished taking evidence in Scotland and on the very day that the former First Minister is giving her evidence. I do not believe that the public will think that politicians are best placed to be judge and jury on the adequacy or otherwise of the response to the pandemic that was led by other politicians. The attempts to create some kind of hierarchy of blame, in which others are always put at the top, tell us why the establishment of an independent, judge-led inquiry was so important. That inquiry will scrutinise the decisions that were made by all Governments across the UK without fear or favour and without political interference.

Brian Whittle (South Scotland) (Con): Will the cabinet secretary give way?

Shona Robison: Briefly.

Brian Whittle: The cabinet secretary said that there should be no political interference during the Covid inquiry. Why then, as soon as Boris Johnson and Rishi Sunak stood up, did the Scottish Government jump up and down and make as much noise as it possibly could? Do you not reap what you sow in this debate?

The Deputy Presiding Officer: Speak through the chair.

Shona Robison: There is no comparison. [*Interruption.*]

Let me turn to the matter of informal messages, such as WhatsApps, which Douglas Ross has focused on.

The Scottish Government's policy on the retention of information in the official record has been set out on a number of occasions, not least by me. The Scottish Government has reflected on informal messaging through the process. That is why the First Minister has not only apologised for any hurt that was caused by the Scottish Government's prior handling of the requests from the inquiry, but has announced an externally led review of the use of mobile messaging apps and non-corporate technology. We would, of course, be happy to work on that with any other Government on these islands, as it appears that we all face similar issues.

Douglas Ross: Will the cabinet secretary take an intervention on that point?

Shona Robison: Not just now.

That fact is demonstrated by the following quote, which was given to the UK inquiry in a witness statement from the Prime Minister, Rishi Sunak, who, of course, provided no messages to the inquiry. He said:

“my expectation would be that if the officials on those groups had considered that any information being communicated by WhatsApp message needed to be preserved to form part of the official ... record, then those officials would have taken steps to ensure that happened.”

Douglas Ross: Will the Deputy First Minister take an intervention on that point?

Shona Robison: In a minute.

Of course the material that the Scottish Government has provided to the UK inquiry to date includes emails, messages, submissions and advice to ministers, and papers from key decision-making meetings, including meetings of the Scottish Cabinet. In total, more than 19,000 documents and almost 28,000 messages have been provided.

Douglas Ross: If the Scottish Government policy of deleting messages is correct and is so important, why did Kate Forbes as finance secretary not know about it, and why did Humza Yousaf, the current First Minister, not follow it?

Shona Robison: I have been clear in setting out the policy, which was about making sure that any salient points were transcribed to the official record and then other information could be deleted thereafter. That has been the policy, and it is the policy that I set out in detail in the statement to the Parliament.

In the past few weeks, the UK inquiry has touched on a range of issues that will inform how we prepare for the future. The UK inquiry is currently on module 2A, but in time it will move on to other specific aspects of the response to the pandemic, including module 5, on procurement. In fact, the preliminary hearing for module 5 will take place in London next week. Module 5 will be important, because it will consider issues such as the prevalence of fraud in personal protective equipment contracts, including the UK Government’s so-called high-priority lane, among other matters. Separately, there are on-going investigations by the National Crime Agency into suspected criminal offences in relation to UK Government PPE contracts.

I believe that all that adds weight to the calls for the creation of a UK Covid corruption commissioner. The Scottish Government will support efforts of any future UK Government to establish such a role to seek to recoup public funds that were lost to waste and fraud.

In conclusion, our thoughts and sympathies go to everyone who was impacted by the pandemic. I believe that the work of the inquiries is vital to give an independent view and consideration of the handling of the pandemic across the UK, free from political interference. It is right and proper that politicians of all parties should allow the inquiries to get on with their work. We will await their conclusions and then respond as appropriate. I look forward to continuing to provide the inquiries with the material that they need to do their job.

I move amendment S6M-12010.5, to leave out from “expresses” to end and insert:

“welcomes the work of the independent judge-led UK Covid-19 Inquiry and Scottish COVID-19 Inquiry to help learn lessons to ensure that the nation can be best prepared for any future emergent pandemic viruses; recognises that the COVID-19 pandemic saw the loss of life across the country, and again offers its condolences to the families and friends of those who died during the pandemic; notes that 28,000 messages and 19,000 documents have been handed to the UK Covid-19 Inquiry from the Scottish Government; agrees that one area of concern, from which lessons must be learned from the handling of the pandemic, is the size and scale of potential fraud in PPE contracts that were overseen by the UK Government; notes that this will be considered by both the UK Covid-19 Inquiry and the relevant prosecutorial authorities; supports the establishment of a UK ‘COVID corruption commissioner’ to seek to recoup public funds lost to waste and fraud, and believes that all governments should engage fully with the UK Covid-19 Inquiry to enable their actions and decisions during the pandemic to be scrutinised, so that COVID-19-bereaved families and the public get answers to the questions that they have.”

The Deputy Presiding Officer: I advise members that there really is no time in hand, so members will have to stick to their speaking time allocations and accommodate interventions within those.

I call Jackie Baillie to speak to and move amendment S6M-12010.3.

15:22

Jackie Baillie (Dumbarton) (Lab): As we debate the culture of secrecy and cover-up that has been laid bare in the UK Covid-19 inquiry, let us remember that at the heart of this scandal are the people who lost their lives and families who lost their loved ones. It is for them that we search for answers and call out that culture of cover-up at the very heart of the Scottish Government.

In recent weeks, it has been revealed that Nicola Sturgeon, John Swinney, Jason Leitch and other officials too numerous to name have deleted all of their pandemic WhatsApp messages. Nicola Sturgeon described Boris Johnson as a “clown”. Many might agree with her, but no one thinks that of Nicola Sturgeon—she is a clever woman, so what she has done is deliberate. Some have

described it as cynical and calculating, but, whether or not we agree with that, it is deliberate.

This week, Jeane Freeman admitted that the SNP Government was not prepared for the pandemic; Kate Forbes has challenged the deletion of evidence by her own colleagues; and Nicola Sturgeon today has confirmed that she misled the nation and put the boot into poor Humza Yousaf. The inquiry was able to scrutinise the WhatsApp messages of UK Government ministers and officials. It will have no such ability to scrutinise the totality of the decision-making process of Nicola Sturgeon and her advisers, thanks to the systematic destruction of evidence on a truly industrial scale. That is utterly shameful and a complete betrayal of trust.

The SNP's arrogance and sense of impunity have robbed the public of any chance of properly understanding what happened during the pandemic. We had the discharge of untested patients to care homes, the closure of businesses and the shutting down of our schools—and, of course, more than 17,000 Scots died from Covid-19. The loss of each of those lives is a tragedy. However, one surviving WhatsApp exchange reveals that the SNP chief of staff was much more concerned with stoking a “good old-fashioned rammy” with the UK Government, so that she could

“think about something other than sick people”.

The outrage of a comment like that surpasses party politics. That attitude at the very centre of Government is utterly indefensible.

Some 17,000 lives were lost, but the SNP's priority was constitutional bickering. When asked about that, the former First Minister simply failed to tell the truth. We have no answers to why key and often deadly decisions were made. What we do have is proof positive of the SNP's skewed priorities.

This is not the first time that the SNP has attempted to conceal the truth from voters. Over the past 17 years, it has instilled a culture of secrecy and cover-up that now permeates Scottish politics. I have been in the Parliament for some time—since the beginning—and I have had a ringside seat for the erosion of accountability and the shroud of secrecy, which was at its worst when Nicola Sturgeon and John Swinney were in charge.

The SNP has long berated the Tories at Westminster for the party's sense of closed government, but it seems that those protests were a case of “Do as I say, not as I do.” Transparency and openness should be practised by everyone else but not the SNP, when it comes down to it, because it is one rule for them and another rule for the rest of us.

The use of private, un-FOI-able SNP email addresses for official conversations, the mass destruction of discussion chains and the on-going misleading of Parliament cannot continue. That goes beyond political scandal; it is a potential breach of the law.

Rachael Hamilton (Ettrick, Roxburgh and Berwickshire) (Con): Does Jackie Baillie agree with the Conservatives on these benches that we should reconvene the COVID-19 Recovery Committee so that we can get some transparency on the decision making around the pandemic?

Jackie Baillie: Although I have no objection to that, I am unclear how a committee would do any better than Lady Hallett is doing, in fairness. Having been on the Salmond committee—*[Interruption.]*—I understand the frustration, frankly, of trying to get information—*[Interruption.]*—from the Government, and I reckon that Lady Hallett's chances are better.

The Deputy Presiding Officer: Ms Baillie, please resume your seat for a second. There is far too much background noise. Let us show respect and listen to the person who has the floor.

Jackie Baillie: Thank you. I was coming to why I think that those actions are a potential breach of the law. Officials appear to have deliberately attempted to communicate in ways that would avoid Government decision making being covered by freedom of information requests.

I am sure that attention will now turn to whether there was a breach of the Inquiries Act 2005 and the Freedom of Information Act 2000 and whether there is a need for a formal police investigation. I would also like the permanent secretary to review the civil service code, as I cannot believe that it is acceptable for the custodian of the document retention policy to tell people how to avoid compliance with it. I cannot believe that it is acceptable that the national clinical director who helped to shape the regulations was telling a minister how to get round them.

Ministers have misled this Parliament and the SNP has misled Scotland. The culture of secrecy and cover-up must end, because the people of Scotland deserve so much better.

I believe that change is possible. Scottish Labour would transform Government and clean up the Scottish Parliament. We would conduct a full review of parliamentary procedures to ensure that Parliament is robust and reflects people's daily experiences.

We would place a limit on the number of ministerial and Government posts and strengthen the effectiveness of the committee system. We would address problems with accountability and transparency, providing protection for

whistleblowers, introducing a right of recall for MSPs and establishing consequences for breaking the ministerial code, which this Government seems to do with impunity.

The people of Scotland can no longer trust the SNP. They have been taken for granted by a party that is out of touch and out of ideas. That is not just about the inquiry but about how this Government operates: a culture of secrecy that goes from the First Minister right down. Enough is enough. It is time for change.

I move amendment S6M-12010.3, to insert at end:

“, and regrets that the Scottish National Party has, for almost 17 years, presided over a culture of secrecy in government.”

15:29

Alex Cole-Hamilton (Edinburgh Western) (LD): I am grateful for the opportunity to speak for the Liberal Democrats in today’s debate.

Last week, outside the Covid-19 inquiry in Edinburgh, a member of the Covid bereaved families held back tears as she said of the former First Minister, Nicola Sturgeon:

“I am absolutely ashamed and devastated to hear what she’s doing now. I can’t believe it”.

She was there representing just one of millions of Scots families who hung on the former First Minister’s every word during the daily lunchtime briefings. Those families shaped their worlds around the policies that were spelled out from that Bute house podium, and they saw their lives and the lives of their loved ones curtailed and, in some cases, even foreshortened by those same policies.

However, now, at the time of asking, when it matters most, the former First Minister’s words—words that defined the culture and calculation that underpinned the life-and-death decisions—have been rendered almost wholly irretrievable. It is now clear that a full narrative account of Scotland’s pandemic story will be forever denied to the families at the heart of this. What is worse is that it has been denied to them by an act of wilful concealment by Nicola Sturgeon and those around her.

The most difficult moment for Nicola Sturgeon during her testimony to the inquiry this morning came when, in cross-examination, Jamie Dawson KC asked her about assurances that she had given to Ciaran Jenkins of Channel 4 News that she would not only retain the salient points in her WhatsApp messages and other private messages but submit them wholesale, in their entirety, to the inquiry that she knew was sure to follow. She was forced to make it clear to the inquiry today that she never had any intention of fulfilling that assurance,

because, at the time of making it, she was personally deleting every one of the messages.

Nicola Sturgeon apologised to the inquiry and then repeated, almost word for word, the same justification for the complete excision of the messages as was offered to the inquiry just yesterday by her deputy, John Swinney. She said that such messages were of little consequence and that, in any case, since 2007, SNP ministers had been strongly advised by the civil service to delete all private messages once key points had been transferred to the official Government record, so that, should a phone or other device be lost or stolen, sensitive correspondence would not be compromised.

It bears stating that that policy was not codified until November 2021, several months after the Scottish Government had issued a “Do not destroy” notice for such material. That is perhaps why neither Kate Forbes nor Jeane Freeman—ministers of some time served—knew nothing about such a policy.

However, here is where I get stuck. Members will recall that, along with Jackie Baillie, I served on the Committee on the Scottish Government Handling of Harassment Complaints—the Salmond inquiry. If, as we have heard, Nicola Sturgeon only ever used her personal phone, and if we are to believe that, since 2007, she routinely followed advice from civil servants by deleting all her private messages to avoid their being compromised in any way, how is it that she was able to furnish our inquiry with literally pages and pages of WhatsApp messages between her and Alex Salmond, sent in 2017, that were retrieved from her phone? Those messages were of a highly personal and sensitive nature. If her pandemic WhatsApp messages were of such little consequence, why did she delete that set and not the other?

All that the grieving families at the heart of this have to go on now are the remnants of a few pieced-together conversations. That is not what they were promised. Those messages matter because, in what little we have seen, we have caught a glimpse of the culture behind the decisions that we all had to live and, in some cases, die with and under.

Today, and at several other times during the inquiry, we have heard about an exchange between Humza Yousaf and Jason Leitch on 20 May 2021. Jason Leitch said:

“There was some first minister ‘keep it small shenanigans’ as always. She actually wants none of us.”

The former First Minister deftly tried to spin that as her just not wanting a cast of thousands at every meeting, but I think that it speaks to something more—in many ways, a government within a

Government. The pandemic response was governed in large part by a shadowy central committee that we now know as “Gold Command”. I say “shadowy” because it was a central committee with no meeting diet and no minutes—a committee about which the then finance secretary, Kate Forbes, knew absolutely nothing for much of her first months in office. However, that committee formed, in large part, the wheelhouse of our pandemic response. It provided options and decisions for ratification by the Cabinet. Over the summer recess months, it was the only group to which the First Minister referred to sense check decisions. Ministers must, at times, have felt like window dressing.

It seems that decisions were taken by a very limited number of individuals, some of whom were not even elected. At that time, the Parliament had transferred an unprecedented level of power to Scottish ministers. I do not remember any section of the coronavirus acts ceding such control to such a committee but, sometimes, even that route was circumvented.

On 18 March 2020, like many other parents, I packed my 11-year-old boy off for what would be his last day in primary 7. From testimony that we received yesterday, it turns out that only John Swinney and Nicola Sturgeon took that decision and that they did so without reference to Cabinet discussion. There was no analysis of the impact on the poverty-related attainment gap.

Shona Robison: Will Alex Cole-Hamilton take an intervention on that point?

Alex Cole-Hamilton: If I have time.

The Deputy Presiding Officer: No.

Alex Cole-Hamilton: I am closing, unfortunately, but I would have taken the intervention.

There was also no analysis of children’s mental health.

All of us had to live with those decisions. The families of the bereaved had to live with them. They are now looking for answers that they will forever be denied.

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

15:35

Craig Hoy (South Scotland) (Con): The SNP Government tells lies. It does so wilfully, willingly and to cover up the truth.

The Deputy Presiding Officer: Mr Hoy, I advise you, please, to respect the rules in relation to what language is acceptable in the chamber.

Craig Hoy: The SNP Government has told untruths. It has done so wilfully, willingly and to cover up the truth. To save its own skin, it spends the public’s money going to court to prevent the public from knowing the truth. It is secretive and manipulative. It puts Scottish nationalism ahead of the Scottish people. It stops the public knowing how decisions were taken. It puts a smokescreen around who took those decisions and why they did so. Worse still, in a pandemic, at a time of life and death, deceit and delete became the default options.

The secrets that expose the rotten underbelly of the Scottish National Party are now plain to see because, in the inquiry, it has made a mistake. You can fool some of the people all of the time and all of the people some of the time, but you cannot fool all of the people all of the time. Now we know something that we have long suspected: the SNP Government tried to play the public for fools and used the pandemic for political purposes. It was there for all to see in a WhatsApp message from Liz Lloyd that suggested a constitutional “rammy” to further Nicola Sturgeon’s independence obsession.

However, even with a public inquiry, we still only know the half of it. The words of Donald Rumsfeld are helpful. He said:

“There are known knowns; there are things we know we know. We also know there are known unknowns; that is to say we know there are some things we do not know. But there are also unknown unknowns—the ones we don’t know we don’t know.”

That is the core of the problem. We simply do not know what we do not know, because Nicola Sturgeon conducted a digital bonfire to get rid of the evidence that would be relevant to a public inquiry that she knew was coming.

However, it was not just Nicola Sturgeon; John Swinney, Jason Leitch and others deleted their Covid WhatsApp messages. They called it plausible deniability. Decisions were deleted and vital information was lost. The answers for grieving families will now remain unknown unknowns for ever.

We found out yesterday that a shady cabal was taking key Covid decisions. Discussing the clandestine and formally unminuted gold command meetings, Kate Forbes told the inquiry:

“I wasn’t invited. I’m not even sure I was aware that they existed”.

