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Wednesday 31 May 2017

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Wednesday 31 May 2017

CONTENTS

	Col.
PORTFOLIO QUESTION TIME	1
RURAL ECONOMY AND CONNECTIVITY	1
Average Speed Cameras (A90)	1
Superfast Broadband (Strathkelvin and Bearsden)	4
Information and Communications Technology (R100 Contracts)	5
Forestry (New Plantings)	7
Inshore Fisheries (Unlicensed Commercial Fishing)	8
ENVIRONMENT, CLIMATE CHANGE AND LAND REFORM	9
Marine Scotland (Industrial Dispute)	9
Sea Bed Management (Pilot Schemes)	10
Wildlife Crime	11
Climate Challenge Fund Projects (Glasgow Maryhill and Springburn)	13
Scottish Environment Protection Agency (Grangemouth)	14
Illegal Snares and Traps	15
Emission Reduction Targets	17
PROTECTING WORKERS' RIGHTS	18
<i>Motion moved—[Jamie Hepburn].</i>	
<i>Amendment moved—[Dean Lockhart].</i>	
<i>Amendment moved—[Jackie Baillie].</i>	
<i>Amendment moved—[Andy Wightman].</i>	
The Minister for Employability and Training (Jamie Hepburn)	18
Dean Lockhart (Mid Scotland and Fife) (Con)	24
Jackie Baillie (Dumbarton) (Lab)	28
Andy Wightman (Lothian) (Green)	31
Clare Haughey (Rutherglen) (SNP)	34
Murdo Fraser (Mid Scotland and Fife) (Con)	37
Bob Doris (Glasgow Maryhill and Springburn) (SNP)	39
Neil Findlay (Lothian) (Lab)	41
Maree Todd (Highlands and Islands) (SNP)	43
Mike Rumbles (North East Scotland) (LD)	46
Christina McKelvie (Hamilton, Larkhall and Stonehouse) (SNP)	48
Michelle Ballantyne (South Scotland) (Con)	50
Stewart Stevenson (Banffshire and Buchan Coast) (SNP)	52
Graham Simpson (Central Scotland) (Con)	54
Joan McAlpine (South Scotland) (SNP)	56
Patrick Harvie (Glasgow) (Green)	59
Richard Leonard (Central Scotland) (Lab)	61
Maurice Golden (West Scotland) (Con)	64
The Cabinet Secretary for Economy, Jobs and Fair Work (Keith Brown)	66
BUSINESS MOTIONS	71
<i>Motions moved—[Joe FitzPatrick]—and agreed to.</i>	
PARLIAMENTARY BUREAU MOTIONS	73
<i>Motions moved—[Joe FitzPatrick].</i>	
DECISION TIME	74
CHILD SAFETY WEEK	82
<i>Motion debated—[Clare Adamson].</i>	
Clare Adamson (Motherwell and Wishaw) (SNP)	82
Bill Bowman (North East Scotland) (Con)	85
Stewart Stevenson (Banffshire and Buchan Coast) (SNP)	86
Alexander Stewart (Mid Scotland and Fife) (Con)	88
Mark Ruskell (Mid Scotland and Fife) (Green)	90
The Minister for Childcare and Early Years (Mark McDonald)	92

Scottish Parliament

Wednesday 31 May 2017

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

Portfolio Question Time

Rural Economy and Connectivity

The Presiding Officer (Ken Macintosh): Good afternoon. The first item of business is portfolio questions—[*Interruption.*] Can members hear me?

Members: No.

The Presiding Officer: Can we check the microphones? Can you hear me now?

Members: Yes.

The Presiding Officer: Good. We have take-off—well, we sort of do, because question 1 has been withdrawn and the member is not present for question 2, so we will go to question 3.

Average Speed Cameras (A90)

3. **Graeme Dey (Angus South) (SNP):** To ask the Scottish Government what impact the installation of average speed cameras between Dundee and Stonehaven will have on road safety for communities living alongside the A90. (S5O-01041)

The Minister for Transport and the Islands (Humza Yousaf): A comparative assessment of average speed camera technology on other routes demonstrates that introducing the technology can realise a range of benefits for communities, including reduced incident frequency and impact and improved journey-time reliability and speed-limit compliance, with consequent reductions in the numbers of people who are killed or seriously injured. Average speed cameras on the A90 will result in improved driver behaviour, fewer fines and points for drivers and, most important, safer roads for communities and all users of the A90.

Graeme Dey: As the minister knows from correspondence between us, exiting and entering the A90 via a series of junctions in the Tealing area of my constituency can be fraught with difficulty. The road layout situation is exacerbated by the presence of slow-moving farm machinery and pedestrians having to cross the carriageway at the village of Inveraldie to access southbound buses. There have been a number of serious traffic incidents in the vicinity in recent years, some of which were fatal. Although I understand that road layout was not a significant contributor in the vast majority of those incidents, the fact

remains that users do not feel comfortable on that stretch of road.

The minister confirmed to me in a letter yesterday that, given the accident cluster, further investigations are to be carried out, which I very much welcome. However, will all the junctions in the vicinity be looked at and not just the Tealing turn-off? Might the options that are to be considered include introducing a 50mph speed limit in the area, as has already been done elsewhere on the A90, at Laurencekirk?

Humza Yousaf: I thank the member for his correspondence on the issue over the months. He knows that there was a recent fatality at Tealing, which Tealing community council has mentioned to me. When such incidents happen, our thoughts are first and foremost with the families of those who are affected.

Road safety is of paramount importance, and it is our number 1 objective in the work that we do. We assess safety performance on the trunk road network, including the A90 junctions, and we have identified the A90 Tealing junction for further investigations, as the member said. Our operating company has arranged to meet Tealing community council in July to gather feedback, which will inform the report. A study that was undertaken in 2012 recommended signage improvements at Inveraldie, Newbigging and Tealing junctions, and those improvements were installed in 2012.

I assure the member that the scope of the investigations can be widened, and I will certainly look to do that and speak to my officials about it. We will continue to engage with stakeholders in the area. If the member felt that there could be further engagement with other stakeholders, I would welcome his getting back in touch with me about that.

Ross Thomson (North East Scotland) (Con): Will the minister provide Parliament with a timeline for completing the improvements to the A90 junction at Laurencekirk?

Humza Yousaf: The member will know that the project is going through the statutory process. I often had conversations on the issue with our late colleague Alex Johnstone, who rightly pressed me on the timescale.

The project is going through the statutory process. I am happy to write to Ross Thomson to explain to him the detail of that process, although I am sure that he will be aware of some of it. I am sure that, if we subverted that process, he would be the first to jump down our throat and say that we had to listen to the objections or other views of communities.

We have to follow the statutory procedure. I know that, as my colleague Mairi Evans has often mentioned to me, people in Laurencekirk feel somewhat sceptical about whether the project will take off. I give them an absolute assurance that it will. We have committed the funding, but I will write to Ross Thomson so that he has a bit more detail on the process that must be followed. I hope that that will give him the reassurances that he requires.

Mark Ruskell (Mid Scotland and Fife) (Green): The minister will be aware of a pilot project in Edinburgh to use average speed cameras to deter rather than to detect breaches of the speed limit in an urban setting, particularly where 30mph and 40mph limits apply. Is the Scottish Government looking at how average speed cameras can also be used to deter speeding in 20mph zones in urban areas?

Humza Yousaf: I am not aware that the Government has considered average speed cameras for 20mph zones but, if the member wishes us to do so, I would be more than happy to discuss that with Transport Scotland. It is fair to say that average speed camera technology is not just for rural settings but for urban settings, where cameras can drastically reduce the level of serious and fatal incidents. I have not looked at using such cameras in 20mph zones but, if the member wishes me to do so, he can correspond with me and I will have the conversation with Transport Scotland.

Gail Ross (Caithness, Sutherland and Ross) (SNP): What impact has the installation of average speed cameras on the A9 between Inverness and Perth had on fatalities, serious accidents and people being caught driving over the speed limit?

Humza Yousaf: New statistics that have recently come out are positive about the reduction in serious and fatal incidents on the A9. It is worth saying that, when average speed camera technology was rolled out on the A9, there were many detractors and many people objected, but the statistics now speak for themselves. That is why there has been little objection to installing average speed cameras on the A90 from Dundee to Stonehaven.

To answer the member's question directly, since the installation of those cameras 27 months ago, serious and fatal casualties between Dunblane and Inverness have gone down by 43 per cent. There were no fatal casualties between Dunblane and Perth in the most recent reporting period, and the number of fatal casualties between Perth and Inverness reduced by almost 40 per cent over the same period.

We will continue to monitor the data, but I think that everybody would agree that those average

speed cameras have been a great success. I hope that, when we roll them out on the A90 between Dundee and Stonehaven, we will see similar reductions in casualties and fatalities.

Liam Kerr (North East Scotland) (Con): The minister will have seen the report in *The Press and Journal* this week on accidents on the A952 Cortes junction with the A90 Mintlaw to Fraserburgh road, where there are two deaths or serious injuries per month. Graeme Dey rightly highlighted the junction at Tealing, and the minister gave a reassuring and positive answer. Will the minister give similar assurances about the stretch of road around the Cortes junction and about what will be done to prevent further serious injury and death in the future?

Humza Yousaf: The accident and road safety statistics are paramount when we decide on where our average speed camera technology should be rolled out. That is the basis of decisions on where we invest and that is the fundamental reason why we do what we do.

Mr Kerr will understand that we have a finite resource and that we have to concentrate it on locations where we can reduce fatalities and casualties the most. The statistics on the A90 are horrifying for any member to see, so I hope that the action that we are taking will reduce those figures. If any members—not just Liam Kerr—feel that there is a strong case for their communities to have traffic-calming measures or average speed camera technology roll-out, I invite them to approach me. The caveat is that we have a finite resource but, when there is a sensible option that will help to reduce fatalities and serious accidents and injuries, the Government will always make such an option a priority.

Superfast Broadband (Strathkelvin and Bearsden)

4. Rona Mackay (Strathkelvin and Bearsden) (SNP): To ask the Scottish Government whether it will provide an update on the roll-out of superfast broadband in the Strathkelvin and Bearsden constituency. (S5O-01042)

The Cabinet Secretary for Rural Economy and Connectivity (Fergus Ewing): The £400 million investment that the Scottish Government and our partners are making through the digital Scotland superfast broadband programme will extend fibre broadband access to at least 95 per cent of premises by the end of this year. Without that investment, only two thirds of premises—66 per cent—would have been reached. Although most of the superfast broadband roll-out in the Strathkelvin and Bearsden constituency is being delivered commercially, the programme had, by the end of last year, provided fibre broadband access to 7,450 premises in the area, 94 per cent

of which were capable of accessing superfast speeds.

Rona Mackay: At my surgeries, many constituents who live in Woodilee Village in Lenzie and constituents from other rural areas have expressed concern about the roll-out of superfast broadband. Will the cabinet secretary reassure my constituents that they will have access to superfast broadband within the timeframe that the Scottish Government has set out?

Fergus Ewing: The digital Scotland superfast broadband programme has further fibre broadband deployment plans for Woodilee Village in Lenzie. Any premises that are not connected through the digital Scotland superfast broadband programme will be captured through our commitment to delivering 100 per cent superfast broadband access by 2021.

Jamie Greene (West Scotland) (Con): I thank the cabinet secretary for the update. One of the most important pieces of the jigsaw is achieving 100 per cent roll-out for small and medium-sized businesses, especially in rural areas. What measures will the Government take to ensure that small business is at the forefront of future roll-out in the reaching 100 per cent—R100—programme?

Fergus Ewing: We value the work that small businesses do, which is why, under our rates relief programme, we have the most generous business rates package for small business anywhere in the United Kingdom. We are determined that such businesses should have access, because in many cases it will be critical to the effective conduct of their business.

The R100 programme aims to extend access to every house and every business premises by the end of 2021. As the cabinet secretary who is responsible for that, I am determined that all premises should have that access.

Information and Communications Technology (R100 Contracts)

5. Dean Lockhart (Mid Scotland and Fife) (Con): To ask the Scottish Government whether it will implement in full the recommendations in the Audit Scotland report, “Principles for a digital future”, when taking forward its R100 contracts. (S5O-01043)

The Cabinet Secretary for Rural Economy and Connectivity (Fergus Ewing): The Audit Scotland report in question focuses primarily on lessons learned from previous procurements of information technology systems and services. However, I am pleased to confirm that the five key principles that are set out in the report are indeed reflected in our planning for the R100 programme.

The R100 work will of course build on our existing digital Scotland programme. Members might be aware that when Audit Scotland reviewed the progress of the programme, it concluded that we are on track to meet our coverage targets, with more premises than expected able to access superfast speeds.

The most recent connected nations report for Scotland from the Office of Communications highlighted that superfast broadband coverage in Scotland had increased by 14 per cent over the past 12 months—the largest increase of any of the United Kingdom nations.

Dean Lockhart: In its report, and in view of the cost overruns and challenges that have been experienced in a number of recent IT projects, Audit Scotland urged the Government to show

“Clear leadership that sets the tone and culture and provides accountability”

and to provide for appropriate governance structures and sufficient project oversight for future IT projects. Will the cabinet secretary say what steps he is taking to ensure that those recommendations will be implemented in full?

Fergus Ewing: From what the member just said, one might conclude that Audit Scotland was critical of the Scottish Government’s work in respect of the roll-out of broadband. That is not the case. The member is talking about another Audit Scotland report; in its report on our work on the broadband programme, Audit Scotland concluded that “good progress” has been made and we remain on track to meet our targets.

Far from being critical of the Government, as the Conservative member seeks to imply, Audit Scotland praised the work that the Scottish Government has done and the record that we have achieved. Perhaps that is because nearly three quarters of a million people—houses and businesses—now have access to superfast broadband because of the efficacy and effectiveness of the programme that this Government has carried out.

Maree Todd (Highlands and Islands) (SNP): I am pleased that the Scottish Government is on track to deliver fibre access to at least 95 per cent of premises in Scotland by the end of 2017. How does that compare with how many homes would have received fibre access if the Government had decided not to intervene?

Fergus Ewing: The total of the premises that would not have access, had we not intervened, is 740,000. I point out that broadband and, indeed, mobile telephony are not devolved—they are reserved. If we had waited for the UK to act, we would be waiting for Godot and we would not have seen nearly 750,000 premises having the access

that they now have. We did not wait because we were not prepared to wait; we know how important access is to rural Scotland. The Tories are shaking their heads—that is because they do not like the facts. They prefer their smears to the facts when they hear them. We will continue to deliver good progress in rural Scotland, while the Conservatives snipe from the sidelines.

Forestry (New Plantings)

6. David Torrance (Kirkcaldy) (SNP): To ask the Scottish Government what action it is taking to encourage new plantings in forestry. (S5O-01044)

The Cabinet Secretary for Rural Economy and Connectivity (Fergus Ewing): The Scottish Government has taken positive action including an increase in grant funding for woodland creation of £4 million; additional funding for the timber transport fund; more attractive grant rates for native woodlands in remote areas; an increased threshold for requiring environmental impact assessment screening in low-sensitivity areas; and implementation of the Mackinnon report to streamline the planting approval process.

The result of that has been a substantial increase in the number of future woodland creation projects being developed and an enthusiastic response from across the forestry sector.

David Torrance: Is the cabinet secretary aware that Labour has committed to planting 1 million trees of native species across the UK and that the Conservatives intend to plant 11 million? How do those targets compare with the Scottish Government's action on planting trees of native species in Scotland?

Fergus Ewing: The targets do not compare particularly favourably. Having said that, I am keen that, across the chamber, we should approach the opportunities that forestry provides in a consensual fashion and I am pleased that the Scottish Government's target of planting 10,000 hectares per annum, rising to 15,000, is an aim that can be shared across the chamber. I was not aware that the Labour target had a specific figure, and I hope that they have got that figure right.

Edward Mountain (Highlands and Islands) (Con): The cabinet secretary has just accused us on these benches of preferring smears to facts. I will give him some facts about planting. Every year in the past five years, the Government has failed to meet its planting target. In fact, it is 28 per cent under the target that it set itself. It is difficult to have confidence in the target of reaching 12,000 hectares by 2020. If that is not reached, will the cabinet secretary make up the shortfall by increasing the plantings to make up the deficit over the past five years?

Fergus Ewing: We have set ambitious targets and I thought that that was a matter of common ground among the political parties, but the member wants to make political points instead.

I inject a few facts into the interchange and point out that the shortfall in respect of the former plantations was not a result of the inadequacy of grant applications, but because of the insufficiency of applications for new plantings. We cannot grow trees without applications; we need the applications to grow more trees. Fortunately, the steps that have been taken over the past year to increase the grant funding—the gentleman does not like it, but we are increasing the timber transport fund, which I thought he supported, and the funding for broad leaf plantations—and to increase the threshold below which screening is not required for sensitive areas and to implement the 20 recommendations of the Mackinnon report have built up an atmosphere conducive to investment. All the signals that I am getting from my many meetings—I have held three forestry summits over the past year—are positive, and I understand that we shall be very close to reaching our target shortly. That good news is something that I thought even the Conservatives would welcome.

Inshore Fisheries (Unlicensed Commercial Fishing)

7. Stewart Stevenson (Banffshire and Buchan Coast) (SNP): To ask the Scottish Government what action it has taken to protect inshore fisheries against unlicensed commercial fishing. (S5O-01045)

The Cabinet Secretary for Rural Economy and Connectivity (Fergus Ewing): Measures under the Shellfish (Restrictions on Taking by Unlicensed Fishing Boats) (Scotland) Order 2017 came into force on 17 April and place restrictions on the quantities of shellfish that unlicensed fishing boats can take. The measures support the right of people to enjoy fishing as a hobby, establishing daily catch limits to provide clarity and tackle the issue of unlicensed, illegal commercial fishing that is conducted under the guise of hobby fishing. To enforce them, Marine Scotland compliance uses rigid inflatable boats and conducts regular inshore patrols.

Stewart Stevenson: I thank the cabinet secretary for advising us of that order, which I am sure will be welcomed. I assert that our inshore fisheries play an important part in our rural economy and supply absolutely superb food. Will the recently announced pilots seek to improve fisheries and will they help us to make further improvements to support our coastal communities?

Fergus Ewing: Yes, I believe that the pilots will. We want to see our fishermen and communities make the most of our inshore resource, which is what the recently announced inshore fisheries pilots aim to achieve. They will explore two different management approaches to determine what works in delivering greater economic, social and environmental benefits to coastal communities and our rural economy, and they will explore a more localised approach to fisheries management, in which fisheries interests work together to develop distinct arrangements that meet their needs.

The learning from the pilots will inform a more strategic approach to managing inshore fisheries, to ensure that we make the most of our valuable inshore waters, and they will inform work on the future of fisheries management in Scotland in the next few years.

Finlay Carson (Galloway and West Dumfries) (Con): In my constituency of Galloway and West Dumfries, illegal electrofishing takes place regularly in Fleet and Luce Bay, with potentially hugely damaging effects on the long-term sustainability of the stock. The Scottish Government has totally failed to control that. Indeed, some razor fishermen are concerned that stocks may be unrecoverable if the illegal fishing continues.

I understand that there are planned trials of electrofishing in selected areas, but what steps are being taken to protect places that are not in the trial areas from continued illegal fishing?