The SNP does not just mislead the public; it misleads its own people, too. Take the following words from Nicola Sturgeon, which are contained in a leaked video. She said:

“There are no reasons for people to be concerned about the party’s finances and all of us need to be careful about not suggesting that there is.”

There were “no reasons” to be “concerned” but, weeks later, her husband Peter Murrell made a secret loan to prop up the SNP’s finances. A luxury camper van appeared on the party’s books. A police investigation led to three arrests, including that of Nicola Sturgeon herself. Just this weekend, media reports alleged that signatures on the SNP’s accounts might have been falsified.

The investigation continues.

The Deputy Presiding Officer: Mr Hoy, I expect you to stick to the detail of the motion that Douglas Ross has put to the Parliament.

Craig Hoy: I am doing so. It is about transparency.

The investigation continues. The nation’s money is being spent to investigate its very own Government.

That is just the tip of the transparency iceberg. Take the two ferries that are rusting on the banks of the Clyde, in relation to which procurement rules were ignored and key meetings were not minuted. There is more than a whiff of secrecy in the air. Take the on-going secrecy surrounding the Alex Salmond trial. Only last month, the SNP Government was told by the Court of Session that it had no legal basis on which to withhold evidence gathered during the investigation into whether Nicola Sturgeon breached the ministerial code. What a cynical shower of charlatans.

However, their mask has slipped. Nicola Sturgeon stood at the podium each and every day, but, at the selfsame time, she and her cynical cabal secretly sought to use the pandemic to promote independence. Humza Yousaf has questions to answer, too. He admitted something that we have all known: that he is out of his depth and

“will get found out sooner rather than later.”

Well, thanks to the public inquiry, we have finally found them out, but not before real damage was done. An SNP Government that was meant to be of the people and for the people was actually sneering at the people. Such is the intoxicated arrogance of 17 years of SNP misrule. They have run out of excuses, they have run out of credibility and they should be run out of Government.

15:41

Kevin Stewart (Aberdeen Central) (SNP): During the course of the debate, I have received a message from a friend of mine who lost a family member to Covid. They said:

“I simply wish, as a relative, that all sides would stop trying to play politics”—

[Interruption.]

—“and leave the inquiry to get on with its job.”

We are hearing laughter from members on the Tory benches.

My heart goes out to all those who lost loved ones to Covid-19; to those individuals, families and communities who suffered during the pandemic; and to those who are still feeling the impact of what was, in my opinion, the most traumatic event of our lifetimes.

My thanks go to all the public servants, the experts, the community groups and the many others who helped the Scottish Government and their fellow Scots to navigate the difficult path that Covid-19 laid in front of us. Many people went beyond the call of duty to do their best. My hope had been that their work, efforts and help would have featured more in the analysis of what went on during the course of the pandemic.

I am grateful to Lorraine McGrath, who is the chief executive of the Simon Community Scotland and Streetwork, for the work that she, her team and other third sector partners and civil servants carried out to ensure that all rough sleepers were brought off the streets and safely accommodated. I am obliged to folk such as Alan Wilson of SELECT and other construction industry leaders for their co-operation, input and patience during tough times. I am humbled by the commitment of the members of the care home relatives Scotland group, who scrutinised, cajoled and advocated for families who had loved ones in our care homes, even when they themselves were often feeling anguish, loss and despair.

Those heroes need answers from the inquiries. They need to know about the decision making that took place, where we got it right, where we got it wrong and what changes need to be put in place to do better—our best—in the future. The Government has reiterated again and again that it is committed to openness and transparency in decision making. That is why the Scottish Government established the first public inquiry in the UK to examine the response to Covid-19. That was announced in December 2021, ahead of the UK Government commencing the UK-wide public inquiry.

Jamie Halcro Johnston (Highlands and Islands) (Con): Kevin Stewart was a minister during the Covid pandemic. In the interests of transparency, did he delete his emails and WhatsApp messages? Was he asked to supply them to the inquiry? Would he consider the deletion of emails wrong?

Kevin Stewart: I have deleted no emails. *[Interruption.]*

The inquiries were established to help to identify what could have been done better and to improve

Government decision making in a pandemic to save lives and prevent suffering in the future. The Scottish Government has committed to examining and considering closely the recommendations of the Scottish and UK public inquiries.

In my opinion, it is entirely inappropriate to comment on the detail of the evidence that is being considered by the Covid inquiries while the hearings are on-going. It has been the norm in the Parliament in the past that detailed matters pertaining to an inquiry were not debated while the inquiry was sitting. What is happening here does a disservice to those who lost loved ones and are seeking answers. The most important way to recognise the loss and suffering of the people of Scotland and the wider UK population during the pandemic is to let the inquiries do their job, learn from the evidence and implement the recommendations.

I return to what I said at the start of my speech. As we debate the matter today, it is having an impact on people at home. It is time to stop the politicking. It is time to let the inquiries do their job. It is time to ensure that people get the answers that they deserve.

15:46

Alex Rowley (Mid Scotland and Fife) (Lab): While we have this debate today, we must never forget the suffering that many families went through as a result of the pandemic. The Scottish Covid bereaved families' bravery in sharing their experiences of the pandemic throughout the inquiry are a stark reminder of the many ways in which people in Scotland suffered immense pain, loss and hurt at a time of unprecedented fear and confusion around the globe. I think that most people in Scotland want to understand how and on what basis decisions were made at UK and Scotland levels.

It is disappointing, therefore, that the issue of deleted information and missing messages has become so prominent. It has added to the grief that many families are suffering. I was therefore pleased that the First Minister recognised at least one of those failures as he apologised unreservedly to the inquiry and to those who are mourning the loss of a loved one for what he described as the Scottish Government's "frankly poor" handling of inquiry requests.

I believe that it is fair to conclude from the revelations of the inquiry so far that there are issues in the Scottish Government when it comes to transparency and scrutiny. Bearing in mind the fact that the UK inquiry is expected to take evidence into the summer of 2026, a legitimate question for the Parliament is whether any action should be taken to examine any of the issues

around the decisions that were taken and recorded across Government. It is fair to ask whether we need to review data retention policies and our approach to freedom of information, and to insist—as the people of this country insist—on full transparency from our political representatives and Governments.

I turn to the motion from the Tories and the idea of the COVID-19 Recovery Committee being reconstituted. I agree with Jackie Baillie that we are not going to run some kind of an inquiry here, but there is merit in that idea, so I hope that I will have the time to go on and explain my thinking on that.

There are issues coming up, and this is not about looking back and making judgments. It is about looking forward and asking, if there was bad practice, what we, as a Parliament, will do to look at it. I believe that there is merit in what is being suggested. I hope that, away from the chamber, parties get together to discuss some of the issues and look at how we can address them.

The amendment that will be passed today, because the Government parties have the numbers,

"notes that 28,000 messages and 19,000 documents have been handed to the UK Covid inquiry."

However—I say this sincerely—failing to note that texts or whatever are missing will cause more grief for the people out there.

I do not know whether Shona Robison has watched any of the television interviews with bereaved families that have been broadcast over the past few weeks. Many of those families are heartbroken and feel let down. Until the inquiry reports, we will not know the detail of how it has dealt with the issue of the missing WhatsApp messages and so on, but any motion or amendment that members agree to in this Parliament should at least acknowledge that that was an issue. The First Minister has apologised. I sincerely believe that the inclusion of such an acknowledgement would have made the Government's amendment a better one.

John Mason: Does Alex Rowley really think that there is vital information in the WhatsApp messages, or just chitchat and gossip?

Alex Rowley: That is the problem: I do not know, nor do others. That is why we need at least to acknowledge that that has been an issue.

I want to refer to another part of the amendment that will be agreed to today. At the Labour Party conference, Rachel Reeves announced that the next Labour Government would create a powerful Covid corruption commissioner. She said that, initially, the commissioner would aim to recover at least £2.6 billion of lost public funds. It is estimated

that, through fraud, £7.2 billion was lost from Covid support schemes, including from business loans, grants, furlough and the “Eat out to help out” scheme. Labour is—quite rightly—absolutely committed to that happening at UK level.

I will touch briefly on other issues. Were we prepared for Covid? It is clear that we were not—it is clear that the whole UK was not prepared. Experts continually told the COVID-19 Recovery Committee that the countries that had well-funded, well-resourced and well-functioning health services were the best prepared for any pandemic. The other day, I read that the Covid pandemic was a one-in-100-year event, but many of the experts also warned that, given climate change and other changes that are taking place around the world, the risk is growing.

It has been proposed that we should consider having a committee that could look at whether we are prepared for a similar event, so that we can learn the lessons from the pandemic, rather than simply waiting for the inquiry report to come out.

I am out of time, so I will finish there.

The Deputy Presiding Officer: I call Bob Doris.

15:52

Bob Doris (Glasgow Maryhill and Springburn) (SNP): Can you hear me now, Presiding Officer?

The Deputy Presiding Officer: Yes, I can hear you. You have up to six minutes, Mr Doris.

Bob Doris: Thank you.

From 2020 through to 2021, Scotland, along with other nations across the world, sought to grapple with an unprecedented—certainly, in modern times—global pandemic. My parents passed away a few years earlier, in 2015 and 2016. I cannot comprehend how I would have felt if I had had, when visiting my mum, to look at her through a window, or if I had not been able to see my dad again because of Covid-19 infection control or, indeed, if I had lost either of them in a care home as a consequence of Covid-19.

I lost one of my best friends during Covid-19, although not through Covid, and I attended a graveyard service. At that time, 20 people were allowed to attend such services. I was not sure whether I made the number of people attending 21, so I stood back, apart from the graveside service. However, once the service had ended, I approached David’s mum and dad to offer my condolences. I did not hug them, but I wanted to.

Families who were separated from loved ones due to Covid-19, many of whom were never to see those loved ones again, and who were often unable to attend funerals and pay their last

respects, want to ensure that there is scrutiny of all the Governments that made Covid-related decisions, and that lessons are learned. That is surely what the Scottish and UK public inquiries are seeking to do.

My wife worked as a nurse in an NHS critical care ward right through Covid-19. I am still not sure what impact that had on my wife, beyond the awful marks that the fitted masks made on her face, which were visible when she returned home from work every night. More generally, Covid-19 will have taken its toll. I am not sure that I will ever know how big a toll it has taken.

I want to make sure that both public inquiries fully interrogate the preparedness of Scotland’s and the rest of the UK’s NHS systems in relation to our care homes and other key areas, as well as how our front-line staff were supported.

I was lucky during Covid-19. My salary was secure, I did not lose a loved one directly to Covid, and I had living space and a garden for my kids to run about in. People who were staying in overcrowded properties without access to living space or gardens, asylum seekers who were pushed by the Home Office out of tenancies and into hotels, and people who lost businesses or suffered financial hardship will all wish to see the inquiries analyse the decisions that were taken by all Governments.

As an MSP at that time—I know that colleagues across all parties will recognise this—my job was to do my best to seek and secure robust and reliable information and guidance for constituents, community groups and local businesses. My office team were outstanding in their efforts—I put that on the record—but the situation was challenging. People needed clarity and certainty, and they wanted it in real time in their interests and in the interests of their loved ones, their livelihoods and their mental wellbeing, often as much as their physical wellbeing.

The clarity, advice and certainty had to be provided by ministers, cabinet secretaries, civil servants, special advisers, clinical advisers and a whirl of other people who were at the heart of decision making, often at breakneck speed. Did they get everything right? Of course not. Did they, by and large, work diligently, compassionately, professionally and strenuously over many months, acting in what they believed were the best interests of all of us? I believe so.

Some people might say that I would say that, because I am a back-bench MSP of the Scottish Government party. I suspect there are Conservative MPs in England saying that the inquiry there should be allowed to do its work, and, indeed, that there are Labour members of the Senedd in Wales saying something similar about

the actions and behaviours of the Welsh Government. I get it.

That kind of gets to the nub of the Conservative motion. Many people will see the motion for what it is—dripping with opportunism and hypocrisy. The public inquiries will scrutinise without fear or favour and without politicisation. They will draw conclusions based on all the evidence that they hear, and not on the politicised, partial and opportunistic comments of Douglas Ross or even Jackie Baillie. The inquiries will not cherry pick, take parts of evidence out of context or rush to judge, and they will not reach findings based on trying to grab media headlines for political expediency. In other words, they will not act like the Conservative Party.

Douglas Ross mentioned a WhatsApp message regarding the SNP causing a “political rammy” during Covid-19. My interpretation of that exchange is that it revolved around the need for Scotland to secure furlough payments that otherwise would have been denied to our businesses and our workforce—financial support that the UK Government could deny and that the Scottish Government did not have the power to deliver. That is my opinion, and the Conservatives and Labour are likely to disagree with that. The difference is that I wish to let the Covid-19 inquiries always look at the evidence and not rush to judge for raw political advantage.

I have not focused on the many shortcomings and failings of Boris Johnson and the Tories during Covid-19. The judge-led inquiries will no doubt have something to say about that. Instead, I have focused on the work of the inquiries and the hope that we can get beyond the raw politics and let the inquiries do their work.

15:58

Pam Gosal (West Scotland) (Con): Summarising 17 years of deceit and cover-up in no more than five minutes is near impossible but, thanks to the motion that was lodged by the Scottish Conservatives, we can begin dissecting the shocking revelations from the UK Covid inquiry in Scotland so far.

The pandemic was a test of leadership. Political leaders were faced with tough choices, and I am that sure we can all sympathise with that. Decisions were made that affected lives, livelihoods, education and resilience. We can only trust that, when the storm passes, political leaders can give an account of why decisions were made. However, an SNP Government that is addicted to secrecy has made that a near-impossible task.

Now, brave families have questions to which they may never get the answers. Just today, we found out that Nicola Sturgeon was economical

with the truth when she told the media in 2021 that no evidence would be off limits. We now know that she had already destroyed it, although, amazingly, she still had her WhatsApp exchanges with her one-time best buddy, Alex Salmond.

John Swinney deleted his messages with Nicola Sturgeon, and former chief of staff Liz Lloyd did the same. There was a clear and concerted effort by key decision makers to hide crucial messages.

We now know that vital gold command meetings were kept secret from some of the most senior ministers at that time, including Kate Forbes. Much to no one’s surprise, ministers claim that they have no minutes for those meetings. It is inconceivable that civil servants did not take notes at those meetings—where are those notes?

Instead, the bereaved will have to put their faith in Nicola Sturgeon’s selective memory and politically driven decision making. Sadly, the evidence that remains shows that decisions made by Nicola Sturgeon and her closest colleagues were most likely drawn up on the back of a fag packet. It was not just poor decision making—it was their motivation.

The public will ask, “Surely the Scottish Government would not have allowed grievance to drive decision making while lives and livelihoods were on the line?” However, that is indeed what happened. Nicola Sturgeon’s chief adviser wanted to create a

“good old-fashioned rammy”

with the UK Government and to call for things that it could not do. At this point, it is reasonable to conclude that the Scottish Government’s obsession with independence borders on dangerous and clouds its judgment.

It came as no surprise to hear that Humza Yousaf had been “winging it” in his time as health secretary—that much was obvious. Much more surprising was that, despite the continued assertion of moral superiority, Humza Yousaf was all too happy to take advice from Jason Leitch, the chief clinical adviser, on how to bend the rules that they were imposing on everybody else.

It was enlightening to see what a laugh SNP ministers had at the expense of the public, joking about how they would delete messages and subvert freedom of information requests. It does not surprise me that the SNP derives so much pleasure from avoiding public scrutiny. After all, it has treated the public and the Parliament with utter contempt. All this from the self-proclaimed most transparent party in Scotland—aye, right. If that were the case, it would commit to reconvening the COVID-19 Recovery Committee so that the Parliament could scrutinise the revelations, and it would refer itself to an independent investigation.

The UK Covid inquiry has laid bare the culture of secrecy within the SNP Scottish Government—it has rotted from the top down. That culture runs through ministers past and present. It has also confirmed what everyone could already see—that, even during the global pandemic, the SNP Scottish Government still tried to manufacture as much conflict and political grievance as possible. It aimed for independence at any cost, even when lives were on the line.

The SNP played a blinder. It had many people fooled, but grieving families want justice, and they want answers—they are nobody's fool.

16:03

John Mason (Glasgow Shettleston) (SNP): I get the feeling that we have been here before. We are again concentrating on WhatsApp messages, chit-chat and gossip and who would use such swears about whom. I thought that the focus of the public inquiry would be on the big decisions that were made or not made.

Michael Marra (North East Scotland) (Lab): Will the member give way?

John Mason: If it is very brief.

Michael Marra: I recognise from the evidence that has been heard by the Covid inquiry that there are a substantial number of messages between the former First Minister and an adviser in which key decisions are discussed. That is not chit-chat or gossip—it is the business of Government making decisions.

John Mason: Very little has come out of the public inquiries so far from the WhatsApp messages that were sent either in London or in Scotland. There is very little new, actual, solid information.

The kind of questions that I thought that the inquiries would consider were whether lockdown started at the right time, whether we needed more test capacity, even if it diverted resources away from day-to-day medical care, whether schools were closed at the right times and whether school exams were handled properly. Perhaps those are the questions that the inquiry is considering, but to listen to some of the media reports and to see the focus of the Opposition, it seems to be all about playing politics and scoring points.