Fergus Ewing: We are taking steps to ensure that electrofishing is properly carried out and that pilots are carried out to demonstrate, under strict regulation, whether the fisheries can safely and sustainably pursue the method. We are taking that measure.

I thought that my meeting with members indicated that we were not dealing with the issue in a party political way. Perhaps I am too naive in that respect, because we now appear to be. Irrespective of that, I will continue to ensure that the Scottish Government does its best to respect the interests of communities, the environment and inshore fisheries fishermen. We will continue to work in the way that we have explained to Finlay Carson on several occasions.

Environment, Climate Change and Land Reform

Marine Scotland (Industrial Dispute)

1. Donald Cameron (Highlands and Islands) (Con): To ask the Scottish Government what progress has been made in resolving the dispute

between seafarers and management at Marine Scotland. (S5O-01049)

The Cabinet Secretary for Environment, Climate Change and Land Reform (Roseanna Cunningham): Constructive discussions are continuing between the Scottish Government and the recognised trade unions. We remain optimistic that the matter can be resolved amicably and without industrial action taking place. Marine Scotland mariners play a vital role in the protection of Scotland's seas, and the Scottish Government is very appreciative of the difficult work that they undertake in helping to protect Scotland's marine environment and resources.

Donald Cameron: Representatives from both Marine Scotland and Unite the union say that there is a distinct lack of action being taken by the Scottish Government to resolve the dispute. Given the likelihood now that industrial action will take place, what steps is the Government taking to avoid that happening by considering fairness between Marine Scotland's seafarers and other public sector seafaring staff?

Roseanna Cunningham: Marine Scotland management agreed in April to continue to pay the recruitment and retention allowance at the current rate, which is at the heart of the issue, until the end of October 2017. That is when the business case for the continuation of the supplement will need to return to the pay supplement panel for consideration and approval. Extending the allowance until October allows time for Marine Scotland to continue to assess recruitment and retention issues in the sector and for the trade unions to work in partnership with the Scottish Government on the pay comparability exercise, which is now happening.

Sea Bed Management (Pilot Schemes)

2. Liam McArthur (Orkney Islands) (LD): To ask the Scottish Government when it will introduce the first pilot schemes for the management of the sea bed. (S5O-01050)

The Cabinet Secretary for Environment, Climate Change and Land Reform (Roseanna Cunningham): We recently consulted on the long-term arrangements for management of Crown Estate assets in Scotland. The consultation contained our proposals on how Crown Estate assets in Scotland can be managed differently in future.

The Scottish Government is involved in discussions with the three wholly island authorities on potential pilot arrangements for enhancing local management of Crown Estate assets. Any proposal needs to contain appropriate arrangements and sufficient detail on how assets and liabilities would be managed. I have received

inquiries from communities in the Western Isles and I remain interested in hearing about proposals for other community pilots.

Liam McArthur: As the cabinet secretary knows, there is a strong and long-standing desire in Orkney for local control over the sea bed assets. That desire is shared by the communities in Shetland and the Western Isles, who remain keen to take forward pilot projects under an agency agreement with Orkney. I welcome Roseanna Cunningham's willingness to engage with me and Tavish Scott on the issue, as well as with the island authorities. Can she clarify who will make the decision on where any pilot projects will take place, and can she commit to ensuring that those are in place before the end of the calendar year?

Roseanna Cunningham: Since 1 April 2017, Crown Estate Scotland (Interim Management) has been managing the assets in Scotland. On that basis, the proposals for any potential pilot would be taken forward by that new body. I confirm that my officials will continue to be involved and will participate in discussions between the island authorities and Crown Estate Scotland (Interim Management) on the possible pilot arrangements. As those discussions involve the interim management body, it would not be right for me to commit to a timetable.

Finlay Carson (Galloway and West Dumfries) (Con): Scotland is home to approximately 25 per cent of Europe's offshore wind resources. With the management of the Crown Estate's sea bed assets now devolved, what steps will the Scottish Government take to ensure the on-going viability of the existing assets?

Roseanna Cunningham: It would help enormously if the United Kingdom Government played slightly more fairly on the issue of renewables vis-à-vis Scotland. Crown Estate assets will continue to be managed commercially until such time as any changes are brought about by legislation subsequent to the consultation. However, I find it astonishing for Conservative members to be challenging anybody in Scotland in respect to renewables.

Wildlife Crime

3. Christina McKelvie (Hamilton, Larkhall and Stonehouse) (SNP): To ask the Scottish Government what action it is taking to tackle wildlife crime. (S5O-01051)

The Cabinet Secretary for Environment, Climate Change and Land Reform (Roseanna Cunningham): Members will be aware that, in August last year, I commissioned a report to ascertain whether there was any suspicious pattern of activity associated with reports of the

disappearance of satellite-tagged golden eagles. The report will be published this afternoon on the Scottish Natural Heritage website. Its findings are extremely concerning, in particular the fact that, between 2004 and 2016, almost one third of the 131 tracked young eagles disappeared under suspicious circumstances, and the conclusion that illegal killing is the most likely explanation for the disappearance of those birds and that there are clusters of disappearances that are associated with some driven grouse moors. The report provides clear evidence of deliberate and sustained illegal persecution in some parts of Scotland that are associated with driven grouse shooting.

Christina McKelvie: I welcome the publication of the report and I am sure that many of us will be interested to read its findings. In light of the findings that the cabinet secretary outlined, what specific steps will she take to target those who continue to flout the law by killing birds of prey and, in the process, damage the reputation of decent, hard-working landowners, managers and gamekeepers?

Roseanna Cunningham: In the light of the report and of the Environment, Climate Change and Land Reform Committee's recent recommendation on the licensing of shooting businesses, I inform members that we will introduce a number of measures to build on those that we have adopted over the past few years.

The new measures include publishing a map showing the clusters of disappeared birds; asking Scottish Natural Heritage and my officials to explore options using existing powers, which could be used to order the temporary or permanent cessation of activities linked to grouse moor management when we have good reason to believe that they are harming protected raptor species; and enhancing enforcement and prevention by working with Police Scotland to recruit a team of special constables who will be focused on wildlife and other rural crime. After careful consideration, I have decided that that is a better route than giving further investigative powers to the Scottish Society for Prevention of Cruelty to Animals inspectors. I am grateful to the SSPCA for its public-spirited offer and its patience while we considered the proposal.

I also want to establish a group to examine how we can ensure that grouse moor management continues to contribute to the rural economy while being environmentally sustainable and compliant with the law. We are commissioning research into the benefits and costs of large shooting estates to Scotland's economy and biodiversity. Last, but by no means least, I want to examine ways in which we can protect the employment and other rights of

gamekeepers as well as their role in enhancing biodiversity, not just game interests.

I will be announcing more details of the proposals in due course.

David Stewart (Highlands and Islands) (Lab): Although I generally accept the cabinet secretary's points, I am disappointed that she is not willing to extend the powers of the SSPCA inspectors to investigate wildlife crime. Given the new evidence of the appalling scale of persecution of Scotland's birds of prey, surely the time has come to extend that power. We need to investigate more, not less.

Roseanna Cunningham: I understand that David Stewart has a strong opinion about that, but there are considerable difficulties with bending the law of evidence in Scotland to begin to allow the kind of evidence that might be brought forward. We have seen in recent weeks how that can jeopardise potential court cases if it does not work properly. A better way forward is to use the existing law and investigation authority, which is the police. They already have the powers to do the things that need to be done. I should also point out to David Stewart that choosing to go down the route of giving the SSPCA powers might open the door to others wanting the same powers and create a big question mark over admissibility of evidence much more widely. It would also require primary legislation, which would take a considerable amount of time.

Climate Challenge Fund Projects (Glasgow Maryhill and Springburn)

4. **Bob Doris (Glasgow Maryhill and Springburn) (SNP):** To ask the Scottish Government how its climate challenge fund supports projects in the Glasgow Maryhill and Springburn constituency. (S5O-01052)

The Cabinet Secretary for Environment, Climate Change and Land Reform (Roseanna Cunningham): Since 2007, the climate challenge fund has provided funding of £3.9 million to support 37 community projects in the Glasgow Maryhill and Springburn constituency.

Bob Doris: I commend the impressive level of investment that benefits my constituents, and draw particular attention to the award of £139,199 to Lambhill Stables, which is based on the Forth and Clyde canal in my constituency. I invite the cabinet secretary to visit Lambhill Stables to see for herself how the funding for the growing together and greener Lambhill project is actively promoting and supporting lifestyle changes in the community by providing food growing spaces in its allotments, and cycling and outdoor activities through its bike workshop and youth clubs. There is a green thread running through each activity that educates

and shows how we can all lead more carbon-friendly lives.

Roseanna Cunningham: I am well aware of the good work that Lambhill Stables is doing to reduce local emissions in the north of Glasgow. It is an example of how successful the climate challenge fund has been across many different communities. I was pleased to approve funding of £140,000 this year for the project to support the community to grow its own food in allotments and to make use of derelict and underused land. I have visited other projects that are doing similar things. It brings enormous benefit when community growing becomes part and parcel of communities—in particular, urban communities.

I am, of course, open to invitations. If Bob Doris wishes to write to me with a formal invitation, I will ensure that my diary is consulted appropriately.

Maurice Golden (West Scotland) (Con): Will the cabinet secretary confirm whether an assessment has been undertaken to compare the impact of climate challenge fund spend with other climate change mitigation measures, such as peatland restoration?

Roseanna Cunningham: Off the top of my head, I am not conscious that we have looked at those two issues—which are quite separate—in that way. Obviously, the climate challenge fund has particular aims and objectives beyond just the issue of climate challenge: it has an important socioeconomic argument to make, especially in communities where there might not be anything else that links people there to the arguments about the climate challenge. It is as much an educational development as it is anything else.