It makes you wonder about the purpose of public inquiries. Some people genuinely want to know the truth, but the reality is that most of the decisions that are made and the reasons for them have been in the public domain all along. Perhaps we should also remember that most of the decisions that were made had broad agreement across the parties represented in the chamber and

on the various Covid committees, of which I was a member much of the time.

It seems to me that most of us used WhatsApp—and many still do—as a way of chatting with friends and colleagues when we are not in the same room. We use it for throwing ideas around, brainstorming or whatever. Most of us did not expect and do not expect to see our WhatsApp messages published. The Conservative motion talks about ministers

“deleting evidence that they knew would be required for the Inquiry”,

but I would suggest, first, that there has been very little new evidence from WhatsApp or from anywhere else—and we all knew that Boris Johnson was an effing clown without Nicola Sturgeon telling us.

Meghan Gallacher (Central Scotland) (Con): Will the member give way?

John Mason: Secondly, I remain unconvinced that the inquiry needs the WhatsApp messages or that they add very much. Thirdly, I am not sure that many of us think that our WhatsApp messages are likely to be required for any inquiry.

I just wonder how far we want to take this. I note that, in their amendment, the Lib Dems want more minutes of meetings, but why stop at minutes? Why not make a recording and publish every single conversation?

Meghan Gallacher: Will the member give way?

John Mason: I am sorry, but I have already given way.

Where would that take us, to publish every conversation that could potentially and eventually lead to a decision? Where do we draw the line? Labour says that there is a culture of secrecy, but how much transparency do Labour members want? Do they want Anas Sarwar's and Humza Yousaf's every conversation to be taped and published?

There is also the suggestion that a Covid committee should be reconstituted, and I just wonder what the purpose of that would be. Most decisions that were made in Scotland around Covid were announced by the Scottish Government; they were then examined in detail by the Covid committee, which used expert advisers and a variety of witnesses, and the proposals were then approved by the Parliament. The Parliament even rejected some ideas, such as juryless trials—and that is not to mention media scrutiny at the time.

We are now having not one but two public inquiries, going over those same decisions again, and it seems to me that relatively little real new information has been coming to light in recent

days. Yes, we knew that Michael Gove, Boris Johnson, Nicola Sturgeon and Jeane Freeman were politicians and included political angles in their decision making. That is hardly a huge revelation. Apparently, Michael Gove urged colleagues to protect and strengthen the union as a key aim during the pandemic. That is part of his job description, after all—he was doing what it says on the tin. Let us not have fake shock and surprise that politicians are politicians.

Now the Tories want a resurrected Covid committee to go over the same decisions another time: first, those of the Government and the experts; secondly, those of the Covid committees at the time; thirdly, those of the media; fourthly, those of the UK inquiry; and fifthly, those of the Scottish inquiry. Why do we want to look at the same decisions again and again? What is the Tory motive? Perhaps it is to dig out some more juicy gossip, or to see whether anyone else used bad language?

Going back to the purpose of public inquiries, what are we hoping for? As I have said, I think that some people are genuinely looking for more information and explanations. Some families sadly lost loved ones during Covid, and they want to know whether that could have been avoided. I myself lost my mother during the pandemic. She was living in a care home, and visiting was severely restricted. Only 20 people were allowed at her funeral. It was far from ideal, but I believe that it was handled correctly. On the whole, I think that we know why such restrictions were in place. Reasons were given at the time, and I think that most of us accepted the logic and the thinking at that time.

Now, the inquiries are again examining decisions that were made. It is all very easy to look back now and say that different decisions could and should have been made. Some would say that we all took the pandemic too seriously, that we should have been more relaxed about it, and that we should have had fewer restrictions. Let us remember what we were seeing at the time, however: television pictures of Italian hospitals overflowing and of the Chinese building new hospitals in a few weeks. The general feeling at the time was that all Governments, including the Scottish Government, had a duty to lead, a duty to act and a duty to act quickly. People wanted action from the Scottish Government, and they got action from the Scottish Government.

16:09

Jamie Greene (West Scotland) (Con):
Benjamin Franklin once said:

“Those who would give up essential Liberty, to purchase a little temporary Safety, deserve neither Liberty nor Safety.”

That is exactly what we did in March 2020. The events that ensued led to the loss of more than 18,000 of our fellow Scots and have left physical and mental scars on anyone who survived them. It is against that backdrop that I make my comments.

Back then, in this very chamber, I uttered the following words:

“I believe that ministers are working earnestly to tackle this awful virus ... However, people rightly expect transparency about the rationale ... behind those decisions, because of the impact that they have on their lives.”—*[Official Report, 27 October 2020; c 97.]*

That makes the revelations of the UK Covid inquiry all the more galling—not to me, but to the families of the bereaved. Any early consensus that existed between political parties or Governments did not last long, because it did not take long for political opportunism to creep in.

Let us not forget that, when any suggestion of game playing was made during the pandemic, it was met with incredulous denial—“How dare you suggest that? Of course I am keeping all my notes; of course I will hand them all over.” The current furore about WhatsApp messages, which are the source of so much anger out there, is therefore well justified.

Let us start with the basics. Why would people delete messages in the first place? Is it because their content might be embarrassing or because they might incriminate people in the future? If it truly was official Scottish Government policy for messages to be habitually deleted—a defence that we have heard ad nauseam all week from ministers—why did some ministers follow it to the letter and others not at all? Why was it Government policy for messages to be deleted in the first place?

Why would the Government not want to keep a record of the pandemic? That is not just about messages; minutes of meetings were also not taken. The so-called gold command meetings that we have heard so much about were so gold that the finance secretary did not even know that they existed, and she was signing the cheques.

The Cabinet was a talking shop, not a decision-making body. It is clear from the evidence that we have heard that challenging Nicola Sturgeon was met with a proverbial bullet. Let us think about that. If gold command did not decide anything and the Cabinet did not vote on anything, how can anyone trust the entire decision-making process?

Every one of us who passed the laws involved was told that robust scientific evidence was driving the decisions. “Trust us,” advisers said, and we did. However, it turns out that the clinical advisers were “winging it” too. It is all there in black and white—this “good old-fashioned rammy” was

conjured up by advisers. We heard the endless UK-versus-us rhetoric and the holier-than-thou charade on our TV sets every single day, but what about the resulting damage to the economy, mental health, hospitality, education and our young people?

That is why all of this is so important. It is not about who called whom a clown—to be frank, I could not care less. I sat in this Parliament day in and day out during the darkest days of Covid, including July 2020, when, as emails from John Swinney that the inquiry has just released show, John Swinney's office was more worried about Scotland's place in the European Union than about the 4,000 people who had already died of Covid. It is shameful that the trust that I and every MSP, and the public, gave the Government has been shredded.

Why is that? Every Government minister and adviser knew fine well that there would be a full inquiry into their actions, so what on earth were they thinking? They knew that they would be asked for records of conversations, no matter how trivial they seemed at the time. However, those conversations were deleted—it is hard to tell whether that was done wilfully or stupidly, or perhaps both apply. Key evidence was destroyed; that was not unfortunate or accidental but purposeful.

In his forensic questioning this week, Jamie Dawson KC has exposed something that we in the bubble all knew about—that the stench of cover-up was rife in the civil service and in the Government. It was not just idle chit-chat and gossip—if that were the case, why were Government WhatsApp groups advising people to clear their chat because everything was “FOI able”? That will be a gut punch to anybody who lost a loved one.

We cannot separate the menial from the meaningful if the messages do not exist. Nicola Sturgeon has reinvented the definition of “delete” by saying that she did not retain the messages. The dictionary definition of “delete” is to remove or obliterate. The only thing that has been obliterated this week is her reputation.

We all knew that this day would come. Reckoning is never comfortable and it is never easy, but the public sacrificed so much for their liberty and safety. Given what we now know about the Government, how many people would do that again?

16:14

Jim Fairlie (Perthshire South and Kinross-shire) (SNP): I have to say that, when I read the Tory motion and then listened to Douglas Ross's opening remarks, it saddened and sickened me to

see how the tone of our politics in Scotland has been lowered.

The on-going UK Covid inquiry and the Scottish inquiry that is to come will give not just the grieving families but the whole country knowledge of what was done correctly and what we need to learn for a future pandemic, which will inevitably happen. That knowledge will enable us to have the means to be better prepared and to ensure that we are suitably funded, and will give us a better understanding of what worked well and how things could be improved. It means that, in the future, we can have better science, data and modelling, we can use that data appropriately and we can have a workforce and a system that are fit to cope.

To do that, we must let the inquiries look at the substance of the decisions that were made, with the information that was available to ministers at that point. In other words, we should avoid the snapshot headlines that are designed to misinform, and we should allow the inquiries to do their job and give us the substantive information that we need to be better prepared for the next time.

Craig Hoy: Will the member give way?

Jim Fairlie: No—I will not.

During my time on the COVID-19 Recovery Committee, I was pleased to hear that a new procurement system had been, or was being, implemented so that PPE supplies and contracts would be manufactured and fulfilled on a rolling just-in-time model, in order to ensure availability and long-term resilience. In addition, Scottish domestic contractors were being promoted to fulfil those needs and ensure that there was resilience in the system. That is a welcome adaptation, and it takes learning from what was clearly a mistake during the pandemic.

We found out that, while Scotland is a world leader in data collection, it is not as good at using that data to best effect, so we need to do that better. Through our committee's inquiry, we learned about the harms that people have suffered as a result of long Covid, which are real and difficult for sufferers and families alike. I would very much like to see where the Government is on the recommendations that we made in our report, so that long Covid patients and their families can see some light at the end of what has, for them, been a very long, dark tunnel.

That leads me to my next point, which concerns societal reactions to any future pandemic or even to a more dangerous variant of what is circulating—we should not forget that the virus is very much still with us. Ultimately, it was societal co-operation that ensured that we got through the pandemic as well as we could have hoped, and that co-operation will be vital again to deal with a

pandemic in the future, whether it is 10, 50 or 100 years down the line. Those lessons have to be our guiding star.

I add my name to those of everyone else who has expressed condolences, and the sadness that I have no doubt that we all feel, for the bereaved families who lost loved ones to the virus and for those who suffered other losses and had the usual grieving process curtailed by the risk of the virus spreading. My mum died in May 2020, and her funeral was nothing more than putting her coffin in the ground, with the priest saying a few words that could barely be heard because of social distancing, and then going home.

Human interactions such as hugs, tears and reminiscing—all the things that we, as humans, do to help us to grieve—were forbidden, and I have no doubt that there will be long-lasting issues for many people who still suffer as a result of the inability to grieve properly. My heart goes out to each and every one of them.

Jamie Greene: Will the member take an intervention?

Jim Fairlie: No—I will not.

Over the weekend, I saw Murdo Fraser talking about the loss of his parents; I extend my thoughts to him, as well as to everyone else who has suffered. I am sure that every member in the chamber will agree—after all, we are all human, regardless of the job that we do, and we have all suffered from the effects and after-effects of one of nature's most deadly weapons.

For all those reasons, the Tory party motion saddened me. It has been brought to the chamber to try to pre-empt the findings of a set of formal inquiries that are costing millions of pounds and are being undertaken diligently and with purpose to ensure that we will be better prepared for the next time. We must let those inquiries run their full course and do their work, so that we all get the benefit of the lessons that come from them.

Yesterday, we heard Opposition member after Opposition member decrying a Scottish Government motion on the opportunities to improve the lot of all our people through our relationship with the EU. Those members said that that was a waste of money and of parliamentary time, and yet they have all piled into today's debate to try to make capital out of a horrendous situation that we had, collectively, to deal with.

By and large, those who were in Parliament at the time of the pandemic agreed with the action that was taken, and yet Conservative members in particular, who talk constantly about both of Scotland's Governments, have refused to challenge the partying, PPE-fraud-ridden and scandal-ridden Government of their Westminster

party. In the context of this debate, that hypocrisy saddens, rather than angers, me.

Some of the debates that we had at the time of the pandemic really required responses. There were conversations in the chamber on bed capacity in hospitals; everyone agreed that beds needed to be released to deal with the pandemic. I ask all members who were in the chamber at that time what they would have done differently with the information that they had. They supported the Government in trying to clear the beds in fear of the coming pandemic. Those points are crucial.

We need to consider what we did, whether we had the right information and how we used the data that we are so good at collecting. We can do all that now with 20:20 hindsight, but we certainly could not do that at the height of the pandemic. If we allow the inquiries to do their jobs, perhaps we will get the answers to ensure that the societal trust that I have spoken about, which our then First Minister gained through her monumental efforts and those of her Cabinet, can be justified and repeated if we ever need to face another pandemic in our lifetime.

16:20

Pauline McNeill (Glasgow) (Lab): In early 2020, I wrote an article about a constituent who had done everything right—she had isolated with her husband and followed all the other rules religiously—but whose husband had contracted Covid, was struggling to breathe and was sent by ambulance to the Queen Elizabeth university hospital. He was there for 20 days. Each afternoon, she had to wait by the phone for a call to learn of his progress. She was not allowed to visit, she was not offered a Zoom call or any other way of seeing her husband, and she could not phone in—understandably, such were the pressures on the nursing staff. One day, while she was sitting alone in her home, she received a call to say that her husband had died from Covid.

Imagine the trauma of losing your husband of 20 years when you had no idea that he was dying until you got the call. There was no one present due to the restrictions, no follow up and no formal bereavement counselling until I got involved as her MSP. I vowed then, as I do now, to seek answers for people such as her. She will not get a specific answer, but she is entitled to bigger answers about the approach that was taken. I am aware that other hospitals, including some in England—although I am not clear why it was the case—allowed some families who were wearing PPE to visit their family members.

It is only by examining the circumstances of the Covid period, the decisions that we took, the principles that we applied, who took those

decisions and how they were recorded that we will have any chance of understanding the lessons that we need to learn from that horrible period. The question of why the chief scientist said in evidence that the Government ignored its own advice, particularly in relation to schools, has to be answered. Furthermore, doctors made it clear to me that there was a policy during Covid of not referring those who were over the age of 65 to hospitals, but we still need to get answers on that from ministers. I felt that, when questioned, they were evasive, and they were also unable to answer a critical question that goes to the very heart of how human rights were applied during the Covid period: who took the decision on the “do not resuscitate” policy? We all desperately need answers to those questions. That is why we require to examine how decisions were made and how they were recorded.

I ask this question of Bob Doris, if he is still listening: who would be in the shoes of the former First Minister or Jason Leitch, the clinical director? I felt for them all during that period, because they had weighty decisions to make. However, they were the people who were in charge, making life-and-death decisions, and we must be able to examine every decision that they made, such as those about the size of weddings and funerals, health service arrangements and other issues that I have touched on, which resulted in serious consequences. They must be accountable, which means that they must be prepared to provide all the relevant evidence. Thousands of families across Scotland grieved the loss of a loved one, and people dealt with mental health issues but were denied treatment. It is really important to look back.

It seems that the people who were at the top—the First Minister, Government ministers and officials—deliberately and purposely deleted vital information, which it looks as though we will never see. What concerns me is that the way that that was done would seem not to have been just random, but to have been quite organised. For me, a central question for Government is, where did the policy on deleting messages come from? Why did some officials delete all their messages while some kept all their messages and others deleted some of their messages? Why is this such a mess? Why was there no policy?

I have always understood that a role of the civil service is to listen in to Government ministerial meetings in order to protect Government ministers and the Administration. All notion of that seems to have completely gone. How can we judge the handling of all decisions if we are not to be provided with that information? The WhatsApp deletion policy and the relaying of advice to ministers by the back door and by private accounts are not in the spirit of the Public Records

(Scotland) Act 2011, the spirit of freedom of information or the spirit of what we were told back in 2020. There must be proper record keeping. I would have thought that there would have been at least one Cabinet discussion about the policy.

I am sorry, but who deletes their messages at bedtime? If someone is doing that, they are doing it for a reason. People are not stupid. It does not sound credible. The national clinical director and ministers—

Alex Cole-Hamilton: Will the member give way?

Pauline McNeill: I am sorry, but I do not have time. I would have loved to bring in the member on this issue.

I am not out to specifically criticise anyone. I know that people had a heavy burden, but come on—really? Give us some evidence that we can believe and give us some answers that sound credible, because the accusation that the deletion of information was done on an industrial scale is a worry for this Parliament and for the law. What we have heard about gatekeeping in relation to freedom of information clearly exposes that that policy is not worth the paper that it is written on. Work must be done on that at a future date.

The culture of cover-up was present long before Covid-19—we saw it in relation to the Queen Elizabeth university hospital scandal, the ferries fiasco and the steel scandal—and it led the way to a lack of transparency during the most important period of Scotland’s modern times. We must do better than that. I call on everyone to co-operate with the inquiry and give the public the answers that they deserve.

16:27

Stephanie Callaghan (Uddingston and Bellshill) (SNP): I speak in support of the Scottish Government’s amendment as we consider the decision-making process and outcomes of the pandemic response in our nation.

As we know, the Covid-19 pandemic has been the most serious public health crisis of our time, affecting millions of lives and livelihoods across the world. In Scotland, we have faced many challenges and difficulties, but we have also shown resilience, solidarity and compassion in the face of adversity. Individuals in communities across Scotland stepped up to look after each other, including our children. Although our young people missed some school lessons, they learned some really big life lessons about the things that really matter—looking after family, friends, neighbours and strangers, too. I trust that the comfort of human touch and the value of hugging each other tight will never be lost to them.