We conduct regular assessments of the climate challenge fund. Maurice Golden has raised an interesting question about the possibility of conducting a kind of cross-comparison. I will ask officials about whether doing that would be appropriate—although, of course, it might not be easily done. We will see whether it could be considered. If so, I will come back to the member with more detail.

Scottish Environment Protection Agency (Grangemouth)

5. **Angus MacDonald (Falkirk East) (SNP):** To ask the Scottish Government what progress has been made following community requests to have a permanent Scottish Environment Protection Agency presence in Grangemouth. (S5O-01053)

The Cabinet Secretary for Environment, Climate Change and Land Reform (Roseanna Cunningham): SEPA staff play an important role in regulating industrial and other activity in the Grangemouth area, supporting the health and wellbeing of local communities. Following

discussion with the community council and local elected members, SEPA is considering the benefits and costs of establishing a Grangemouth site that can support the wider Stirling-based area team.

Angus MacDonald: The cabinet secretary will be aware that I recently facilitated a problem-solving partnership on the issue, involving SEPA, Falkirk Council and Grangemouth community council, and I am pleased to report that SEPA has engaged positively and proactively with the local community.

The Grangemouth community has lived cheek by jowl with the petrochemical and agrichemical industries for decades, and recognition must be given to that. Does the cabinet secretary agree that the Government and public bodies such as SEPA should properly acknowledge and consider the fact that there is a community of 18,000 people in Grangemouth, who all deserve to continue to live in a healthy environment, and that the town is not just an industrial cash cow to boost Scotland's gross domestic product?

Roseanna Cunningham: I welcome the action that Angus MacDonald has taken to enable the Grangemouth community to work in partnership with others to seek solutions. I am clear that the Scottish Government will place communities and environmental sustainability at the centre of our plans for economic growth. As Scotland's principal environmental regulator, SEPA has a role to play in that, and I welcome Angus MacDonald's recognition of its positive contribution. I know that he will continue to be actively involved and interested in the on-going conversations about SEPA having a base in Grangemouth.

Illegal Snares and Traps

6. Clare Adamson (Motherwell and Wishaw) (SNP): To ask the Scottish Government what action it is taking to tackle illegal snares and traps. (S5O-01054)

The Cabinet Secretary for Environment, Climate Change and Land Reform (Roseanna Cunningham): The setting of snares and traps must be undertaken in accordance with Section 11 of the Wildlife and Countryside Act 1981 and with the Spring Traps Approval (Scotland) Order 2011, respectively. Enforcement of that legislation is the responsibility of Police Scotland.

Through the partnership for action against wildlife crime in Scotland—PAW Scotland—the Scottish Government works together with key stakeholders, including Police Scotland, land managers and conservation bodies to tackle wildlife crime in Scotland.

Clare Adamson: The cabinet secretary might be aware of an horrific incident near Ravensraig

regional sports centre in my constituency, in which an 18-month-old sprocker spaniel, Evie, had her chest ripped open in a suspected deer snare. Can the cabinet secretary give advice to pet owners about how to keep their animals safe, and can she also give advice on how to report such incidents to ensure that the police can deal with them effectively?

Roseanna Cunningham: On keeping animals safe outside, I suppose that people have to be careful to ensure that their pets are not out of their sight, and they have to ensure that they know where they are going, in terms of the kind of land that they will be on.

I am aware of the incident that Clare Adamson has referred to, and I hope that it was reported immediately to the police. Immediate reporting of incidents to the police is the most important thing that people can do. Ordinary people will be our eyes and ears in much of rural Scotland, as well as in other areas. It is extremely important to impress on people that they must, when they see anything suspicious, report it to the police.

The independent working group on snares noted that a number of non-target-species animals are caught in snares. We think that that number can be reduced through training, careful attention to best practice and awareness and alertness on the part of ordinary people.

Colin Smyth (South Scotland) (Lab): I refer members to my entry in the register of members' interests and my membership of the League Against Cruel Sports.

The cabinet secretary will be aware of the disappointment about the recent Government-commissioned review into snaring by Scottish Natural Heritage, which failed to assess properly the impact of snaring on animal welfare. Will the cabinet secretary ensure that SNH revisits the report and this time considers all the evidence that is available on both legal and illegal snaring, as well as the impact that snaring has on the welfare of target and non-target species? Better still, will the cabinet secretary listen to the overwhelming view of the public and consult on a total ban on snaring, accepting that it cannot regulate cruelty?

Roseanna Cunningham: As I said in a members' business debate a couple of weeks ago, we all accept that all forms of predator control have their drawbacks. None of the methods of control is particularly attractive, but in large parts of Scotland they are, regrettably, necessary.

The recent review to which Colin Smyth referred, which was undertaken by SNH, arose entirely out of previous legislation and was dictated by that legislation. Therefore, the terms of the review were part and parcel of the legislation.

SNH was not conducting a complete review of all snaring—that was not the requirement.

I appreciate that the matter will continue to be a live debate, and I understand that people have very strong views on both sides. However, one of the issues that we must consider is effective management of business in the countryside: unfortunately, thus far, we have not seen a predator control method that will do as good a job as snaring does.

Emission Reduction Targets

7. Adam Tomkins (Glasgow) (Con): To ask the Scottish Government what progress it is making in meeting its emission reduction targets. (S5O-01055)

The Cabinet Secretary for Environment, Climate Change and Land Reform (Roseanna Cunningham): We are making splendid progress. The latest statistics on Scottish greenhouse gas emissions, which were published in June last year, show that the statutory emissions reduction target for 2014 was met and that the reductions from baseline levels exceeded the level of the interim 2020 target. The statistics for 2015 will be published on 13 June.

Adam Tomkins: The cabinet secretary will be aware that the Scottish Conservatives have called for a range of measures to be introduced to incentivise uptake of electric vehicles in Scotland in order to reduce emissions. However, increased levels of uptake will mean increasing levels of demand on our power networks, particularly at peak times. How is the Scottish Government working with the electricity companies to mitigate that concern for the long term?

Roseanna Cunningham: I am sure that my colleague, the Minister for Transport and the Islands, would be able to give Adam Tomkins a considerably more detailed answer than I can give him. I have just seen a report about the extended network for electric vehicles in Scotland, which is beginning to look rather good. We are making great strides. Yes—there is an issue with continued power use, but the more of that power that we can produce from renewables, the less of a problem it will be in respect of climate change emissions.

Protecting Workers' Rights

The Presiding Officer (Ken Macintosh): The next item of business is a debate on motion S5M-05864, in the name of Jamie Hepburn, on protecting workers' rights.

14:44

The Minister for Employability and Training (Jamie Hepburn): I have brought this debate to the chamber today as I am determined that this Parliament supports the workers on which this country relies. I want every worker, regardless of sector, location, background or employment status, to be aware of their rights, to be able to exercise them and to be treated fairly by their employer and, when that does not happen, I want to ensure that they have access to justice.

The debate gives us the chance to recognise the vital role of strong trade unions to our economy and to our society. The United Kingdom's Trade Union Act 2016 represents a direct threat to unions and to the collaborative approach that we take here in Scotland to protect the fundamental rights of workers. I set out, again, this Government's clear and consistent opposition to that pernicious legislation.

Employment regulations are there to ensure safe working conditions, maternity and paternity leave and entitlement to holiday pay. However, our world of work is changing. The growth of the so-called gig economy and the need to protect workers in that new employment category is vital. Self-employed workers constitute about 13 per cent of our workforce and those workers have little or no statutory benefits. Zero-hours contracts are becoming more prevalent, although their use is lower in Scotland than it is in the rest of the UK, and technology is advancing—

Neil Findlay (Lothian) (Lab): Will the minister take an intervention?

Jamie Hepburn: Indeed.

Neil Findlay: Before the minister moves off self-employment, will he address the issue of bogus self-employment, which is rife in the construction industry, including in Scotland and in some of the Government's infrastructure projects? What is the Government doing to address bogus self-employment?

Jamie Hepburn: I suppose that, having made the point that self-employed workers constitute about 13 per cent of our workforce, I could have been a bit more explicit. I recognise the inherent point in Mr Findlay's intervention, which is that, in recent times, we have seen significant growth in the number of those categorised as self-employed. Undoubtedly, some of that has been driven by

individuals' desire to become self-employed. In addition, because of the nature of our economy, we have seen a number of people—and this is reflected in the growth in zero-hours contracts—pushed into the self-employed category.

Mr Findlay will be well aware of the framework and the regulations that we have put in place to ensure fair employment practice in procurement. I hope that that goes some way towards answering his question.

The fundamental point, which I was going on to make, is that employment law has not yet caught up with the changed circumstances in the economy and, importantly, the law will not always guarantee that work is fair in other ways that matter to us.

Andy Wightman's amendment recognises the need for us to be cognisant of developments in our economy. It also recognises the better than zero campaign. I very much welcome that campaign and we will support Mr Wightman's amendment.

In Scotland, we have been ahead of the curve for some time on many issues relating to fair work. The Scottish Government has used the levers available to us to address poor working conditions and to promote fairer workplaces. Paying the real living wage of £8.45 an hour is a strong public commitment to tackling in-work poverty, so we pay at least the living wage to all those covered by our pay policy. Paying the living wage marks out employers as being responsible to their customers, to the public and, above all, to their staff.

Scotland remains the best performing of all of the four UK countries, with about 80 per cent of our workforce paid at least the living wage. There are now more than 800 Scots-based accredited living wage employers. We are continuing to work with—and fund—the Scottish living wage accreditation initiative to make progress towards our target of having 1,000 accredited employers by autumn this year.

In our manifesto that we presented yesterday, we set out that we will support

“payment of the real Living wage as a new minimum legal requirement to all adults”

over the age of 18. That will ensure that those covered by such a policy are paid more than £10 an hour by the end of the next UK parliamentary session. Scottish National Party MPs will push for that change for all workers not just here in Scotland, but across the UK.

I turn to the issue of zero-hour contracts, which I have touched on briefly. This Government opposes the use of exploitative zero-hours contracts. No worker should rely on a zero-hours contract as their core source of income. No one

should be compelled to accept or be required to rely on such a contract. No person should have to live with the strain of not knowing what their working hours will be, week to week.

In our manifesto, we have said that we will press the UK Government to ban exploitative zero-hours contracts to ensure that workers have appropriate rights and protections, including holiday and sick pay. We have also opposed the UK Government's introduction of employment tribunal fees. There is strong evidence that the charging scheme restricts access to justice, which is why we will abolish fees in Scotland, using powers devolved through the Smith commission, and why SNP MPs will press the UK Government to reverse its charges in the next UK Parliament for the entire UK.

Our business pledge was introduced as a partnership between the Government and business to promote our shared ambitions of fairness, equality and sustainable economic growth. It encourages business to adopt progressive workplace practices such as workforce engagement, active participation in communities and investment in innovation. There is a large body of credible evidence to show how companies can benefit from that through increased productivity, enhanced employee commitment and improved reputation.

Dean Lockhart (Mid Scotland and Fife) (Con):

To date, less than one out of every 1,000 businesses in Scotland has signed the business pledge. Does the minister see that as a ringing endorsement of his policy?

Jamie Hepburn: I was just about to turn to where we are with the business pledge. We put the business pledge in place as a voluntary arrangement because we do not have power over employment. If the Conservatives are willing to stand here today and say that they support the transfer of that responsibility to the Scottish Parliament, I will very much welcome that—I look forward to Mr Lockhart doing that in a minute or so. I would have thought that he would have welcomed the difference that the business pledge is making to 80,000 workers across Scotland.

In that regard, I turn to Jackie Baillie's amendment. I thought that the amendment's wording was a little more critical than it might have been. I have just made the point about our business pledge, and we have the living wage accreditation scheme.

Jackie Baillie (Dumbarton) (Lab): Will the minister take an intervention?

Jamie Hepburn: I will in a minute.

The living wage accreditation scheme has 800 accredited employers and our carer positive

scheme covers over 200,000 workers in Scotland—I think that that is progress.

Jackie Baillie: I might also say this in my speech, but the minister is well aware that we support the Scottish Government in its business pledge. We just wish that the Government would be more ambitious in promoting it so that more people would benefit.

Jamie Hepburn: Indeed, that is a shared agenda, so it is a perfectly timed intervention for me because it allows me to say that although I think that the wording of Jackie Baillie's amendment is a little more critical than it needed to be, I do not want us to split hairs in this instance. I absolutely recognise that, although progress has been made, we need to make further progress. I also recognise what I think is the implicit recognition in Ms Baillie's amendment that the Scottish Parliament should have control over employment law. I see very clearly the ambition that she sets out in her amendment.

It is vital that we have the ability to have engagement and dialogue between employers, unions and the Government to better embed fair work in the law of Scotland. That type of dialogue is reflected in our fair work convention and the strategic labour market group that has been established as part of the labour market strategy. If we had control of those employment areas in the Scottish Parliament, we could ensure that fair work was embedded in our legal framework.

I hope that it is recognised that progress has been made, but we must never be complacent. Too many people are still in low-paid and insecure work. The Government working with partners, including trade unions, the third sector and the business world, to protect the rights of all workers has never been more important. In August 2016, we published our first labour market strategy, to which I referred a few moments ago, in recognition of current and future challenges and to set out how fair work contributes to inclusive economic growth. We will continue to work with the fair work convention to support the delivery of its five fair work dimensions: security, respect, opportunity, effective voice and fulfilment.

The independent fair work convention is central to making the argument on how embracing fair work can create more innovative and productive workplaces, supported by stronger industrial relations. Its vision, which I share, is for the fair work framework to be embedded in workplaces throughout Scotland by 2025. Protecting the rights of workers is at the core of the fair work framework and the principles that underpin it.

Let us now focus on people who are currently looking for work, whom we must support into work. We are committed to removing long-standing

barriers to employment for disabled people and those at risk of long-term unemployment. That is why our new, devolved employment programme is so important. Job seekers have the right to be treated with dignity and respect through locally delivered services that are inclusive, effective and responsive, with targeted support through the newly devolved employment powers for groups that are excluded from the labour market.

Those are some of the actions that we are taking to protect the rights of workers and that we could take if we were empowered to do so. However, the UK Government's decisions seem to be designed to create the opposite effect. Perhaps the most damaging decision is the one to implement a hard Brexit, which has cast uncertainty over the future of the workplace protections that are currently in place for workers as a result of European Union law. The EU provides a harmonised approach to social protections and human rights, which are at risk with the UK leaving the EU. Even if they are mirrored at the time of the UK's exit from the EU, there are concerns that the UK will be left behind as the EU improves its human rights.

There are also significant concerns about access to social security. Currently, the 181,000 EU nationals in Scotland and the many thousands of Scots who live and work in the EU benefit from legally guaranteed co-ordination of social security, which protects access to pensions and benefits.

The Tories talk about protecting workers' rights, but we have seen them fundamentally undermining the powers of our trade unions. As part of their hard Brexit campaign, they will withdraw the UK from the jurisdiction of the European Court of Human Rights. That is hardly the kind of progress that we want.

The Tory amendment clearly says that the Tories will transpose into UK law all the rights that are set out in EU law. That might have been somewhat more reassuring if we had not heard from many Tory back benchers in the UK Parliament about their desire to see a race to the bottom and if we had not seen a clear roll-back on the supposed commitment to ensuring that all areas of EU law that are currently devolved to the Scottish Parliament will be passed to it. What is there to stop the UK Government and the Tories rolling back on the commitment that is set out in the amendment? Most fundamentally of all, of course, there is nothing to stop the law being changed in the future.

The Tory amendment wants us to celebrate the fact that workers across the UK receive a minimum of £7.50 an hour, which the Tories call the "national living wage"—one of the greatest con tricks before us. Is that a decent wage? We know that the real living wage is independently set by

the Living Wage Foundation and sets out the minimum that a person needs to sustain themselves and their family.

The Conservatives say that they want to enhance protections for workers. Is that what the Trade Union Act 2016 and employment tribunal fees are designed to achieve? The Conservatives want to give unemployed disabled claimants tailored employment support. Is that as long as they are able to make the journey to their nearest jobcentre, which, if the Conservatives' planned closures go ahead, could be miles away? The Tory rhetoric in the amendment is not matched by Tory actions. That is why we will not support that amendment.

The Presiding Officer: Will you draw to a conclusion, minister?

Jamie Hepburn: Yes, indeed.

In addition to the challenges that have been thrust on us by the UK Government, the nature of the labour market is changing. There is the emergence of the so-called gig economy. We know that research says that nearly 8 million people in Britain would consider some form of gig work in the future and we know that, although such work may have some benefits, they are countered by workers not receiving employment status. We need to explore that issue further. That is why we have established an independent expert advisory panel to consider the challenges and opportunities that are associated with such work. The panel will take evidence over the coming period and report back to us in due course.

Looking ahead, I see that the only certainty is that change will continue at an accelerating rate. Scotland's workforce has to be equipped to adapt and to thrive in that environment, and developing our skills policy to ensure that training is matched to future employer requirements is key. In parallel, we must ensure that our employment policies and legislative framework adapt and respond at a similar pace, to ensure that workers' rights are protected and enhanced.

I hope that, collectively, we can seize the opportunity today to work towards a unified position of support for protecting the rights of every worker. It is only through supporting people in achieving their full potential that we can deliver the priorities of inclusive economic growth, fair work and social justice.

I move,

That the Parliament recognises the vital role of trade unions to Scotland's economy, society and its workforce; supports the Fair Work agenda to protect the rights of all workers in Scotland regardless of sector, background or employment status; is concerned about the impact that leaving the EU will have on the workforce in Scotland; agrees with Scottish Government plans not to impose

employment tribunal fees when powers over tribunals are devolved, and calls on the UK Government to act now to protect workers across the UK by repealing the Trade Union Act 2016.

15:00

Dean Lockhart (Mid Scotland and Fife) (Con):

In recent debates, the chamber has discussed the rapidly changing nature of the economy, the emergence of new business models such as the gig economy and the constantly changing demands that those developments are placing on workers across the UK. We therefore welcome this debate on how we can protect workers' rights in that rapidly changing environment.

Over the past seven years, the UK Government has placed great emphasis on a series of fundamental protections for workers across the UK. Indeed, since 2010, we have witnessed some of the most significant improvements in workers' rights in decades. Last year, we saw the introduction of the national living wage, giving a pay rise to millions of workers and ensuring that a full-time worker on that wage now earns £900 more a year. The UK Government has also introduced new rights for workers in the areas of annual leave, shared parental leave and maternity pay; in fact, such rights in the UK go far beyond their European equivalents. Moreover, since 2010, more than 4 million of the lowest-paid workers in the UK have been lifted out of tax altogether, giving those workers the right to keep more of their hard-earned wages.

The UK Government has also extended perhaps the most fundamental of all employment rights—the right to work—with the creation of more than 2.8 million new jobs across the UK in the past seven years. As for zero-hours contracts, which the minister mentioned, the UK Government has ended exclusivity clauses, and it is worth highlighting that, at the moment, less than 3 per cent of all employees are on such contracts.

Such positive improvements in employment protections and prospects have resulted in significantly improved industrial relations in the UK. Last year, the number of working days lost to disputes was half that in 2010, and for that we must credit not only the measures taken by the UK Government but the constructive and positive engagement of trade unions across Scotland and the UK. I take the opportunity to recognise the vital role of trade unions in Scotland's economy, society and workplaces.