The Scottish Government was guided by the best available scientific evidence and advice at that time, without the benefit of hindsight, and it acted swiftly and decisively to protect the health and wellbeing of Scotland's people.

Scotland pursued a zero Covid strategy in 2020, aiming to eliminate the virus entirely, and lifted lockdown rules more gradually than the rest of the UK, following a cautious and careful approach. Testing capacity was expanded to ensure that everyone with symptoms of a respiratory infection, including those of Covid-19, could access a test. A successful vaccination programme was rolled out, through which the vaccine was offered to every eligible person and boosters were provided to all who needed them.

The inquiry will rightly examine the early challenges on guidance, personal protective equipment and care home admissions, but, as Jeane Freeman told the inquiry,

“you cannot magic out of thin air appropriate buildings, appropriate kit and skilled individuals.”

The learning that flows from the current inquiry will support future Governments to improve planning and offer better protection to us all.

Throughout the pandemic, our First Minister kept the public well informed, communicating clearly and transparently about the rules and restrictions, the risks and benefits and the rationale and evidence behind decision making. Various channels and platforms were used, such as daily briefings, social media, websites, leaflets and posters, to reach out to different audiences and communities. It took its toll—the public could see that in the First Minister's face—but it was absolutely necessary. The Scottish Government is rightly taking the time to listen to the views and feedback of the public through a range of consultations and surveys.

Recognising that the pandemic is a global challenge that requires a co-ordinated and co-operative response has also been key. Hence, there is a need to work closely and collaboratively with other UK nations, as well as international partners, to share information, resources and best practices. However, the different circumstances and needs of each nation must also be respected. It is right for Scotland's Government to exercise devolved powers and responsibilities and to tailor responses to specific situations in Scotland. Sadly, those on the Tory benches disagree, but that is to be expected.

We cannot be complacent or self-congratulatory. The Scottish Government acknowledges that there were mistakes and shortcomings, and it is committed to learning from them and improving. It welcomes the UK Covid inquiry to Scotland, because conducting a

thorough and independent investigation into the pandemic response across our nations is really important. The Scottish Government must continue to co-operate fully and openly with the inquiry, providing evidence and documents and answering questions from the inquiry panel.

Today's debate feels really premature. As we have heard, the independence of the inquiry is central, and politicians attempting to pre-empt the conclusions is really unhelpful.

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

Stephanie Callaghan: No, I will not.

We should let the inquiry get on with its work, as we have heard. We should act accordingly when the recommendations are released and be prepared to accept any criticisms and suggestions for improvement. I trust that the inquiry will also recognise the efforts and achievements of the Scottish Government and the people of Scotland in tackling the pandemic and that it will identify strengths as well as weaknesses and draw together future lessons and implications.

The Covid-19 pandemic is not over yet. We are still living with the virus, and we still face uncertainties and challenges ahead. We need to remain vigilant and adaptable and must continue to follow the public health guidance and advice. We need to support each other and look after ourselves, showing kindness and compassion to those who have been affected by the pandemic, because grieving families are at the absolute heart of this and it has affected all of us.

The Scottish Government must continue to do everything in its power to protect the health and lives of people in Scotland and to support the recovery and renewal of our society and economy, and it must remain transparent and accountable to the public and strive to engage and involve people in the decision-making process. Co-operation and collaboration with other UK nations and the international community will also remain key as we continue to contribute to the global fight against the pandemic. Let us focus where we should be focusing.

16:32

Roz McCall (Mid Scotland and Fife) (Con): Everyone I have spoken to recently is dismayed about the Covid-19 inquiry revelations. I have been told many stories of how decisions made in this place have had a detrimental effect on the health of someone—either themselves or someone they love.

One lady, a former nurse who worked through the pandemic, is now living with long Covid. She has difficulty breathing, which makes her tired.

That means that she has limited time and that her energy is only sufficient to do what most people would consider basic tasks. Even walking to the local shop can be a challenge. Not only has her health been negatively impacted but she has been dismissed from the nursing job that she loves. She freely admits that there was nothing else that could be done as she could simply no longer do the job. She now spends most of her time in her house, for fear that she will run out of energy at the wrong time. She has lost her health, her livelihood and her freedom. She has been failed.

Another person has shared with me the downward trajectory of her grandmother, an elderly lady living in a care home who could not understand why her loving family, who regularly visited her, simply stopped coming. The effects of the lack of that simple, familiar human contact were disturbing. An otherwise healthy but elderly lady became fragile and withdrawn, as her feelings of rejection manifested themselves in depression. No number of visits after lockdown eased repaired the damage to that lady's mental health. What should have been a resting and peaceful last few years became a disturbing descent into frailty and distress. She was failed.

I have previously spoken in the chamber about my experiences. Due to the changes to healthcare provision that came about as a direct consequence of the Covid-19 decisions, cancer treatment provisions for some simply stopped overnight. I knew that, as a global pandemic had hit our nation, everyone would have to make certain sacrifices and, as a family, we knew that that meant that a change in healthcare priorities was essential. Considering the type of cancer and how slim the chances were of extending any quality of life, rather than duration of life, we accepted the changes as graciously as anyone could, knowing that death was certain and imminent. We were failed.

We were all failed. To find out that decisions that imposed sacrifices on the people of Scotland were made, even in part, for political gain—even though it was presumed that that was the case—belittles the trust and faith that this country put in the SNP Government. For Liz Lloyd, the former First Minister's chief of staff, to state:

“My reason for setting a timeline for them to answer us on furlough is purely political—especially as we expect the answer to be no, it looks awful for them”,

and then to follow that up with:

“Think I just want a good old-fashioned rammy so can think about something other than sick people”,

is absolutely disgusting.

For former First Minister Nicola Sturgeon to suggest that professor of public health Devi Sridhar should message privately about proposals

on managing the next steps of the pandemic, and then say:

“Don't worry about protocol ... You can send it to me privately”,

before divulging a private SNP email address, is, frankly, dishonourable.

For Nicola Sturgeon to advise that nothing would be off-limits for the public Covid inquiry when she said:

“I think if you understand statutory public inquiries you would know that even if I wasn't prepared to give that assurance, which, for the avoidance of doubt, I am, then I would not have the ability”,

and then to have Ken Thomson, the then director general for strategy and external affairs, write that “plausible deniability are my middle names”,

and to continually refer to messages as being “FOI-able”, highlights just how concerning the contents of the messages were to decision makers.

It was known that deleting messages would hide information that would be available under FOI, and people were blatantly advised to do so. That can only lead us to ask the following questions: what was in the deleted messages; why were the former First Minister's assurances not met in full, as they should have been; and how on earth can the general public ever believe this Government again?

The Deputy Presiding Officer: The last speaker in the open debate will be Stuart McMillan, who is joining us remotely.

16:38

Stuart McMillan (Greenock and Inverclyde) (SNP): I have listened to the full debate so far, and there have been some excellent contributions, including from Alex Rowley and Bob Doris.

The line in the Tory motion that calls for

“the Parliament's COVID-19 Recovery Committee to be reconstituted for the purpose of providing parliamentary scrutiny of evidence revealed by the Inquiry”

says more about partisan politics than about the substance of the debate. The reality—for anyone who cares about reality—is that this debate is just an attempt by the Conservatives to distract from the complete chaos that is engulfing their party in Westminster.

Every constituent and every member of this Parliament has a story to tell with regard to the Covid-19 pandemic. The public are engaging with the UK Covid-19 inquiry, and they will make up their own minds as more information comes to light and when the final report is published. As we know, there is also the Scottish inquiry. I welcome

the fact that, in December 2021, the Scottish Government established the first public inquiry in the UK to examine the response to Covid-19, ahead of the UK Government commencing the UK-wide public inquiry.

The inquiries will help to identify what could have been done better and to improve Government decision making in a pandemic in order to save lives and prevent suffering in the future. As we have also heard today, the Scottish Government will examine and consider closely the recommendations that the Scottish and UK public inquiries make. However, I am sure that we can all unite in our hope that we never have to face such a pandemic again in our lifetimes.

Ultimately, the Covid inquiries are performing an important job, so for the Tories to attempt to do the inquiry's job does a disservice to those who lost loved ones and those who want answers. It appears to me and, I know, to others that the Tories' attempts almost to be judge, jury and executioner on one Government when they consistently remind us that Scotland has two Governments, says it all about their naked politicking on such an important issue.

I am firmly of the belief that the current and future inquiries need to undertake their roles independent of political interference. I also welcome the First Minister's comments last week that he has commissioned an externally led review of the Scottish Government's use of mobile messaging apps and non-corporate technology.

As one of the members who served on the Committee on the Scottish Government Handling of Harassment Complaints in the previous parliamentary session—it has been touched upon already in the debate—I recognise the political game that has been played today. The Tories want this parliamentary session to end in the same way as the previous one. Quite frankly, that was not the Parliament's finest hour, given the leaks and other activities in relation to that committee. If the Tories are suggesting for one minute that the current independent inquiry is not up to the job, that says more about them than the inquiry itself.

A point that has been raised with me before and during the inquiry concerns the billions of pounds of public money that has been given to businesses with links to the Conservative Party. I am sure that there will be public support for a public inquiry into that matter alone, but the level of alleged fraudulent activity puts the ferries situation here into perspective. As the Tories have been leading on committee inquiry after committee inquiry into the ferries, I am sure that they would be happy to support a public inquiry into the billions of pounds that have been given to companies with Tory donor links.

The information that we have had before and during the inquiry seems to highlight fraud on an industrial scale, with £10 billion of personal protective equipment costs written off and the use of the VIP lane for procurement being ruled unlawful by the courts. That is not to forget the deals made with businesses owned by Tory donors. There is a high-profile case under investigation now. I agree with the Deputy First Minister's earlier comments about the call for the establishment of a UK Covid corruption commissioner. In addition, there was the partying that went on in Downing Street. It was Boris Johnson and Rishi Sunak who went to court to try to conceal their messages from the inquiry.

Public anger and frustration with regard to those examples alone is clear. I could also include the fact that it was the UK Government that spent its time plotting against independence in the middle of a global pandemic. Some will agree with that action; others will certainly disagree with it. Dealing with the pandemic should have been the sole purpose of Government, irrespective of Parliament and who was in power. The public deserved absolutely no less.

It is important that the public are fully aware of the following with regard to the current inquiry. The Scottish Government's messages that are handed over to the UK Covid-19 inquiry will be starkly different from those of Westminster politicians. The Scottish Government ensured that it released 28,000 messages to the inquiry and the First Minister's witness statement includes reams of WhatsApp messages that are unredacted. That is in stark contrast to the actions of a Prime Minister who not only dragged the inquiry through the court but refused to hand over his own WhatsApp messages.

I will be voting against the Tory motion tonight as it delivers nothing—absolutely nothing—to help the families of those who sadly lost a loved one during the pandemic. Let the two inquiries do their work. The living and the deceased deserve that.

The Deputy Presiding Officer: We move to closing speeches. I call Michael Marra to close the debate on behalf of Scottish Labour.

16:44

Michael Marra (North East Scotland) (Lab): The vital precursor to this debate, which I think has been mentioned only once, is the First Minister's concession to the Covid inquiry that the SNP Government's handling of vital evidence has been "frankly poor". He offered an unreserved apology.

At the heart of the debate is the question whether that poor practice is reflective of an endemic culture. Labour contends that it is—that

this is just the most egregious example of 17 years of secrecy and cover-up. As a country, we are right to worry about the degradation of our governing institutions. Ensuring that those institutions are maintained is a critical function of the Parliament.

The evidence that has been gleaned in recent days from past SNP ministers has been something else entirely. It has provoked real and visceral anger on behalf of Covid bereaved families. These are their words:

“Nicola Sturgeon projected a daily image of sincerity in wanting to do right by the people of Scotland during the pandemic ... that carefully crafted image has been left shattered by the hands of Ms Sturgeon herself.”

Those families, speaking this morning before Nicola Sturgeon’s evidence, predicted the sorrow and the tears that they knew would follow. They were not moved by or convinced by that. It merely compounded the betrayal that they feel.

Colleagues have been right to highlight the lasting effects of the pandemic: long Covid, a further derailed NHS—which the Scottish Government has singularly failed to recover—the impact on school attainment and school attendance, and profound cultural shifts in our behaviour and our economy. Alex Rowley rightly set out that a parliamentary committee could focus on the genuine future changes that could arise as a result of the public inquiries, but he also rightly shared Jackie Baillie’s view that the Parliament’s Committee on the Scottish Government Handling of Harassment Complaints—otherwise known as the Salmond committee—found it impossible to extract evidence from the Government. The committee was deliberately obstructed, it was misled and nobody could seem to recall anything. This is a culture. It is endemic, it is pervasive, and it is insidious.

Keith Brown (Clackmannanshire and Dunblane) (SNP): It is a lie.

Michael Marra: There has been the Salmond scandal, the Lochaber smelter, Ferguson Marine and the ferries debacle—[*Interruption.*] An SNP member is calling these lies. There have been no minutes, forgotten conversations and missing documents. We have heard it time and again.

In relation to the Queen Elizabeth university hospital scandal, the Government has backed the cover-up rather than the families. A growing queue of information commissioners, past and present, are lining up to denounce the Scottish Government’s handling of freedom of information requests.

All of that matters, and the deletion of WhatsApp messages matters, too. That did not happen by accident. It was a calculated, deliberate attempt to destroy vital evidence to a public inquiry.

Everybody knew—everybody knows—that Boris Johnson is a “clown”. Nobody thinks that of the former First Minister. This was deliberate, and it was considered.

SNP back benchers have said that the messages were just chitchat and gossip, but the evidence is clear that they were not. Nicola Sturgeon and Liz Lloyd developed policy on WhatsApp. The former First Minister deleted the exchanges, but, thankfully, others did not get the memo. Instead, we got to see the evidence.

It was up to the inquiry to decide what was relevant—hence the issuing of “Do not destroy” notices. Nicola Sturgeon was asked again and again this morning whether she had deleted messages. She obfuscated and prevaricated, but, eventually, Jamie Dawson KC winnowed away the chaff, and she said, “Yes”. That matters more than the tears. It matters because, as Pauline McNeill put it, we must be able to examine every decision that was made and people must be accountable.

In the few messages that we have seen from the ministers who did not get the memo or who obeyed the “Do not destroy” instruction—whether by mistake or through honest commitment—we get to see the culture of the relationship between ministers and the civil service, which has become entirely inappropriate. Former ministers and former senior civil servants are aghast at the blurred lines between the Government and the civil service.

That matters, too, and I will tell members why. A senior medical officer is involved in the situation relating to the Eljamel scandal in NHS Tayside. The lack of separation between the Government and civil servants is quite apparent, and it fundamentally betrays the trust of the people affected by the scandal, who require true answers.

Shona Robison: Will Michael Marra take an intervention?

Michael Marra: No, I am in my final few moments. Otherwise, I would be happy to do so.

That is the legacy of an endemic culture of secrecy and cover-up.

We must have a Covid corruption commissioner in the UK to get to the heart of the toxic consequences of the Tory Government, but we require a change in Scotland, too, and we will get it with a new Government.

Jackie Baillie: On a point of order, Presiding Officer.

The Deputy Presiding Officer (Annabelle Ewing): I have one online, but I will take Ms Baillie’s point of order first.

Jackie Baillie: Forgive me, Presiding Officer. Keith Brown accused Michael Marra of lying, and

he repeated it when challenged. Do you consider it appropriate for him to apologise?

The Deputy Presiding Officer: I thank Ms Baillie for her point of order. I did not hear that.

Jackie Baillie: I heard it twice.

The Deputy Presiding Officer: All that I can say is that I did not hear it. I am not saying that it was not said; I am just saying that I did not hear it. All members know that they are required—*[Interruption.]* Could we not have further sedentary cross-bench discussion while I am speaking?

I remind all members of the requirement to treat each other with courtesy and respect at all times. Members are well aware of the rules around language in the chamber.

I call Bob Doris for a point of order. He is joining us online.

Bob Doris: On a point of order, Presiding Officer. Earlier in the debate, Pauline McNeill MSP inadvertently—I do mean inadvertently—suggested that I was not following the debate when she namechecked me during her speech in relation to ministerial accountability.

I am not sure what mechanism exists other than trying to intervene on said member, but when one intervenes remotely, that is not registered in the *Official Report*. Any person watching the contributions this afternoon would inadvertently think that, as a member of the Scottish Parliament, I had made a speech during a serious debate and then not followed the rest of the debate. That would be wholly disrespectful to the victims of Covid and their families and everyone with a key interest in the debate.

I know that it is now on the record that I followed the debate, but are there any other procedures whereby that can be rectified in the future, so that I do not take up your time and that of the chamber to put such matters on the record in such a way?

Pauline McNeill: On a point of order, Presiding Officer.

The Deputy Presiding Officer: Perhaps I could deal with Mr Doris's point of order first, and then I will come to Ms McNeill.

I say to Mr Doris that that is not a matter for the chair. The member has made his point, and the matter is on the record.

I call Pauline McNeill for a point of order.