Mike Rumbles (North East Scotland) (LD): I am concerned about the Conservative attempt to remove from the Government's motion the phrase

"is concerned about the impact that leaving the EU will have on the workforce in Scotland".

Is the member trying to say that the Conservative Party is not concerned about the impact of leaving the EU on the workforce in Scotland?

Dean Lockhart: As our amendment goes on to say, the UK Government has confirmed that

“the rights of workers conferred under EU law will be adopted into UK law”

when we leave the EU. Far from diluting workers’ rights, our leaving the EU means that we can, where necessary, introduce employment protection laws that are more relevant, more tailored and more appropriate to the UK economy. There is a whole list of areas where the UK Government has in its domestic law extended workers’ rights beyond their EU equivalents, and I will mention them later.

As we leave the United Kingdom—[*Laughter.*] I mean the European Union—leaving the UK will not happen. As we leave the European Union, those rights will be fully protected. As I have said, the UK Government has gone way beyond the scope and application of equivalent EU laws. For example, women in the UK are entitled to 52 weeks’ statutory maternity leave, not the 14 weeks that are guaranteed under EU law, and UK workers are entitled to more paid leave than their EU counterparts. It is therefore clear from the UK Government’s robust track record in advancing workers’ rights that leaving the EU will not diminish those protections.

The minister questioned whether additional powers will come to the chamber; again, we need only look at the UK Government’s track record and the fact that, through successive Scotland acts, it has made this one of the most powerful devolved Administrations and chambers in the world. There is no doubt that, whatever areas come back from Brussels, those powers will, where appropriate, be devolved to the chamber. Obviously, with its plans for independence and the euro, it is the SNP’s plan to transfer those powers immediately back to Brussels.

In its manifesto, the UK Government has published proposals to further expand workers’ rights in future. They include increasing

“the National Living Wage to 60 per cent of median earnings by 2020 and then by the rate of median earnings, so that people who are on the lowest pay benefit from the same improvements”

as those earning higher salaries.

The Cabinet Secretary for Economy, Jobs and Fair Work (Keith Brown): Will the member take an intervention?

Dean Lockhart: Yes—sure.

Keith Brown: For clarity and for the benefit of Scottish businesses, will Dean Lockhart confirm

whether the Scottish Tories support new taxes on Scottish businesses, such as the skills charge? Would he support the actions of a future UK Government that sought to increase national insurance contributions for self-employed people? The answers to such questions are vitally important to workers in this country.

Dean Lockhart: The manifesto has made it clear that those matters will be subject to review. It will depend on the future fiscal position of the UK. We have been reducing the budget deficit and we are reducing the national debt. The fiscal position in the UK is far stronger than that in Scotland under the SNP.

The UK Government proposes a number of additional worker protections, including fairer corporate governance structures, with worker representation on company boards, and further protections for people working outside traditional full-time employment, including self-employed people and those in the gig economy.

To advance those rights, the UK Government has commissioned the Taylor review, which will report on the changing labour market and consider how the interests of workers in different parts of the modern economy can be advanced. The central objective of the Taylor review is to ensure that workers’ rights are protected in the context of new working practices.

It is against the background of modern working practices that I will briefly address some of the points raised in the Government motion in respect of the Trade Union Act 2016. That legislation has been debated in the chamber before, so I do not intend to cover old ground, but I confirm the Scottish Conservative Party’s position. Trade unions are valuable institutions, and dedicated trade unionists work hard to represent their members. It is only fair that the rights of unions are balanced with the rights of hard-working taxpayers who rely on key public services.

As with other legislation, the 2016 act is designed to reflect the needs of the modern economy, and it replaces a number of outdated practices that are based on legislation that is decades old. My colleagues will further address matters relating to the 2016 act in the course of the debate.

To protect workers’ rights and pursue the fair work agenda, it is essential that we have a strong economy. That is recognised by the Scottish Government’s labour market strategy, which states that for

“Scotland to be a more successful ... country, with opportunities for all to flourish ... we need a strong economy”.

The Scottish Conservative Party agrees. Only with a strong economy can we create extra jobs, increase pay and expand workers' rights.

Let me remind the minister of the economic background to the debate. Under the SNP, the economy in Scotland is in decline and we are halfway towards recession. Wage increases in Scotland are lower than those in the rest of the UK, while economic inactivity levels are higher, and we have a notional budget deficit of £15 billion.

The Minister for Childcare and Early Years (Mark McDonald) *rose—*

The Deputy Presiding Officer (Linda Fabiani): The member is in his last minute.

Dean Lockhart: I need to conclude.

That economic background is important, because it will impact on the ability of the Scottish Government to implement the fair work agenda and the labour market strategy.

On page 40, the SNP's labour market strategy defines success. It refers first to

"a strong labour market that drives ... sustainable economic growth".

Unfortunately, since the strategy was published, there has been no economic growth. Secondly, it refers to

"a skilled population capable of meeting the needs of employers".

Again, under the SNP, that is not happening. Literacy, numeracy and general education standards are all falling. Thirdly, it refers to an economy that is

"characterised by growing, competitive businesses".

Again, that is not happening under the SNP Government. Businesses are being hammered with increased rates and the large business supplement.

The SNP talks a good game on workers' rights, fair work and the labour market, but when it comes to the hard realities of economic growth, take-home pay, tax levels, budget deficits and the ability to afford additional protections, the SNP is yet again failing the hard-working people of Scotland.

I move amendment S5M-05864.2, to leave out from "is concerned" to end and insert:

"welcomes confirmation from the UK Government that the rights of workers conferred under EU law will be adopted into UK law at the point at which the UK leaves the EU; recognises the significant enhancement of workers' rights introduced by the UK Government since 2010, including the introduction of a national living wage, shared parental leave and the extension of flexible working rights, and welcomes the independent Taylor review on modern

employment practices, which will include a review of how employee rights can be protected in a changing economy."

15:09

Jackie Baillie (Dumbarton) (Lab): An economy for the many, not the few: that is the Labour Party's ambition, and it is our pledge.

I have stood here many times and encouraged the SNP Government to do more to grow the economy—indeed, I have often demanded that it do so. Let us face it: there is lots of room for improvement. However, an objective that we can all share is that growing the economy should not and must not be at the expense of the workforce. We will get a vibrant, growing and sustainable economy only if we all share in its success. Fundamentally, that is about valuing and respecting the workforce and their rights. We most certainly will not succeed if we simply engage in a race to the bottom in relation to pay, conditions and security.

The Tory amendment discusses an increase in workers' rights. What a joke. The Tories should tell that to people working in the gig economy, to people who are employed in short-term, temporary contracts, to those on zero-hours contracts with no minimum guarantee and to those in low-pay jobs who are struggling to make ends meet.

Dean Lockhart: Will the member give way?

Jackie Baillie: No. I have heard enough from Mr Lockhart already, frankly.

Employment may be rising, but the nature of that employment is much more fragile. What certainly is not rising is wages. In real terms, earnings have been in decline, and they are still lower than they were before 2010. The truth is that, under the Tories, the richest few have got richer, whereas working people have struggled.

Nearly 6 million people across the country earn less than the living wage, too many workers worry about how many hours they will be working from one week to the next, and increasing numbers of working people have to rely on food banks. That is Tory Britain for you.

In contrast, Labour will stand up for working people. We will invest in our country, in our services and in our infrastructure to boost our economy and deliver for working people. We will deliver security and equality at work. *[Interruption.]* I see the Tories laughing. It would do them well to listen, instead of pretending—

Murdo Fraser (Mid Scotland and Fife) (Con): Will Jackie Baillie give way?

Jackie Baillie: No. These days, the member is more likely to be found on picket lines outside SNP conferences than anywhere else.

We will deliver. All workers will have equal rights from day 1 of their employment, whether they are full time or part time, temporary or permanent. Labour will ban zero-hours contracts. We will introduce a real living wage of £10 an hour by 2020. Those are just some of the plans in our comprehensive programme to strengthen rights at work.

We will repeal the Trade Union Act 2016. Evidence from the Royal College of Nursing about facility time for trade unions shows a positive benefit for recruitment and personnel costs for employers, never mind the positive benefit for patient care. However, the Tories are simply not interested in evidence; they are blinded by their dislike of trade unions.

I have been a trade union member for all my working life. I value the work that trade unions do in protecting their members. However, they do so much more than that. Their efforts are not targeted just at the workplace and their existing members; they want the economy to grow and our society as a whole to flourish. They are partners with industry and with Government, too. Nowhere is that partnership more evident than in the fair work convention. The aspiration and vision that, by 2025, we will have a world-leading working life where fair work drives success, wellbeing and prosperity for individuals, businesses, organisations and society is absolutely right. I want to focus on how the Scottish Government will ensure that that is delivered—in other words, how we get beyond the warm words to the action.

In the time left to me, I will highlight three areas: financial assistance from Government, procurement and the Scottish business pledge.

Through agencies such as Scottish Enterprise, the Scottish Government gives out vast sums of money to attract businesses to the country and to help existing businesses grow. I will not mention any of those businesses by name, but some are well-recognised multinational online order and delivery companies. The terms and conditions that their staff operate under are questionable. Should we be giving taxpayers' cash to such companies, which appear to exploit workers? There is no assessment of that when decisions are made about who gets millions of pounds of regional selective assistance.

Keith Brown: Will Jackie Baillie take an intervention on that point?

Jackie Baillie: Yes, if the cabinet secretary will answer this point. Perhaps it is about time that we had minimum standards for workers' rights, and we should make meeting them a requirement of Government support. Will he commit to ensuring that that happens?

Keith Brown: On that last point, would that not be so much easier if Labour had not vetoed the devolution of employment law?

On the point that Jackie Baillie made about some hypothetical company that received grants, would that be the same company to which the Labour Party also gave grants when it was in power?

Richard Leonard (Central Scotland) (Lab): The cabinet secretary went to visit it. [*Laughter.*]

Jackie Baillie: We have been put under an injunction not to name any companies, so I will resist the invitation.

The issue is not about powers that the Scottish Government does not have; it has powers over procurement and who it gives support to. The Government can address the matter now, and I urge it to do so.

That takes me on to procurement. We debated the Procurement Reform (Scotland) Bill long and hard in the chamber, and rightly so, because £10 billion of public money is spent each year on buying goods and services from the private sector. However, the experience on the ground is not good. We have all heard reports about subcontractors not following the rules by bringing in workers from abroad and not paying them the rate for the job. We have also heard about companies that engage in blacklisting being given huge contracts, the use of umbrella companies and avoidance of tax and national insurance payments. We do not want any of that.

Keith Brown: Those are all reserved.

Jackie Baillie: The cabinet secretary shouts that those are reserved matters and not his responsibility. That is a complete derogation of responsibility.

There are genuine concerns about how commissioning in social care can act against the principles of fair work. The Scottish Government has the power to change all of that. What monitoring has it undertaken of procurement rules and whether they have been applied? What dialogue has it had with trade unions, which have raised real concerns? The Government can make a real difference in the area if it chooses to do so. It is not anyone else's problem or responsibility; it is ours.

Jamie Hepburn: Will Ms Baillie give way?

Jackie Baillie: I will, once I have touched on the Scottish business pledge.

The Deputy Presiding Officer: I do not think that you have time, Ms Baillie.

Jackie Baillie: Oh my goodness—let me hurry up.

We support the Government's intentions in bringing forward the business pledge but, as I said, the problem is the SNP's ineffectiveness in promoting the policy. This time last year, 0.2 per cent of registered businesses had signed up, which represented 2.4 per cent of the total workforce. That is the tip of the iceberg, so we encourage the Government to do more.

I conclude with a word on the European Union. Labour's firm position is that all EU employee laws must be fully protected as we exit the EU and that the existing rights of all EU nationals living in Britain should be guaranteed—and that means that they should be guaranteed now, not traded as part of the negotiation. Those people have chosen to make their home in the UK, to work in our public services, to set up businesses and to help our economy grow, so we must stand beside them and for them, just as we stand up for workers' rights in the UK, which we do in the interests of the many, not the few.

I move amendment S5M-05864.1, after "devolved" to insert:

"; recognises that, for too many people, work is insecure with real terms pay still lower than before the financial crisis and that a £10 real living wage is essential; believes that progress on flagship policies such as the Business Pledge has been poor with only 2% of jobs in Scotland covered by it; considers that all EU-derived workplace laws must be fully protected post-Brexit and that existing rights for all EU nationals living in Britain are guaranteed; believes that zero-hour contracts should be banned and that all workers should have equal rights from day one, whether part-time or full-time, temporary or permanent, which would help transform the workplace".

15:17

Andy Wightman (Lothian) (Green): In the Holyrood election last year, the Scottish Greens stood on a manifesto pledge to

"campaign to make government business support available only to companies who plan to pay the Living Wage, avoid zero-hours contracts, recognise trade unions, reduce the gap between the highest and lowest paid, pay women and men equally and are environmentally responsible."

We recognise that much of the legislative framework around workers' rights is reserved and so we focused on what the Scottish Government can do within the powers of the Parliament.

Neil Findlay: The member gave a list of policies that he saw as a priority last year, all of which are in Labour's manifesto for the current election. Given that the Greens have almost opted out of the election, which party will they support in constituencies where they do not have a candidate standing if the programme that the member read out is the priority?

Andy Wightman: The Scottish Green Party does not advocate support for any other political

party. Obviously, Green voters are entitled to make their views known to candidates. I am sure that those concerns will be front and foremost for many Green voters.

My amendment seeks to strengthen the levers at the Scottish Government's disposal, namely the Scottish business pledge and the fair work framework. The amendment recognises the demands of those who are campaigning on the issues and the initiatives that the Scottish Government is taking to promote workers' rights and fair work.

I will begin by giving some context. In the report "Decent Work for Scotland's Low-Paid Workers: A Job to be Done" by Oxfam and the University of the West of Scotland, which was published in October last year, the experiences of 1,500 low-paid workers were laid bare through eloquent first-person testimony. The report revealed, among other things, that one in five workers is paid less than the living wage, that 138,000 are on temporary contracts and that 118,000 do not receive the statutory minimum paid holidays. The report made nine recommendations to the Scottish Government, one of which was:

"Give the Fair Work Convention an explicit role in investigating and publicising poor employment practices and driving up standards."

Another was:

"Enhance the Business Pledge, including by placing a more robust and transparent accreditation process at its centre."

However, fair work is not just about workers' rights; it is about institutional discrimination in the labour market such as the gender pay gap, a phenomenon that was the subject of a recent inquiry by the Economy, Jobs and Fair Work Committee. The committee heard from Close the Gap, a charity that is funded by the Scottish Government to tackle the inequality faced by women at work. The Close the Gap submission told us about the shortcomings of those two Government initiatives. On the fair work framework, it said:

"There is no mention of discrimination, the undervaluation of women's work, and horizontal segregation. The recommendations on equality are generic and lack specificity; employers are encouraged to 'investigate and interrogate the workforce profile ... and identify where any barriers to opportunity arise and address these creatively'."

On the Scottish business pledge it was equally critical, noting that it has not

"changed employer practice on equal pay or ... advanced gender equality at work more broadly."

Fair work also means improving work-life balance. As research earlier this year from the charity Working Families revealed, one in five

parents working full time works an extra five weeks per year—the equivalent of their annual holiday allowance—in unpaid work, just to keep up with the demands of the job.

According to the Organisation for Economic Co-operation and Development, the UK is ranked amongst the worst in Europe when it comes to employment protection. The European Committee of Social Rights has also chastised the UK for non-compliance with whole swathes of labour rights, again ranking us bottom of the barrel.

In the face of attacks on workers' rights by right-wing Governments in Westminster and the weak standards set by the Scottish business pledge—which, as Jackie Baillie's amendment, which we support, points out covers only 2 per cent of the Scottish workforce—it comes as no surprise that the trade union movement and wider civil society have become increasingly vocal in their campaigns for enhanced employment protections.

It is not just the Government in Westminster that is attacking workers' rights here. Here in Scotland, better than zero has campaigned relentlessly to improve the already precarious working conditions of those who are employed in the hospitality industry. To date, it has put pressure on the G1 Group, said to be one of Scotland's largest companies in the sector, to overcome and end stifling and oppressive practices, such as forcing employees to pay for uniforms or spillages during their shifts. I applaud better than zero for its role in forcing the G1 Group to cease its practice of offering zero-hours contracts to employees.

However, it does not stop there, and that leads me to the gig economy—a curious phrase dreamt up, no doubt, by callous wannabe hipsters seeking to conjure up similes of youthfulness and carefree flexibility. Despite their best efforts to soften that form of contractual working, the harsh reality is that it means that people are employed on short-term contracts with no protection against unfair dismissal, no right to redundancy payments and no right to receive the national minimum wage, paid holiday or sickness pay.

That is not exactly the happy-go-lucky imagery that one would expect. However, the language associated with the gig economy has been meticulously selected to undermine workers' rights. Take, for instance, one well-known courier company that has its own in-house vocabulary guide that openly eliminates workers' rights. Instead of having employees, workers, or staff it has “riders”, who are retained on a “supplier agreement” rather than an employment contract. Such subtleties indicate that those delivering for the firm are having their employment status undercut, thus denying their right to the minimum wage, yet the company's chiefs do not deny it. Indeed, one executive told the House of Commons

Scottish Affairs Select Committee that the minimum wage is

“incompatible with our fee-per-delivery model”.

Clearly, workers' rights have too often been viewed as a trade-off with business performance, as the only strategy that business knows is to undercut through cost cutting. Looking to France and Germany, two key comparators to the UK, we see that both those countries have far stronger employment protections than the UK and enjoy productivity levels about 29 per cent higher than ours.

In conclusion, we must learn from existing evidence that demonstrates that we can bolster our workforce and their rights by supporting them to flourish in an ethical and environmentally responsible economy. The Scottish business pledge and the fair work framework can achieve that, but they need to be substantially strengthened to ensure that access to Government support and funding is dependent on clear ethical and environmentally responsible business practices being incorporated within them.

I move amendment S5M-05864.3, after “employment status” to insert:

“; supports the Better than Zero campaign and its efforts to support workers in the so-called gig-economy; agrees to make access to government support and funding dependent on clear ethical and environmentally-responsible business practices”.

The Deputy Presiding Officer: We move to the open debate. All the extra time that we had has been used up by the opening speakers, so members must keep their speeches tight, at absolutely no more than six minutes.

15:24

Clare Haughey (Rutherglen) (SNP): The trade union movement has a proud history of protecting workers' rights, born of a desire to combat exploitation and ensure a fair day's pay for a fair day's work. From the great advances of the industrial revolution, it was against a background of poor pay, poor conditions and disregard for the value of workers' lives that the first workers' co-operatives and unions grew.

As an active trade unionist myself, and a former trade union steward and divisional convener with Unison, I know at first hand the fantastic and vital work that trade unions do for their members. I refer members to my entry in the register of members' interests.

Members of this Parliament need to work with trade unions in maintaining and developing productive and safe workplaces. We must also develop and implement the innovative fair work agenda, the five dimensions of which—effective

voice, opportunity, security, fulfilment and respect—are central to our working lives. The fair work agenda seeks to balance the rights and responsibilities of employers and workers while creating benefits for individuals, organisations and society. It is unique in the world and shows that Scotland is at the forefront of productive workplace relations.