Pauline McNeill: I want to put on the record that I did not intend, in any possible way, to imply in my speech that Bob Doris was not listening to the debate. The remark that I made is something that is said in a debate if the person is still

listening. That is the only remark that I made about him.

I am honestly astounded that a member would come on and make that point. If, to safeguard his point, Bob Doris wishes it to be known that he watched the debate throughout, that is entirely different. I hope that the Presiding Officer accepts my response that I was in no way being disrespectful to him and never would be.

The Deputy Presiding Officer: Thank you, Ms McNeill. That is not a matter for the chair, but Ms McNeill has helpfully clarified the matter, which is also on the record.

16:53

The Minister for Parliamentary Business (George Adam): I echo and reiterate the important points that the Deputy First Minister made in her opening speech—notably, the need to never lose sight of the impact of the pandemic on people, and particularly those who lost loved ones.

During the debate, much was said about how we went about the Government's business but, as the Deputy First Minister also said during her opening speech, that is why the First Minister has not only apologised for any hurt that the Scottish Government's prior handling of requests for the inquiry has caused but announced an externally led review on the use of mobile messaging apps and non-corporate technology.

Most members have spoken about the impact on families and communities across Scotland. In particular, Ruth Maguire, in a timely and interesting intervention, said that she felt that everything was just a wee bit too much and that it was probably not what the families listening to the debate wanted to hear. I think that she is right about that.

As we all know, everybody has a Covid story. Jim Fairlie talked about his mum's funeral and what that meant to him. Other members mentioned what affected them. Stuart McMillan talked about all our constituents having stories, which is true. I was not going to mention it, because I mentioned it in a previous debate, but my mother-in-law, Rosemary, had Covid and died in the Royal Alexandra hospital in Paisley. Everything has been so personal in this debate, and I want people to understand that, when we are making decisions and moving forward, we all have something that happened to us during that time.

Rosemary died in 2021 when she had Covid. I remember seeing her when she was going to the ambulance. We could not go down to the house, but we knew that she was going to the ambulance, and I had a feeling at that stage that we would never see her again. Things became difficult for

us. Other members, such as Pauline McNeill, have spoken about not being able to see their loved ones because of Covid restrictions. It was doubly difficult for us, because Stacey—as you all know—has multiple sclerosis, which is an autoimmune disease, so her immunity is compromised. At that time, things had got a wee bit looser and you were able to go and see individuals. I had to make the decision between losing one of the most important women in my life, or two of them. I want people to know that none of us in the Scottish Government takes this lightly. We all have these stories and know how families feel and feel for the families and everything that has happened to them.

Some of the contributions that we heard from members highlighted that. John Mason took us back to the dark days of when we went into lockdown and everything was so difficult. The Parliament did not even have a process to continue business—but that quickly happened and was very important for us. Kevin Stewart spoke about the families and how they are always the most important ones in this.

The pandemic presented exceptional pressures for every single one of us. I am particularly grateful for the work of our civil servants, scientific advisers and clinicians, who supported the Government to make decisions that were informed by the best available advice during the most challenging of circumstances.

It is important that we learn lessons from our collective experience of the pandemic. That process of reflection and learning will help us to better prepare for any future emergencies.

Michael Marra: Will the minister give way?

George Adam: Can I just make these points at the moment?

Our approach to government understands and embraces the need to make information available about policies and decisions, to be accountable to the Parliament and the public, and to listen to all voices. We have worked, and will continue to work, to ensure that the lessons from the pandemic are learned.

That is why, during the pandemic, the previous First Minister, members of the Cabinet and public health officials stood in St Andrew's house, day after day, providing information and responses to the pandemic, and answering questions about the approach. Indeed, the former First Minister led more than 250 media briefings between March 2020 and the end of 2021, in which she answered questions about the Scottish Government's management of the pandemic.

During the pandemic, we understood the critical importance of ensuring that people were clear about the decisions that were being made, the

reasons for the sacrifices that they were being asked to be made and the risk to public health that was posed by the virus.

We all know that it was an exceptional time, particularly for Scottish Government ministers and officials, who worked round the clock to respond to the global pandemic. We will all remember how scared we all were then—how we did not know what the virus was and how it would impact on us and all our families, and on our jobs and the economy. People will remember how even the symptoms that we were first told about changed as more evidence was gathered about this new disease. The Government's aim was to suppress transmission of the Covid virus, to save lives and jobs, and to keep people safe.

Exceptional times required exceptional measures, and the Parliament had to consider legislation that was totally unprecedented. That included the UK Coronavirus bill, which this Parliament supported unanimously, and the subsequent Scottish emergency bills and the many sets of regulations that changed the way we all lived our lives.

The Scottish Government did not make decisions on measures in isolation from the impacts that they would have. While in lockdown in April 2020, the Scottish Government set out its approach to making decisions on its future pandemic response. That was to marshal the harms of the pandemic, including the effects of any restrictions that were imposed, in the four harm categories: direct harm to health from the virus; wider health harms; societal harms; and economic harms. Decisions involved an assessment of the effect of the proposed measures on each of those harms, therefore ensuring that they were proportionate and necessary to control the spread of the virus.

As the Deputy First Minister set out, the Scottish Government is co-operating fully with the Scottish and UK Covid inquiries. I remind members that more than 19,000 documents have been handed over to the UK inquiry, and the Scottish Government has already provided almost 28,000 messages.

Jackie Baillie: Will George Adam give way?

George Adam: I am just closing. This is an important debate and I want to ensure that we get our point across. A lot has already been said during the debate.

As was explained during the inquiry last week, if political pressures were used, it was not for constitutional reasons. [*Interruption.*]

The Deputy Presiding Officer: Members, we will listen to the member who has the floor, which is the minister.

George Adam: It was based on mitigating the four harms, including ensuring that furlough was available to save jobs during lockdown in Scotland and making sure that our people were paid, for example. Politics was not at the forefront of ministers' minds during the pandemic. It was the suppression of a new—[*Interruption.*]

The Deputy Presiding Officer: Minister, please resume your seat. I have already said to the Conservative members that they should have the courtesy to listen to the member who has the floor, which is the Minister for Parliamentary Business.

George Adam: During the pandemic, ministers' minds were on the suppression of a new and deadly virus. Should different decisions have been taken? Yes, possibly, but we can say that about many decisions with the benefit of hindsight. At the time of the pandemic, elected members of the Government took the best decisions that they could, with the evidence that they had and with the best intentions for the people of Scotland to the forefront at all times. How many who were in the chamber at that time were glad that it was not them having to make those decisions day in and day out?

There has been a lot of talk today that is not grounded in reality. Some Opposition members have chosen not just to use hindsight but to rewrite the history of a time when people in Scotland, in the UK and across the world were scared of a deadly virus. For Scotland at least, those who were in charge made the best decisions that they could at all times, and they made the right decisions.

17:02

Murdo Fraser (Mid Scotland and Fife) (Con): The words "not grounded in reality" sum up the contribution that we have just heard from the minister.

A wide range of issues has been covered in the debate this afternoon, so let me try to bring together some of the threads and the various contributions that we have heard, and to sum up the key points that have been made in our motion and in the debate.

John Mason made better fist than anybody on his front bench did of defending the Scottish Government's approach, but the key point that I think he neither understood nor addressed is that our concern is about transparency. In line with much else that has been done by the SNP Government, information about the decisions that were made in relation to the Covid-19 pandemic had to be dragged out of it, and what has been dragged out has made for dismal reading. There is a culture of cover-up and secrecy in this Government, and we should all be grateful to the

UK Covid inquiry and Jamie Dawson KC and his team for the excellent work that they have done to shine a light on the darker workings of this Government.

What has been revealed is that the public and Parliament were misled by the former First Minister, Nicola Sturgeon, and by other members of the Government, about the information that would be provided to the inquiry. The Deputy First Minister and Mr Adam have made great play of the fact that 28,000 messages were handed over to the inquiry. Matt Hancock, the former UK health secretary, handed over more than 100,000 messages, which puts the figure of 28,000 into context.

Let us remind ourselves of what Nicola Sturgeon said when she was asked, back in August 2021, whether anything would be off limits to the inquiry. She said:

"I think if you understand statutory public inquiries you would know that even if I wasn't prepared to give that assurance, which for the avoidance of doubt I am, then I wouldn't have that ability."

We can take that as a clear promise that all relevant information would be provided. The then Deputy First Minister, John Swinney, said something very similar.

When the current First Minister was asked about the same issue, he said:

"any material that is asked for—WhatsApp messages, emails, Signal messages, Telegram messages or whatever—will absolutely be handed over to the Covid inquiries and handed over to them in full."

So there we have it: the former First Minister, the former Deputy First Minister and the current First Minister gave clear and unequivocal undertakings that all information would be handed over—yet we now know that that was not done. That promise was not kept.

We now know that Nicola Sturgeon deleted all her WhatsApp messages during the pandemic period. That was confirmed in a note to the UK inquiry. We have also learned that John Swinney did not retain his messages and that he had an auto-delete function turned on.

Yesterday, Mr Swinney claimed that he had been adhering to the mobile messaging policy that the Scottish Government introduced in November 2021, which urged the deletion of WhatsApp messages after 30 days. Crucially, however, that was after undertakings had been given by Nicola Sturgeon that all relevant messages would be preserved and provided.

SNP members who have spoken in the debate have told us that relevant information in the messages in question was recorded elsewhere—it was transferred on to other systems of recording—

but, without the original WhatsApp messages, we simply cannot know whether that was the case, nor can the UK Covid inquiry. We, the UK inquiry and the Scottish public have been left trying to piece together the information that was properly recorded.

Alex Cole-Hamilton: Does Murdo Fraser share my concern about the incongruity in what we heard from Nicola Sturgeon today? She said that she had routinely deleted all her private messages, on the advice of civil servants, since 2007, when, in fact, the committee that Mr Fraser and I served on in the Salmond inquiry received WhatsApp messages from Nicola Sturgeon herself.

Murdo Fraser: Mr Cole-Hamilton has made a very fair point. Indeed, today, I heard former First Minister Alex Salmond saying that there was no policy in the Scottish Government to delete WhatsApp messages, despite the assertions that Mr Swinney made to the inquiry yesterday.

Not every minister has gone down the route of deleting their WhatsApp messages. Yesterday, former finance secretary Kate Forbes said that she had retained all of hers, and that she was not even aware of the deletion policy until it was drawn to her attention in January 2022. We also learned that she was surprised that crucial gold command meetings were not minuted during the pandemic, despite the importance of the matters that were being discussed.

Even more concerning is the position of the current First Minister, Humza Yousaf. In October 2023, he told the Covid inquiry that he had deleted all his messages for security reasons. When he was asked by the media about the same issue on 30 October, he denied press reports that he had been deleting his WhatsApp messages and said that he had retained them all and would hand them over to the inquiry. On 2 November, he made a second submission to the inquiry and handed over his WhatsApp messages, which were on a phone handset that he no longer used but had been able to recover.

On 16 November, the First Minister made a third submission to the inquiry, in which he claimed that his WhatsApp messages covering the critical four-month period at the start of the pandemic had been “completely wiped”. On 25 January, he told Parliament that he had handed over his messages to the inquiry, despite—and contrary to—what he had previously said.

Presiding Officer, if you are finding all that as difficult to follow as I am, that only points to the chaos and confusion that lay at the heart of the Scottish Government, and the weaknesses that existed in its record keeping.

That is just what we have heard from Government ministers. It is clear that senior civil servants and senior advisers joked with one another about the need to delete their messages, to ensure, in particular, that they could not be recovered through freedom of information requests. That was a deliberate attempt at cover-up—they sought to deprive the public of a view of the Government’s decision-making processes, which must be unforgivable, and might even be criminal.

It is no wonder that the Scottish Government wanted to cover up what was being discussed, given all that we have heard. Despite Nicola Sturgeon’s claims that decisions were not made on WhatsApp, we now know that that was not true. According to what we heard from Liz Lloyd last week, it appears that key choices about the number of individuals who were allowed at weddings were settled in a WhatsApp exchange between the former First Minister and her chief of staff. That decision was not taken by Cabinet, nor, it seems, was it based on any sound scientific or medical advice.

We also saw that Nicola Sturgeon suggested that the professor of public health, Devi Sridhar, should message her privately with advice to her private SNP email address, which would not be subject to freedom of information requests.

Worst of all, we now know that the Scottish Government was pursuing a political agenda and was advancing the cause of independence throughout the pandemic period. As both Roz McCall and Pam Gosal reminded us, we learned last week from Liz Lloyd that she wanted to start a “good old-fashioned rammy” with the UK Government because she was tired of thinking about sick people. That just sums up what was behind the Scottish Government’s approach. It was more interested in independence and in picking fights with Westminster than it was in being concerned about those who were suffering and dying here in Scotland.

We know that, in June 2020, the Cabinet agreed to consider restarting its push for Scottish independence. On that very same day in a press conference, the First Minister denied suggestions that she could be using the pandemic for politics, saying that it would be a betrayal of the people of Scotland to campaign for independence during Covid. However, on the very same day, that is exactly what was being discussed at the Cabinet. If that is not a deceitful position, I do not know what is.

Shona Robison: I wonder whether Murdo Fraser listened to Michael Gove’s evidence on Monday. Michael Gove talked about a Cabinet paper that he had taken to the UK Government Cabinet about the benefits of the union and using

the pandemic to promote that. If Murdo Fraser is going to be even-handed here—I am sure that he will be—surely he cannot, on the one hand, criticise only one Government but not, on the other, recognise what that looks like to the public. Surely it would be fair to recognise that the attack line that he is taking is about exactly what Michael Gove admitted on Monday to doing.

Murdo Fraser: No. What Mr Gove was doing was responding to the politicisation of the pandemic by the SNP Government.

The worst example of politicisation came out this afternoon. Mr Adam should listen to this; Jamie Greene referred to it in his contribution. This afternoon, we learned from the inquiry that an email was sent from the Deputy First Minister's account on 20 July 2020 expressing extreme concern about putting Spain on the quarantine list because—this is a direct quote from the Deputy First Minister's email account—

“the Spanish government will conclude it is entirely political; they won't forget; there is a real possibility they will never approve EU membership for an independent Scotland as a result.”

There we have it, in black and white. The prospects of an independent Scotland joining the EU were more important than public health considerations when it came to this Government's decision making on Covid.

The Deputy Presiding Officer: Mr Fraser, could you please bring your remarks to a close? Your time is up.

Murdo Fraser: What all that tells us is that we need a proper further investigation into all the concerns that we have heard today. Yes—the inquiries will do their work, as SNP members have called for, but it could be years before we see a report from the UK Covid inquiry, and the Scottish one is at an even earlier stage. In the meantime, let us see the COVID-19 Recovery Committee of this Parliament being re-established. Let the current First Minister, the former First Minister and the former Deputy First Minister refer themselves to the independent adviser on the ministerial code. That is how Covid-bereaved families and the public can get the answers that they deserve, and that is how we will all get a better understanding of what was going on in the Government at the time, which the SNP is so desperate to cover up.

That is the point that is made in our motion today. I urge Parliament to agree to it.

The Deputy Presiding Officer: That concludes the debate on UK Covid-19 inquiry revelations.

Business Motion

17:14

The Deputy Presiding Officer (Annabelle Ewing): The next item of business is consideration of business motion S6M-12020, in the name of George Adam, on behalf of the Parliamentary Bureau, setting out a business programme.

Motion moved,

That the Parliament agrees—

(a) the following programme of business—

Tuesday 6 February 2024

2.00 pm Time for Reflection

followed by Parliamentary Bureau Motions

followed by Topical Questions (if selected)

followed by Stage 1 Debate: Bankruptcy and Diligence (Scotland) Bill

followed by Committee Announcements

followed by Business Motions

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

followed by Members' Business

Wednesday 7 February 2024

2.00 pm Parliamentary Bureau Motions

2.00 pm Portfolio Questions:
Wellbeing Economy, Fair Work and Energy;
Finance and Parliamentary Business

followed by Scottish Government Debate: Delivering Record Social Security Investment in Scotland to Tackle the Cost of Living Crisis and Inequality

followed by Business Motions

followed by Parliamentary Bureau Motions

followed by Approval of SSIs (if required)

5.00 pm Decision Time

followed by Members' Business

Thursday 8 February 2024

11.40 am Parliamentary Bureau Motions

11.40 am General Questions

12.00 pm First Minister's Questions

followed by Members' Business

2.00 pm Parliamentary Bureau Motions

2.00 pm Portfolio Questions:
Transport, Net Zero and Just Transition

followed by Ministerial Statement: Minimum Unit Pricing of Alcohol

followed by Stage 1 Debate: Budget (Scotland) (No.

3) Bill

followed by Business Motions

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

Tuesday 20 February 2024

2.00 pm Time for Reflection

followed by Parliamentary Bureau Motions

followed by Topical Questions (if selected)

followed by Scottish Government Business

followed by Committee Announcements

followed by Business Motions

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

followed by Members' Business

Wednesday 21 February 2024

2.00 pm Parliamentary Bureau Motions

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

followed by Scottish Liberal Democrats Business

followed by Business Motions

followed by Parliamentary Bureau Motions

followed by Approval of SSIs (if required)

5.10 pm Decision Time

followed by Members' Business

Thursday 22 February 2024

11.40 am Parliamentary Bureau Motions

11.40 am General Questions

12.00 pm First Minister's Questions

followed by Members' Business

2.30 pm Parliamentary Bureau Motions

2.30 pm Portfolio Questions:
Social Justice

followed by Stage 1 Debate: Regulation of Legal
Services (Scotland) Bill

followed by Financial Resolution: Regulation of
Legal Services (Scotland) Bill

followed by Business Motions

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

(b) that, for the purposes of Portfolio Questions in the week beginning 5 February 2024, in rule 13.7.3, after the word "except" the words "to the extent to which the Presiding Officer considers that the questions are on the same or similar subject matter or" are inserted.—[George Adam]

Motion agreed to.

Parliamentary Bureau Motions

17:14

The Deputy Presiding Officer (Annabelle Ewing): The next item of business is consideration of seven Parliamentary Bureau motions. I ask George Adam, on behalf of the Parliamentary Bureau, to move motion S6M-12021, on the approval of a statutory instrument, motions S6M-12022 and S6M-12023, on the approval of Scottish statutory instruments, motions S6M-12024 and S6M-12025, on the approval of laid documents, motion S6M-12026, on the designation of a lead committee, and motion S6M-12027, on committee membership.

Motions moved,

That the Parliament agrees that the Anaesthesia Associates and Physician Associates Order 2024 [draft] be approved.

That the Parliament agrees that the Bus Services Improvement Partnerships (Objections) (Scotland) Regulations 2024 [draft] be approved.

That the Parliament agrees that the Welfare of Farmed Animals (Scotland) Amendment Regulations 2024 [draft] be approved.

That the Parliament agrees that the Code of Practice for the Welfare of Pigs (Revocation) (Scotland) Notice 2023 (SG/2023/304) be approved.

That the Parliament agrees that the Draft Funeral Director Code of Practice (SG/2023/300) be approved.

That the Parliament agrees that the Standards, Procedures and Public Appointments Committee be designated as the lead committee in consideration of the Scottish Elections (Representation and Reform) Bill at stage 1.

That the Parliament agrees that Foysol Choudhury be appointed to replace Colin Smyth as a member of the Delegated Powers and Law Reform Committee.—[George Adam]

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

Decision Time

17:15

The Deputy Presiding Officer (Annabelle Ewing): There are four questions to be put as a result of today's business. I remind members that, if the amendment in the name of Shona Robison is agreed to, the amendment in the name of Jackie Baillie will fall, by way of pre-emption.

The first question is, that amendment S6M-12010.5, in the name of Shona Robison, which seeks to amend motion S6M-12010, in the name of Douglas Ross, on UK Covid-19 inquiry revelations, be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

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

17:16

Meeting suspended.

17:18

On resuming—

The Deputy Presiding Officer: We move to the division on amendment S6M-12010.5, in the name of Shona Robison, which seeks to amend motion S6M-12010, in the name of Douglas Ross, on UK Covid-19 inquiry revelations. I remind members that, if the amendment in the name of Shona Robison is agreed to, the amendment in the name of Jackie Baillie will fall.

Members should cast their votes now.

For

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 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)
 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, 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)

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)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Slater, Lorna (Lothian) (Green)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Collette (East Kilbride) (SNP)
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Thomson, Michelle (Falkirk East) (SNP)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)

Against

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Balfour, Jeremy (Lothian) (Con)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Briggs, Miles (Lothian) (Con)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Cameron, Donald (Highlands and Islands) (Con)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Choudhury, Foysol (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Dowey, Sharon (South Scotland) (Con)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Findlay, Russell (West Scotland) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallacher, Meghan (Central Scotland) (Con)
 Golden, Maurice (North East Scotland) (Con)
 Gosal, Pam (West Scotland) (Con)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Greene, Jamie (West Scotland) (Con)
 Griffin, Mark (Central Scotland) (Lab)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Hoy, Craig (South Scotland) (Con)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)

Kerr, Liam (North East Scotland) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 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)
 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)
 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)

Abstentions

Regan, Ash (Edinburgh Eastern) (Alba)

The Deputy Presiding Officer: The result of the division on amendment S6M-12010.5, in the name of Shona Robison, is: For 61, Against 53, Abstentions 1.

Amendment agreed to.

The Deputy Presiding Officer: The next question is, that motion S6M-12010, in the name of Douglas Ross, on UK Covid-19 inquiry revelations, as amended, be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

For

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 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)
 Dey, Graeme (Angus South) (SNP)
 Don, Natalie (Renfrewshire North and West) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dorman, James (Glasgow Cathcart) (SNP)
 Dunbar, Jackie (Aberdeen Donside) (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)
 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)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Slater, Lorna (Lothian) (Green)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Collette (East Kilbride) (SNP)
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Thomson, Michelle (Falkirk East) (SNP)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)
 Tweed, Evelyn (Stirling) (SNP)

Against

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Balfour, Jeremy (Lothian) (Con)
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 Boyack, Sarah (Lothian) (Lab)
 Briggs, Miles (Lothian) (Con)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Cameron, Donald (Highlands and Islands) (Con)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Choudhury, Foyso (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Dowey, Sharon (South Scotland) (Con)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Findlay, Russell (West Scotland) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
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 Gosal, Pam (West Scotland) (Con)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Greene, Jamie (West Scotland) (Con)
 Griffin, Mark (Central Scotland) (Lab)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Hoy, Craig (South Scotland) (Con)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Kerr, Liam (North East Scotland) (Con)

Kerr, Stephen (Central Scotland) (Con)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 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)
 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)
 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)

Abstentions

Regan, Ash (Edinburgh Eastern) (Alba)

The Deputy Presiding Officer: The result of the division on motion S6M-12010, in the name of Douglas Ross, as amended, is: For 61, Against 53, Abstentions 1.

Motion, as amended, agreed to,

That the Parliament welcomes the work of the independent judge-led UK Covid-19 Inquiry and Scottish COVID-19 Inquiry to help learn lessons to ensure that the nation can be best prepared for any future emergent pandemic viruses; recognises that the COVID-19 pandemic saw the loss of life across the country, and again offers its condolences to the families and friends of those who died during the pandemic; notes that 28,000 messages and 19,000 documents have been handed to the UK Covid-19 Inquiry from the Scottish Government; agrees that one area of concern, from which lessons must be learned from the handling of the pandemic, is the size and scale of potential fraud in PPE contracts that were overseen by the UK Government; notes that this will be considered by both the UK Covid-19 Inquiry and the relevant prosecutorial authorities; supports the establishment of a UK 'COVID corruption commissioner' to seek to recoup public funds lost to waste and fraud, and believes that all governments should engage fully with the UK Covid-19 Inquiry to enable their actions and decisions during the pandemic to be scrutinised, so that COVID-19-bereaved families and the public get answers to the questions that they have.

The Deputy Presiding Officer: I propose to ask a single question on seven Parliamentary Bureau motions. Does any member object?

As no member objects, the final question is, that motion S6M-12021, on the approval of a statutory instrument, motions S6M-12022 and S6M-12023, on the approval of Scottish statutory instruments, motions S6M-12024 and S6M-12025, on the approval of laid documents, motion S6M-12026, on the designation of a lead committee, and motion S6M-12027, on committee membership, all

in the name of George Adam, on behalf of the Parliamentary Bureau, be agreed to.

Motions agreed to,

That the Parliament agrees that the Anaesthesia Associates and Physician Associates Order 2024 [draft] be approved.

That the Parliament agrees that the Bus Services Improvement Partnerships (Objections) (Scotland) Regulations 2024 [draft] be approved.

That the Parliament agrees that the Welfare of Farmed Animals (Scotland) Amendment Regulations 2024 [draft] be approved.

That the Parliament agrees that the Code of Practice for the Welfare of Pigs (Revocation) (Scotland) Notice 2023 (SG/2023/304) be approved.

That the Parliament agrees that the Draft Funeral Director Code of Practice (SG/2023/300) be approved.

That the Parliament agrees that the Standards, Procedures and Public Appointments Committee be designated as the lead committee in consideration of the Scottish Elections (Representation and Reform) Bill at stage 1.

That the Parliament agrees that Foysol Choudhury be appointed to replace Colin Smyth as a member of the Delegated Powers and Law Reform Committee.

The Deputy Presiding Officer: That concludes decision time.

Football

The Deputy Presiding Officer (Liam McArthur): The final item of business is a members' business debate on motion S6M-11073, in the name of Ben Macpherson, on enhancing Scottish football. The debate will be concluded without any question being put. I encourage members who wish to participate to press their request-to-speak buttons.

Motion debated,

That the Parliament celebrates what it sees as a current successful period for the Scottish national football teams; believes that, collectively as a nation, Scotland should seek to build on this progress and achievement, and therefore make further improvements to realise even more of Scotland's footballing potential, including in the Edinburgh Northern and Leith constituency; recognises, with its determination to seek to enhance Scottish football at all levels, the work of the Scottish Football Supporters Association (SFSA) by initiating, coordinating and publishing a fan-led review of the game in Scotland, titled *Rebuilding Scottish Football: A Fan Led Review of The Game in Scotland*, which was published in June 2023; notes that the SFSA-sponsored review includes recommendations for strengthening and extending the role of football as a sport that is accessible to all in the population who wish to engage and participate, as a major cultural industry for the nation, as a means for encouraging positive social change, and as a source of substantial individual and community benefit especially in relation to physical and mental wellbeing; further notes the issues raised in the fan-led review and the belief that there are shared merits to considering these on a collaborative, cross-party basis with stakeholders, and, in particular, with the Scottish Football Association (SFA) and Scottish Professional Football League (SPFL); notes the key recommendation of the fan-led review that the governance, finance and conduct of Scottish football would benefit from independent scrutiny and, as necessary, appropriate regulation, which it understands is being undertaken in England and discussed within and amongst football communities worldwide, and acknowledges calls for there to be further consultation on the future development of Scottish football, including its oversight and governance, for the benefit of the continued enhancement of Scottish football.

17:25

Ben Macpherson (Edinburgh Northern and Leith) (SNP): For more than 150 years, as a country, we have observed, participated in and experienced the power of football, in all the ways in which that manifests itself, both good and bad. We have seen football's power to unite, from bringing us together as a nation and bringing together communities around their local clubs to bringing together MSPs from all parties behind the motion for debate. I thank colleagues for their interest and support.

Many of us in Scotland have felt the power of the Hampden roar; the excitement of the build-up to a big game; fans singing in unison; and the rousing of stadiums buzzing with energy in cities

and towns across the country. There is the emotion and the entertainment—win, lose or draw, and whether we are spectating or playing.

As a player back in the day, I, like most people who have put on a pair of boots—and, along with the Deputy Presiding Officer, a pair of goalkeeper gloves—found that football gave me joy, discipline, connection and direction. Football has taken me to places that I never would have gone otherwise, and it has introduced me to people who have positively influenced my life. It has made me a better person.

Yes, sometimes football contributes to negative aspects of our society and the human condition, including hatred, abuse, violence, division, misogyny, racism and sectarianism. We must be honest that those issues are still present in football settings, but we must take heart from the progress that has been made in recent decades to tackle them, and from the fact that footballing organisations have played a proactive, positive and effective role in changing social attitudes.

There are still improvements to make, especially—in my view—when it comes to some over-competitiveness and bad touchline behaviour in youth football. What is more, some stadium chatter and chanting is still totally unacceptable. On those issues and others, there are still improvements to make but, overall, we should feel energised by the power of football to create and encourage positive social change, and to be a source of substantial individual and community benefit, especially in relation to physical and mental wellbeing.

Last year, we recognised all of that with a parliamentary reception and a debate. In my constituency, I see the positive power of football every week, whether it is delivered by the Scottish Football Association's charity partner Street Soccer Scotland; by Spartans FC and its community foundation in north Edinburgh; by Hibernian FC and its community foundation in Leith; or by Craigroyston, Civil Service Strollers, Leith Athletic and all the other smaller clubs that make such a positive difference week in, week out in our communities.

Let us pay tribute to all those who are involved in local football activities across Scotland as staff and volunteers. It is those coaches, teachers and parents who create enjoyable opportunities for others to play, and who help to start professional players' careers. Similarly, let us pay tribute to those who are involved in running the SFA, the Scottish Women's Premier League, the Scottish Professional Football League and the SPFL Trust. It is the commitment of everyone who is involved both in playing and in organising Scottish football that has led us to the strong position that we are currently in.

In the women's game, that has manifested itself in increasing success, profile and participation, in particular since the brilliant and memorable Scotland performances in the FIFA women's world cup in 2019. In the men's game, we are experiencing an incredibly successful period for the national team; as fans, we are all looking forward to the European championships in Germany this summer.

Whether in relation to the national team or to local clubs, the importance of fans in generating and realising the power of football should not be underestimated. While great players make magic happen on the pitch, it is the high level of participation by supporters, and the commitment of supporters groups, that make football stand out as our most important and popular sport. Fans are the lifeblood of football as a major cultural industry in our country.

As well as supporters groups for specific clubs, there are a number of national supporters groups, including Supporters Direct Scotland and the Scotland supporters club, of which I am a proud member. There is also the Scottish Football Supporters Association. As the motion notes, last year the SFSA initiated, co-ordinated and published

"a fan-led review of the game in Scotland"

with a

"determination to seek to enhance Scottish football at all levels".

I believe that that work should form part—I stress "part", but it should be a meaningful part—of how we, together, collectively seek to build on the progress and achievement of Scottish football so far and make further improvements to realise even more of Scotland's footballing potential.

The issues that are raised in "Rebuilding Scottish Football: A Fan Led Review of The Game in Scotland" matter to all stakeholders who are involved in the game. Most notably, the stand-out recommendation in the report is that the governance, finance and conduct of Scottish football could benefit from independent scrutiny and, as necessary, appropriate regulation, as is being taken forward in England. The Children and Young People's Commissioner Scotland has gone further, in a briefing to MSPs, calling for an independent regulator

"with a clear focus on human rights, protection of children, and ensuring decisions are made in the interests of all involved in football."

The SFSA and others argue that at the heart of their call is an aspiration for greater accountability and transparency from those who run Scottish football, both nationally—the football authorities themselves—and at club level with regard to who

owns our sports teams. With power comes responsibility, and football should always primarily be about public benefit, as it receives public money and support. It could be argued, therefore, that all those who are involved in football should embrace public scrutiny and measures to uphold good governance.

Indeed, the SFSA argues that greater accountability would likely enhance trust among supporters, investors and stakeholders across the game, and among the wider public. It proposes that the current absence of thorough fit-and-proper checks on companies or individuals purchasing Scottish professional football clubs is neither an optimal nor a desirable situation.

On the other hand, the footballing bodies have recently stated that an independent football regulator is not relevant in a Scottish context and would, in their view, add an unnecessary layer of bureaucracy and cost.

There are different perspectives to consider, so how do we move forward? As the legislation progresses in England, it would probably be prudent for us in Scotland to collaboratively, openly and robustly consider the issues and how to improve and progress our national game, including safeguarding and future proofing it.

In that spirit, I conclude by calling on the Scottish Government to seriously consider formally consulting on the various contemporary matters pertaining to Scottish football, including the possibility of establishing an independent regulator in the coming years and whether that would be appropriate and beneficial.

Furthermore, building on the work of the Parliament's cross-party group on the future of football in Scotland, of which I am a member, I urge the Government to help to facilitate a round-table discussion on how football in our country can further prosper and progress, and to establish a working group of all relevant and appropriate stakeholders to meet similarly on a periodic basis.

There is much to be positive about in relation to Scottish football, but—as most people who are involved in football would say in a post-match interview—there is always room for improvement, so let us work together on that.

I look forward to hearing the thoughts of colleagues in the rest of the debate, and to further dialogue between everyone who cares about the beautiful game and its power in our local communities and our country as a whole.

17:33

Douglas Ross (Highlands and Islands) (Con): I congratulate Ben Macpherson on bringing the debate to the chamber, and on his very well-

informed speech, with which I agreed. I remind members of my entry in the register of members' interests, as I am a football referee with the Scottish FA.

I picked up a couple of points from Ben Macpherson's speech. I did not realise that some of the clubs with which I have been involved in the past couple of weeks, in officiating when Hibs played Forfar in the Scottish cup and, just last Saturday, at Spartans v Clyde, are in his constituency. He also mentioned the Hampden roar, which is well known to many of us in the chamber; it was certainly known to me when I fell over my own feet and tripped up at the 2018 Scottish cup final.

There are great memories—although not that one—for so many of us who are involved in football at whatever level, which is why I really welcome the work by the Scottish Football Supporters Association, in its extensive effort to get to the root of some of the issues that it and others have identified in Scottish football. The series of 15 recommendations on page 15 of the report show that there is a lot that the Government can—we hope—look at, as can the governing bodies and fans of all teams and none.

Scottish football is currently going through a great era. I was delighted to be at a reception in Westminster a few months ago to congratulate the Scottish FA on its 150th anniversary, and to congratulate Steve Clarke and his team on qualifying for the Euros in Germany later this year. Again, I am sure that we would all associate ourselves with Ben Macpherson's remarks, not only in wishing the team well at the Euros but in praising the developments that we have seen across the game in women's football, disability football, our youth teams and the focus on football at all levels, in all parts of the country.

I represent the Highlands and Islands region, as the Minister for Social Care, Mental Wellbeing and Sport previously did; she now represents a constituency in the far north. From the far north to the south of Scotland, there are teams and individuals who are committed to ensuring that our national game develops.

Fergus Ewing (Inverness and Nairn) (SNP): I thank Mr Ross for mentioning that football is not the prerogative of the central belt. Inverness Caledonian Thistle and Ross County make their mark, not least as was the case nearly 24 years ago tonight, when Celtic were famously slaughtered by Inverness Caley Thistle, leading to a headline, from the journalist Paul Hickson of *The Sun*, that is possibly the greatest headline in Scottish, or any, football history:

“Super Caley Go Ballistic Celtic Are Atrocious”.

The Deputy Presiding Officer: If I had known that that was the intervention, Mr Ewing, I would not have allowed it. [*Laughter.*]

Douglas Ross: As a match official, if I had known that that was the intervention, I would not have allowed it either. However, the member mentioned Ross County—my next game, this weekend, is Ross County v St Johnstone.

I was trying to get across the point—Fergus Ewing put it very well—that, across the country, there are teams that have started off at a much lower level. For example, Caley and Ross County started as part of the Scottish Highland Football League, and progressed through the leagues, sometimes going back down and then getting back up again. The community feeling for many of those teams is so important, and that is why fans are at the heart of football.

I know that there was disappointment from the Scottish Football Supporters Association with the initial response from the Scottish FA. I associate myself with Ben Macpherson's remarks about the need to get people round the table and have a discussion. I know that the Scottish FA does not believe that there needs to be an independent regulator. The review from the UK Government, by Tracey Crouch, looking at what has happened in England, was very positive. However, the SFSA is right to say that, although the problems in Scotland are not necessarily the same as those in England, it does not mean that there are not other problems in both English and Scottish football that should still be looked at.

I hope that, as a minimum, people can get round the table, have a discussion, look at the work of the SFSA review and build on its report. Our national game is important to us all, and it is incumbent on Government, on the governing bodies and on each and every one of us to ensure that it develops in the years to come.

17:37

Fulton MacGregor (Coatbridge and Chryston) (SNP): At the outset, I give my apologies in advance, Presiding Officer, as I might need to leave before the debate finishes to catch a train, because there is currently only one line on to Glasgow.

I thank Ben Macpherson for bringing the debate to the chamber, and I declare an interest as the convener of the cross-party group on the future of football in Scotland, which he mentioned. I thank all members of that group for their continued input. I am always keen to discuss ways in which we can enhance Scottish football and to give credit for the hard work that goes on behind the scenes.

As other members have said, we are now in a big year for Scottish football. The senior men's team will be heading to Euro 2024, supported by the entire nation, including thousands of travelling fans who will head to Munich, Cologne and Stuttgart, and—you never know—maybe even further beyond. I say to all the chief whips from the various parties: beware of requests for June, because I think that they are coming in.

I am sure that my colleagues across all parties are united in supporting investment and growth in Scottish football. We often talk in the chamber about improving wellness, physical and mental health, community engagement and social benefits, and football has the power to do all those things. In trying to put a figure on the social benefits of football, UEFA's social return on investment study, which has been widely discussed in the chamber at various times, calculated that grass-roots football contributes an annual benefit of more than £1.1 billion to Scotland.

As convener of the cross-party group, I have seen at first hand the hard work that the SFA has done in ensuring that all who want to play football can do so. In particular, the football for all strategy has been excellent in removing barriers for all who wish to participate in football. As well as removing those barriers, the strategy has launched a series of initiatives to reduce discrimination across the game, which Ben Macpherson talked about, and bring in a culture of inclusivity and diversity. That commitment to inclusivity can be seen in the SFA's pioneering decision to be the first ever national FA to launch an affiliated association with a specific remit for the para game.

Furthermore, recently released statistics, which I have shared on Twitter—or X, as it is now called—reveal that there was a record number of participants in grass-roots football in 2023: a whopping 161,412. I know that colleagues on all sides of the chamber will be familiar with football pitches in their constituency being booked out on weekends and week nights as young people learn the game.

On that note, and as I have said in the chamber before—although it is not for this motion or debate—there is a bigger discussion to be had around ensuring that there are adequate resources to manage that growing demand. I think that the numbers will grow each year.

Grass-roots investments have given us a great opportunity for the game to go from strength to strength in Scotland. As we have already discussed, the senior men's team is now in a period of sustained, back-to-back qualifications for the Euros for the first time in nearly 30 years. Unfortunately, like the women's team, they narrowly missed out on the most recent world cup

via the play-offs. With sustained investment, however, success will come their way, too.

That extends to the fans—the lifeblood of the game here. Statistics regularly show that, per capita, there are more football fans going to games in Scotland than in any other European country. On that note, I was delighted, last year, to host the launch of the fan-led review of the game by the Scottish Football Supporters Association. I thank all those who were involved in that work, which is behind the main thrust of the motion. The incredibly detailed report was the result of a mammoth effort by a voluntary team over two years. The report is available online, and I encourage members to have a read of it if they have not already done so. It contains a number of recommendations across several aspects of the game. We will all have different views on some of them, while we will agree with others.

Other members will speak about those recommendations, but it is important to have a wider discussion. Football is very much our national sport. It is talked about everywhere, every day, from cafes and pubs to speaker events and dedicated radio phone-ins. Nobody can avoid football, whether we like it or not.

No one body has a monopoly on what is best for our game—and that includes the Parliament. In what will be a landmark year for the game in Scotland, I want to use my contribution in the debate to urge the SFA, the SFSA and any other interested body to continue to work collaboratively in order to further grow the sport in Scotland. I know that all those bodies recognise that fans are the heart of Scottish football. Let us use the report as a base to start a national discussion.

I have spoken at length about the good that is already being done, and I know that, with diligent work and a collaborative approach, we can continue on the right path to enhance Scottish football further. There might be areas of contention, such as the establishment of an independent regulator, as Ben Macpherson said. I need to be honest: I am not sure on that one. I do not want anybody to think that I am saying that I am not for it or that I am for it; I just do not know. It goes back to what everybody, including Ben Macpherson and Douglas Ross, has said about the need to have a wider discussion on that. We need to know the pros and cons. As a nation, we can then come to some sort of best solution.

I will close now, Presiding Officer—I can see you looking at me.

The Deputy Presiding Officer: I am concerned that you have a train to catch, Mr MacGregor.

Fulton MacGregor: I reiterate my gratitude for all the hard work that the SFA and the SFSA have done to develop our game in Scotland, and I wish

the men's team all the very best in Germany this summer.

17:43

Jackie Baillie (Dumbarton) (Lab): I thank Ben Macpherson for bringing the debate to the chamber, as well as the Scottish Football Alliance and Simon Barrow, who wrote much of the "Rebuilding Scottish Football" report and brought it together. I also echo the words of members across the chamber in recognising the success of Scotland's national teams in recent years. I look forward to cheering on the women's team next month and, of course, the men's team in the Euros this summer. I also commend the Scottish Women's Premier League and its achievements, which speak to the success of women's football.

The Scottish Football Supporters Association's fan-led review of football in Scotland is a positive step towards bringing about much-needed change in the sport. The introduction of an independent regulator to scrutinise governance, finance and transparency should be considered to give fans a much louder voice and to ensure good governance in the game. We know that, on some occasions, clubs in Scotland are bought by businesspeople who have no real interest in benefiting the communities and supporters to whom the teams belong.

Take Dumbarton Football Club, in my constituency. The Sons Supporters Trust has been instrumental in supporting the club over the years, voicing community concerns about its ownership. In May 2021, Dumbarton was purchased by Cognitive Capital, a Norwegian investment group, which said that it planned to turn the team into "a stable Championship club" and claimed that the multimillion pound plans for a new stadium at Young's farm in Renton would be revived. That would have meant moving the club from its existing ground to release it for—guess what?—upmarket housing development. There were real concerns about the club's future and whether this was a case of asset stripping.

Dumbarton is, without doubt, an iconic club. Stevie Farrell is a great manager, and the team has huge potential. It is also one of the oldest clubs in Scotland and celebrated its 150th anniversary last year. Many believe that that strong reputation has piqued the interest of people who do not represent the interests and the future of the club or, indeed, the interests of the local community. Even more believe that the value of the land for residential development at the foot of Dumbarton castle might be the underlying motivation.

The Sons Supporters Trust has told me that, for nearly two decades, Dumbarton has been in the

hands of owners whose primary interest appears to be land and property deals, and who have frequently failed to deliver the resources that were promised to the club. Reportedly, they have stalled possible community development because of a get-rich pipe dream. Instead of treating clubs such as Dumbarton with the respect that they deserve, they have been treated like development opportunities to get rich quick.

That issue does not affect only clubs in Scotland. Across the UK, clubs in England and Wales have been snapped up by multimillionaires. Sometimes, that has not worked well and we have seen managed decline and fans' wishes being steamrolled, taking the heart out of the sport that we all love.

Proposals for greater scrutiny are, as we have heard, being brought forward for the rest of the UK, which is positive, but we must likewise ensure the regulation of Scottish football so that we are not left behind. We must come together for our communities and clubs to guarantee that public interest is at the forefront of football ownership, that Scottish football is run for the benefit of the people and that accountability can flourish.

Club management structures should not be left to mark their own homework any longer. We need to take this opportunity to bring Scottish football back to the fans and the communities that the teams belong to, and to protect the future of Scottish football and clubs such as Dumbarton.

The Deputy Presiding Officer: Thank you, Ms Baillie. I am slightly disappointed that you failed to mention Dumbarton hosting the Scottish Parliament football team, which is no doubt a highlight in its recent history.

17:47

James Dornan (Glasgow Cathcart) (SNP): On a point of order, Presiding Officer. My colleague Fergus Ewing made an outrageous intervention in which—

The Deputy Presiding Officer: That is not a point of order, but I entirely agree with you, Mr Dornan.

James Dornan: Yes, there is no place for that sort of language in the chamber.

On a more serious note, I thank Ben Macpherson for lodging the motion for debate. I say a huge thank you to Paul Goodwin, Simon Barrow and all the others at the SFSA for the magnificent report that they have produced. I must also mention Scott Robertson and the indefatigable Willie Smith of Realgrassroots for their courage, determination and patience in bringing the protection of Scotland's young players

to the forefront of public awareness by using the Parliament's then Public Petitions Committee.

I have been involved in football in one way or another for about 65 years. I started playing for fun as a kid and then as a young man. I then spent 20 years as a coach, manager, strip washer and general dogsbody. Anyone who has ever run a football club will testify that those are the roles. During those 65 years, I have seen and embraced the joy that football can bring to all participants, and that is why I am so happy to be taking part in this debate.

When I became an MSP, one of the things that I was hoping to achieve was the cleaning-up of the murkier aspects of the beautiful game in Scotland, from sectarianism and racism to the horrific and far-too-widespread historical abuse of young lads playing football. I strongly supported the Offensive Behaviour at Football and Threatening Communications (Scotland) Bill and attempted to bring in a member's bill to enact strict liability, making the club responsible for the behaviour of its supporters.

At every step of that journey, I met obstruction and an unwillingness to let anything upset the status quo. That came, as expected, from the two biggest clubs in Scotland, which had the most to lose, of course, but it was even more the case when I spoke with the SFA and the Scottish Professional Football League. Their cry was: "There's nothing to see here." When I asked for statistics to back up their statements of, "It's nothing to do with us, guv", unsurprisingly, none were available. I was going to say that the SFA must have been taking lessons from the mafia on the importance of omertà, but I suspect that it was the other way round.

I mainly want to talk about the disregard that the SFA has shown for the vast majority of participants in Scottish football, the complete lack of transparency around its funding and how taxpayers' money is being spent, and why an independent regulator for Scottish football is not just desirable but required.

The hierarchy in Scottish football fears an independent regulator that could demand that certain standards be upheld—for example, a fit and proper ownership requirement, a clear paper trail for all spending of public money, particularly in relation to how it reaches or benefits our youth football, and serious attempts to bring an end to sectarian and racist behaviour, which is simply ignored on a weekly basis in Scotland.

The reason why those people oppose an independent regulator is based on their complete unwillingness to give up control and/or upset the big two. If we were to ask the SFA, it would tell us that it is a members-run organisation, but it would

not tell us that the system is created in such a way that the members who run it number two—and we all know who they are.

The SFA's contempt for the Parliament, most of the clubs that they represent and the grass roots that ensure that football continues to flourish in Scotland is not new. When I was researching for this debate, I came across questions that were asked in 2019 of the then justice minister, Humza Yousaf, by me and a Mr Liam McArthur. The questions were about the reporting of sectarian behaviour by official observers. The SFA refused point blank to hand over that information, extremely important though it was, before relenting by agreeing to hand it over, but with the proviso that it never be put in the public domain.

Let me assure people that those at the top of the tree in Scottish football do not have the interests of the ordinary supporter in mind. Just recently, the SFA's chief executive suggested that fans need to be educated—how very patronising and typically arrogant, Mr Maxwell. Their primary interest is to ensure that they stay on top of the well-paid pyramid of Scottish football and that no person or body, even one as august as the Scottish Parliament, gets in their way. An independent regulator—someone with no vested interest, except in the good of Scottish football—is their worst nightmare.

I therefore urge the minister to, please, support an independent regulator for Scottish football in order to support our young players and the standard of ownership in our clubs and to help Scotland finally get rid of the scourge of sectarianism from our terraces. The vast majority of Scottish football people will thank us for it.

17:52

Graham Simpson (Central Scotland) (Con): I, too, congratulate Ben Macpherson on bringing the debate to the chamber, and thank him for doing so. It is long overdue, and the very fact that we are having this debate has sparked a debate. Unfortunately, I am already seeing entrenched positions between what I would describe as the fan-led group who produced the excellent "Rebuilding Scottish Football" paper and the Scottish football establishment.

What is football? It has to be more than just a business. It is more than just paying to go to a game, cheering on your team and going home. It has to be more than that. Football is for all of us, and it is about our heritage. That heritage can be passed down through families, from father or mother to son or daughter. Generations of families support the same team, wherever they live, and that is a good thing. Football matters to people in this country. It is not just a business; it is really

important. I hope that this can be the start of a discussion that can lead to some change.

There has been talk of what is happening in England. Plans for an independent regulator were outlined in the King's speech last November. That followed a fan-led review, chaired by Tracey Crouch, which said that a regulator was necessary. Of course, we have had a similar review, the results of which are set out in the "Rebuilding Scottish Football" paper. I can sense the frustration throughout it. It says—and is right to say—that football is full of vested interests, and it agrees that there should be an independent regulator.

I want to go through some of what is happening in England. Although I do not agree with all of it, it is worth knowing the position there. The independent regulator will have three specific primary duties: club sustainability, which is the financial sustainability of individual clubs; systemic stability, which is the overall stability of the football pyramid; and cultural heritage, which is protecting the heritage of football clubs that matter most to fans.

The regulator in England will operate a licensing system in which clubs will need a licence to operate as a professional football club. It will establish a compulsory football club corporate governance code that will be applied proportionately with regard to a club's size, the league that it is in and the complexity of the club's business model. The regulator will establish new tests for prospective owners and directors of football clubs that aim to avoid any more unsuitable custodians causing or contributing to problems at clubs and risking harm to fans. It will implement a minimum standard of fan engagement and ensure that clubs have in place a framework to regularly meet a representative group of fans to discuss key matters at the club and other issues of interest to supporters. I must be honest: I am a little wary of that, because it depends on who is classed as a representative group. I have seen groups of fans who claim to speak for every supporter of a club when they demonstrably do not. The regulator will also add to and reinforce existing protections around club heritage. There is more that the regulator will do.

I thank the Scottish Football Association, the Scottish Professional Football League, the Scottish Women's Football League and the Scottish Professional Football League Trust for their joint letter in which they—rightly—pointed out all the positives in the game in Scotland. However, they rejected the need for a regulator. They are being defensive, but they do not need to be.

As I said at the start, this debate has at least sparked a debate, which is a good thing. The football establishment, which Douglas Ross is a

member of—I am glad that he did not fall into line behind that letter—needs to come to the table as well. I would like the minister, in her closing speech, to at least agree that such a discussion is necessary. It should be led by the Government, and we can do things in this Parliament, because the beautiful game belongs to us all.

The Deputy Presiding Officer: I am conscious of the number of members who still want to participate in the debate, so I am minded to accept, under rule 8.14.3 of standing orders, a motion without notice to extend the debate by up to 30 minutes. I invite Mr Macpherson to move such a motion.

Motion moved,

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

Motion agreed to.

The Deputy Presiding Officer: Thank you very much. We will move into extra time.

17:57

Gillian Mackay (Central Scotland) (Green): I, too, thank Ben Macpherson for bringing this debate to the chamber, and I thank the SFSA for co-ordinating and publishing a fan-led review of the game in Scotland.

Before I get into the detail of the "Rebuilding Scottish Football" report and the much-needed steps that I believe we could and should take to enhance Scottish football, it is vital, as others have said, to highlight the fantastic work that football clubs and their supporters across Scotland are already carrying out, and to celebrate the positive impact that football has had on this country in recent years.

As others have highlighted, we should welcome the brilliant work of our senior teams. Steve Clarke and his team have managed to lift the mood of the nation and bring us a sense of hope in the game that was missing for many years. I wish the national team all the best in Germany this summer, and I am sure that we will all be cheering it on with every kick of the ball.

Our women's game continues to go from strength to strength. In the Scottish Women's Premier League last season, the title race went down to the very last game of the season, with three teams within touching distance of the trophy. Glasgow City Football Club came out on top, much to the disappointment of Celtic and Rangers. We witnessed record crowds at various grounds, and we saw the first women's ties played at Celtic Park and Ibrox. Long may that continue.

However, we need to tackle the on-going issues that women's football faces. In recent months, we

have seen a sustained amount of abuse towards women commentators and pundits. That has to stop, and there is a duty on all of us to call that out where and when we see it. Alex Scott is one of those who has had such behaviour targeted at her. I hope that what she said in the wake of the abuse will resonate with many in respect of how far we still have to go in changing culture and how important representation is. She said:

“To all the women in football, in front of the camera or behind it, to the players on the pitch, to everyone that attends games—keep being the role models that you continue to be to all those young girls that are told ‘no, you can’t’.

Football is a better place with us all in it.”

In my Central Scotland region, clubs such as Motherwell, Falkirk and Stenhousemuir are leading the way in their local communities, delivering classes that bring health, wellbeing and social benefits. I am constantly impressed by the phenomenal work that those clubs do through their community foundations and trusts.

The Scottish Greens believe that our national team is for all of us, but—particularly during this cost of living crisis—far too many people are being priced out of our beautiful game. If we want children to look up to our athletes or to be inspired by them, they must be able to see both the men’s and women’s teams in action. I have been calling on the Scottish Football Association to work with broadcasters to ensure that Scotland’s international fixtures appear on free-to-view television channels. The team has done the nation proud, but the games were shown only on subscription services, so not everyone was able to experience them live. That must change.

Scottish football needs fundamental change. We must look at a fairer distribution of resources and marketing our game better to attract further ethical investment that does not come from health-harming products or from gambling. The game must also be more accessible, especially to those who can least afford it, with a particular emphasis on tackling the inequalities that can be barriers to participation.

We have a passionate supporter base in Scotland and it is vital to recognise that fans are the lifeblood of our game and a key source of revenue. We must ensure that fans can have an ownership stake and a strong voice in how their clubs are run, as happens at Motherwell and Falkirk, which are in my region, and that those same fans have a strong input in how the game is structured and governed.

I echo the views of supporters’ organisations, which have said that the transparency, good governance and oversight that this culturally

important industry needs depend on having an independent regulator:

“Drawing on lessons from the new Independent Regulator for English Football, new owners’ and directors’ tests for clubs should be established by replacing the existing procedures and ensuring that only good ‘potential custodians’ and qualified directors can run these vital assets.”

We must also look at the process for appointing of the president of the SFA, which I believe should be replaced with a fair voting structure whereby both clubs and season ticket holders can vote for nominated candidates from both inside and outside football.

Fans contribute more than 50 per cent of the game’s revenue. That should be recognised in order to support a positive culture change across the game and to bring an additional focus on football as Scotland’s national sport, showcasing it to the world as being progressive, democratic, attractive and not afraid to do things differently.

18:02

Neil Bibby (West Scotland) (Lab): I thank Ben Macpherson for securing the debate and welcome the publication of the fan-led review by the Scottish Football Supporters Association.

As I have said previously, football is not just a sport in Scotland; it is woven into the very fabric of our society. As much as we celebrate the force that football can be, we should also debate what more we can do to support it and, if necessary, to reform it. The fact that football has been central to the life of our communities for the past century and half does not mean that it will always be so.

I am sure that we could all talk at length—as we have done—about the positive impact of football clubs on our communities. The street stuff initiative, which is supported by St Mirren in my region, is an excellent example.

That said, the report highlights many fans’ concerns about governance issues, including those about vested interests, decisions being made behind closed doors and a lack of stakeholder engagement. Jock Stein said:

“Football without fans is nothing.”

However, there is widespread concern that football authorities do not do enough to consult fans or to seek their views on important decisions. Football, of course, would also be nothing without the players, so we need players and their union—the Professional Footballers Association Scotland—to have a greater say, too.

On financial governance, the SPFL and SFA have pointed out that there have been no financial insolvencies involving a Scottish club in more than a decade. However, we know that there were

significant cases prior to that involving Rangers and other clubs, so the fact that that has not happened in the past 10 years does not mean that it cannot happen again. We must ensure that adequate safeguards and tests are in place so that those who own football clubs are fit and proper people and capable of doing so. Jackie Baillie has rightly articulated concerns regarding Dumbarton FC.

It is also vital to take the views of the Children and Young People's Commissioner Scotland extremely seriously. The commissioner has explained that children continue to be viewed as "economic assets" by the Scottish football clubs and authorities, and that specific legislation is still needed to close gaps in domestic law that permits the "commercial exploitation of children".

We must ensure that stronger protections are in place for our children and young people. If that is not addressed, it would make calls for an independent regulator unanswerable, surely.

Where should we go from here? I believe that there must be genuine and meaningful partnership working among fans, players, clubs, the authorities and Government. The Government is seeking to reset its relationships with business, and it should now seek to reset its relationships with football fans and clubs, too. A reset between clubs and an end to the situation in which opposition fans continue to receive limited or zero ticket allocations at away games should also happen.

I thank the SPFL, SWPL and SFA for their briefing and for the engagement that I have had with them. I understand that they do not support an independent regulator but, to justify that position, I would like to see more from them about what they intend to do to address the issues that we are discussing today. I support the suggestion that there should be a round-table discussion on that.

We need far more from the Scottish Government. A serious piece of work was published last June and, seven months later, we still have no detailed response from it on the review and its 23 recommendations.

As has been mentioned, the United Kingdom Government commissioned its own fan-led review in 2021. I believe that the Scottish Government minister should take the lead. If she is not minded to introduce an independent regulator on the basis of the fan-led review of the game in Scotland, the Scottish Government should consider initiating its own fan-led review, and possibly a player-led review, to look at the future of the men's and women's games in order to address the concerns that exist, to help to make the changes that are needed and to ensure that our national game can

have a positive future and be a force for good for many years to come.

18:06

Jim Fairlie (Perthshire South and Kinross-shire) (SNP): I, too, thank Ben Macpherson for securing this important debate. I totally concur with him that football plays an important role in our communities and in Scottish society.

I will focus on the benefits that I have seen at first hand that football brings to my constituency. They affirm the sentiment that Scottish football is a force for good in our culture and in wider society. Since being elected, one of the things that I have enjoyed immensely is getting out and about and meeting all the fantastic community groups that operate across my Perthshire South and Kinross-shire constituency.

As a football fan, I was delighted to be invited along to present the friendship cup at Donaldson park in Kinross. The friendship cup is a yearly trophy that is presented to the eventual winner of a seven-a-side tournament between under-16s and 17s from Kinross Colts and a team made up of unaccompanied child refugees from Perth and Edinburgh, consisting of boys from across the world who have settled in Scotland. It is a fantastic initiative that was started by club chairman Brian Kenny and treasurer John Murray. Both were inspired by the work that is done by the football welcomes refugees programme and sought to highlight the difficulties that unaccompanied child refugees face through the power of sport.

Such community working together has been replicated across my constituency, and I am certain that it has been replicated throughout other members' constituencies. It is not only grass-roots clubs such as Kinross Colts, Jeanfield Swifts or Letham Football Club—which, incidentally, has its home at Seven Acres, where I spent hours as a boy growing up in Letham; the club even occasionally lets me on as a sub, despite my limited ability—that are giving back to their communities. In contrast to Jackie Baillie's point, I will mention the immense credit that is due to the Brown family, who have owned and run St Johnstone Football Club since 1986 and have done so in an impeccable manner. After taking it over in 1986 as a lowly Scottish league team that was in deep financial trouble, the family have turned it into a competitive Scottish premiership club that won a league cup and Scottish cup double in season 2021-22. I urge Douglas Ross not to hold it against the Perth Saints this week when he is officiating just because they are in my constituency.

The Perth Sainties established the St Johnstone Community Trust, which is better known as Saints

in the Community. It does some brilliant work and proves that football has numerous social benefits, such as improving self-esteem, inspiring children and young people, promoting wellbeing and healthy lifestyles and contributing to social inclusion.

Saints in the Community runs several community football projects that seek to provide football and other sporting activities for kids and young people, with a view to increasing the numbers playing and to creating a pathway from grass roots to excellence, creating the footballing greats for the next generation. Alongside that important work, it also runs a number of community projects, with the themes of wellbeing and social inclusion at their heart. Saints in the Community works with Show Racism the Red Card, delivering a two-hour session at schools across Perth and Kinross to promote the message that racism has no place in football. It also delivers the football memories project, which is aimed at helping people of all ages who would benefit from social interaction—for example, those living in isolation or with a condition such as dementia, or recovering from a stroke.

Lastly, Presiding Officer, you cannot attend a game at McDiarmid park without seeing the volunteers from Saints fans supporting food banks, whose motto is #HungerDoesntWearClubColours, which should resonate with members across the chamber. No matter the weather, they are out at every game, taking donations for the local food bank.

Football makes many valuable contributions to our society, and I agree with Ben Macpherson that we must further strengthen and develop that, for the benefit of all our constituents.

18:10

Richard Leonard (Central Scotland) (Lab): I refer members to my entry in the register of members' interests: I am the convener of the PFA Scotland parliamentary interest group. Can I begin by thanking Ben Macpherson for leading this important debate on the state and on the future of Scottish football?

I have to say that anyone who witnessed the chief executive of the Scottish Football Association giving evidence to the Parliament just last month would have seen an organisation that was, seemingly, in denial. Ian Maxwell claimed that the Scottish game does not have the same financial failings as the game in England. Well, I am bound to ask, what about Gretna in 2008? What about Glasgow Rangers in 2012? What about Dunfermline in 2013? And this is not just historical—what about in the last few days, when

Edinburgh City had six points deducted by the SPFL for failing to pay its players and its debtors?

The SFA's view that there is no need for reform, no need for transparency and no need for regulation, and that, in Ian Maxwell's own words to this Parliament,

“the governance in the game is robust”—[*Official Report, Health, Social Care and Sport Committee*, 19 December 2023; c 27.]

is to ignore not only the findings of the report that we are discussing tonight but the objective facts. Whether through the introduction of a regulator or the reform of the present governance framework, football in Scotland badly needs an age of enlightenment. We need the involvement of players and their union, and fans and their representative organisations, not just through a consultation but through active participation. Whether they are considered to be long-term or short-term reforms, the SFA has to accept that they are needed, and a beginning has to be made now.

There is something else that the SFA appears to be in denial about, and that is the treatment of children and young people in our professional football game. I accept that some modest changes have been made, not least because of the pressure that was applied by the determined petitioners who drove those demands, going back years, through the Parliament's Public Petitions Committee, but the restriction of free movement—the denial of basic human rights to children and young people who are contracted or even, in the SFA's terms, party to enforceable documents—is still a widespread practice.

The result is that, if you are aged between 11 and 14, you can be held, unable to move to another club for a year. If you are 15 years or older at one of the nine so-called “elite” football clubs, you can be prevented from moving to another club for two years. There is, to use the words of the office of the Commissioner for Children and Young People, “a systematic power imbalance”. Young footballers—child footballers—are treated at best as commodities and at worst as slave labour. They are denied the freedom to move clubs and to simply play football. That not only throttles the development of those young people; it throttles the development of the game as well.

So I am bound to ask the minister, when are you going to act, and where is the urgency? These young people are 11 only once, 13 once, and 15 once, so it is no good coming back in two years saying, “We've had another review,” because, by then, it will be too late for this generation.

It is the duty of Government—even a nationalist Government—to deal not just with a territory, not

just with a domain, but to build and sustain a society. It is time for a period of enlightenment, for an era of democratic reform to sweep through the governance and control of Scottish football. I cannot think of a better place to start than with the rights and freedoms of our children and young people, and I cannot think of a better time to start than now.

18:15

The Minister for Social Care, Mental Wellbeing and Sport (Maree Todd): Football is a subject that many of us in the chamber and right across the country feel very passionate about, and we have heard many contributions this afternoon that demonstrate just how much football means to people. Our national game continues to grow in popularity and reach wider audiences, and I know that the Scottish FA is committed to continuing to grow and develop the game. We continue to work closely with it on that, and its briefing note to members helpfully sets out what it is doing in a wide range of areas.

Supporters, however, are the lifeblood of the game, and it is vital that their role is recognised. The Scottish Government recognises that, and we enjoy positive relationships with the national fans organisations, Supporters Direct Scotland and the Scottish Football Supporters Association. We believe that fans should have real influence on the game as a whole and on the future of the clubs that they love and support. That is why, last May, we launched the fan bank, which is intended to support organised fan groups to become more involved in the ownership of their club, to ensure that their interests are represented on clubs' boards and to protect clubs for generations to come.

The fan bank will make a positive change to football and help to put real power in the hands of supporters in the local community. Falkirk Supporters' Society was the first recipient of a loan from the fan bank. The £350,000 enabled it to increase its shareholding so that it and other small shareholders now have the protection of owning a third of the club. That investment has, in turn, supported the club to renew its pitch for the season and invest in the club's development.

We have also had discussions with a number of other supporters groups about potential bids to the fan bank. I am glad that the initiative is proving to be so popular with football fans.

Today's debate has been inspired by the review of Scottish football that was launched in June last year by the Scottish Football Alliance and the Scottish Football Supporters Association. The review covers a wide range of issues, many of which relate to the formation of the leagues and

the division of prize money, for example. Although those issues are of interest, they are not for the Scottish Government to comment on. We fully endorse some elements of the review, such as the game being accessible and welcoming to everyone, with a particular emphasis on tackling inequalities as a barrier to participation.

On Monday, I spoke about social outcomes contracting at a United Nations Educational, Scientific and Cultural Organization and Union of European Football Associations event at Hampden. I reflected on my visit last year to the European Amputee Football Federation nations league in Fife, which saw Scotland qualify for the finals in France this June. Oh my goodness! It was truly inspiring to see our amputee athletes competing at an international level. Scottish Para-Football is doing outstanding work in promoting a wide range of parallel ways to engage in the game.

The review's headline proposal is the introduction of an independent regulator. It is certainly an interesting issue. The fan-led review in England emerged from a particular set of circumstances, and the recommendation that a regulator be set up was intended to address particular challenges to the sustainability of the English game. The football landscape in Scotland is very different, but that is not in itself an argument against the introduction of a regulator. However, the specific role of any such body would need to be tailored to the Scottish context, as would the funding of it. I understand that the regulator in England is estimated to cost about £30 million, which will be funded through a levy on clubs. Although I would expect a Scottish regulator to cost substantially less than that, the cost would still be significant in the Scottish context, and, at this stage, I am not clear about where the funding could come from.

Before taking such a big step, it would be really useful to undertake some learning from England, which, as far as I am aware, is the only country that is currently legislating to introduce an independent regulator. I want to understand better how the regulator is planned to operate in England and, once it is up and running, how effective it is at achieving its aims. I will ask Scottish Government officials to engage with the UK Government on the matter.

Finally, I would also wish to consider whether any such regulator—

Graham Simpson: Will the minister take an intervention?

Maree Todd: Yes.

Graham Simpson: I am listening very carefully to what the minister is saying. She appears to be saying that she wants to wait for the regulator to

be set up in England and then wait to see how it operates before she does anything. How long does she expect that to take? To me, it looks as though that could take several years. Is she not at least prepared to start discussions now?

The Deputy Presiding Officer: Minister, before you respond, could you move your phone away from your microphone? I think that it is picking things up.

Maree Todd: Certainly.

I am more than happy to talk about what I plan to do in the fullness of time. I would want to consider whether any such regulator would operate across sports governing bodies instead of being specifically about football. One finds it hard to argue with the calls for accountability, transparency and responsibility in football, but I think that any and all of our sports governing bodies should demonstrate those traits. I know that sportscotland works with sports governing bodies on ensuring effective financial management, organisational stability, leadership and planning, and policy implementation, and it should certainly be part of this discussion.

In summary, I cannot commit today to establishing an independent regulator. A lot of work needs to be done to understand how it would operate, how it would be appointed and funded, what its specific role would be and whether there are other ways of achieving the agreed outcomes, short of establishing a new body.

Neil Bibby: Will the minister give way?

Maree Todd: I am just closing.

Equally, the door is not by any means closed on the proposal, if a strong case can be made as to why such a regulator is necessary and why other measures short of regulation could not be implemented to address some of the issues that have been raised. I am more than happy to host a round-table discussion on the matter, as has been suggested, and I will ask my officials to take that forward with Ben Macpherson.

We have heard today what football means to people and what it means to fans to support their club and their country. Scotland has had a long love affair with the game that we founded, and it still holds a very special place in our hearts. As minister for sport, I see my role as helping sport to flourish, and I am, of course, very happy to work with partners to achieve that.

The Deputy Presiding Officer: That concludes the debate.

Meeting closed at 18:23.

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