When we create the conditions in which workers' skills and abilities are supported and developed, and when we promote opportunities for skills and abilities to be deployed, fair work is proven to generate high levels of productivity, performance and innovation, all of which contribute to a wealthier and more inclusive society.

Before members entered this chamber to represent our constituencies, back when we all had what we might call normal jobs, what did we value in our working lives? Was it a good salary? A beneficial work-life balance? Sick pay? Paid annual leave? Those and other benefits are not the products of corporate benevolence—although we should pay tribute to the many employers who look after their staff—but, largely, hard-won rights and benefits that we all have today because of the collective action of the trade union movement.

As Dave Moxham, the deputy general secretary of the Scottish Trades Union Congress has pointed out, workplaces that have trade union recognition are likely to pay up to £53 a week more per worker, and union members are less likely to end up in an employment tribunal, because in unionised environments disputes and grievances are more often settled before they reach that stage. Moreover, unionised workplaces are safer workplaces.

Today, in Tory Britain, there are unprecedented threats to the movement. Following successive Conservative Administration attacks, union membership is less than half what it was when Margaret Thatcher came to power in 1979. Employment is increasingly fragmented, with huge employers replaced by many small businesses, whose staff numbers are in the tens rather than the thousands.

Through the Trade Union Act 2016, the Westminster Government has sought to hobble trade unions' ability to exercise their power at the negotiating table and be the voice of the ordinary worker. The 2016 act, which attacks the fundamental right to withdraw labour—to strike—was passed at a time when industrial disputes are at an historic low. In the words of the First Minister, it is

“an attack on basic human rights.”

The 2016 act requires a 50 per cent turnout threshold for any action to be legal—and that is

even before the results have been counted. It makes it more difficult to take strike action, it singles out picket leaders for retaliatory action by vindictive employers, and it imposes more complicated membership rules.

It can cost an ordinary worker up to £1,200 to take a case through the employment tribunal. Since the UK Government introduced charges, the number of people who have taken a case has collapsed. The total number of employment claims reduced from 105,000 in 2013-14—the year in which charges were introduced—to 61,000 in 2014-15.

When the Scottish Parliament gets devolved power over employment tribunals, the SNP Government will seek to help ordinary workers by mopping up the Tory mess and abolishing the fees, so that people who have been poorly treated will be able to take action without facing the barrier of cost.

In Scotland, the SNP Government has given £2.2 million to support trade unions in accessing skills and lifelong learning opportunities, and we have invested in trade unions themselves, giving them a quarter of a million pounds to help them to modernise and offset some of the damage that the UK Trade Union Act 2016 has done. STUC general secretary Grahame Smith welcomed the support to mitigate the impact of the 2016 act. He said:

“the Scottish Government has again demonstrated its commitment to positive industrial relations through workplace democracy.”

The commitment to effective workplace relations has borne fruit. The number of days that are lost to industrial disputes is the lowest of all the UK nations—indeed, it has gone down by 84 per cent since 2007.

We need only look at my professional background—health—to see the value of partnership working between employers, trade unions and staff. There are far fewer disputes and there is much less industrial unrest and industrial action than is the case in other areas of the public sector. There are certainly far fewer industrial disputes than there are in NHS England. The partnership model allows the sharing of information, a development of relationships between the involved parties and for workers to be treated respectfully.

I support the motion because I support the alternative—the only alternative—to Tory attacks, and that is the SNP Government's on-going commitment to the empowerment and dignity of ordinary working people, to upholding the rights of trade unions to represent their members and, above all, to protecting the human rights of all workers.

15:30

Murdo Fraser (Mid Scotland and Fife) (Con): I start by putting the debate into historical context. It is fair to say that the United Kingdom today enjoys generally good industrial relations, but that has not always been the case. I can well remember as a child the country suffering from the poor industrial relations of the 1970s, when overpowerful trade unions held the country to ransom. That culminated in the winter of discontent of 1978-79 and was a key factor in ushering in Margaret Thatcher's Conservative Government. Indeed, it is the memory of growing up in a cold, dark house, with the power out thanks to the striking power workers, that was, at least partly, what led me to an early interest in the Conservative Party.

Margaret Thatcher's Government pursued necessary trade union reform with widespread public support, abolishing secondary picketing and clamping down on other abuses. The consequence of those actions we see today: the UK has a very low level of industrial disputes compared with many other countries and a stable level of industrial relations.

Patrick Harvie (Glasgow) (Green): Will the member give way?

Murdo Fraser: No; I want to make some progress.

The Government's role in all that is to provide a balance of rights. In the past, I have been happy to talk about the valuable role that trade unions play in our society. Many of the achievements in securing workers' rights in previous centuries and previous decades would not have been possible without the campaigning work of trade unions. We should see trade unions as partners in progress in delivering safer workplaces and quality rights for workers, not as political opponents. Above all, trade unions embody the very principle of fraternity, with individuals banding themselves together in a common endeavour for the general good. What could be more Conservative than that?

I suspect that, when the SNP scheduled the debate, it saw it as an opportunity to score some political points over the UK Conservative Government. I can only imagine that it did that in advance of the publication of the Conservative Party manifesto for the general election. When that was published, it must have come as a great disappointment to the SNP, because it makes clear that workers' rights will be at the heart of the next Conservative Government.

Keith Brown: I note Murdo Fraser's attack on picketing—he seemed happy to picket yesterday outside the SNP manifesto launch, although it was a bit more like picket fencing than anything else.

On the point about workers' rights and fraternity, does the member think that it is right that the Conservatives should impose a new tax on some employers who employ some workers? Is that not unequal and wrong? Will he answer the question that Dean Lockhart failed to answer: does he support the imposition of the £1,000—going up to £2,000—tax on employers?

Murdo Fraser: It is a bit rich for a minister in a Government that has imposed a level of business rates on our largest businesses that is double the rate payable elsewhere in the United Kingdom to complain about taxes being higher here than anywhere else.

I return to the Conservative manifesto that the minister did not want to talk about. It commits to

"A new deal for ordinary, working people giving them a decent living wage and new rights and protections in the workplace"

and

"Fairer corporate governance, built on new rules for takeovers, executive pay and worker representation on company boards".

It sounds almost as if it could have been written by the TUC.

Not only will the next Conservative Government entrench EU employment rights in UK law, but it is committed to strengthening those rights. There are plans to legislate for bereavement leave to guarantee some peace of mind for bereaved parents; plans to legislate for new rights to request leave for training purposes; representation for workers on company boards, giving every employee a statutory right to receive information about key decisions affecting their company's future; and a commitment to increase the national living wage in line with median earnings until the end of the next Parliament in 2022. It is little wonder that the concerns over that part of the Conservative manifesto have come not from the trade unions or those representing workers but from the business community, which believes that they go too far.

The Conservative record, and the Conservative commitments for the future, are there to protect and enhance workers' rights.

I listened with great interest to Jackie Baillie's speech.

Jamie Hepburn: Will the member give way?

Murdo Fraser: No. I need to make some progress.

Jackie Baillie's rhetoric seemed uncharacteristic of her. It was almost as if she was reading out Jeremy Corbyn's stump speech.

I was interested in the fact that the Labour Party is going into the election with a commitment to abolish zero-hours contracts entirely. I am not sure whether that is a credible position. When, in the previous session, the Economy, Energy and Tourism Committee took evidence on these issues, we heard from a lot of people in business that there is a role, in a limited sense, for zero-hours contracts. For example, the operators of Scotland's ski resorts cannot possibly retain a permanent staff throughout the season, as they can only derive income on days when there is snow, so their workforce has to be largely employed on zero-hours contracts. The same applies, in warmer weather, to people who make ice cream and sell it from ice cream vans, which is an entirely weather-dependent business.

I agree absolutely that we should be addressing exploitative zero-hours contracts. The UK Government has already banned the use of exclusivity clauses in zero-hours contracts, despite the fact that the previous Labour Government did nothing to address the issue. If we are going to go further, Labour members need to tell us how they will deal with the situation in the types of businesses that I have outlined.

I welcome the Taylor review of the changing labour market. Its commissioning illustrates that the Government is trying to address the fact that the labour market is changing. I welcome the fact that we have a Government that is there to strike the right balance between allowing industry the flexibility that it needs to thrive and compete, and, at the same time, ensuring that workers' rights are properly protected, and extended where appropriate. That is exactly what the future Conservative Government will be doing.

15:36

Bob Doris (Glasgow Maryhill and Springburn) (SNP): I cannot get the image of Murdo Fraser as a child in the 1970s out of my head.

The Deputy Presiding Officer: Excuse me, Mr Doris. I do not want to miss any of your bon mots, so will you put your microphone up?

Bob Doris: Time will tell about that, Presiding Officer.

I think about Murdo Fraser as a child of the 1970s, with his wee candle lit, to light up his house because of the power shortages, and his wee tartan blanket—or maybe his wee union jack blanket—wrapped around him, to keep him warm. He was driven into the hands of Margaret Thatcher to do God knows what, quite frankly. There you are. I cannot get the image out of my head.

Let us return to reality, rather than stay with Murdo Fraser. Before I knew that this debate was scheduled, a constituent contacted me about their employment situation. The constituent is a taxi driver, but I do not have permission to give the full details of their case, so I will speak in more general terms. I will not name the local authority that licenses the taxi firm or name the taxi firm or give any of those kinds of details. My constituent has to pay a substantial rent for their taxi, pay for a radio for their taxi and buy their fuel. They are likely to be out six days a week, for maybe 10 hours day, and they work out that they get maybe £4.50 an hour. The so-called gig economy is not working for my constituent; they called it “slave labour”.

We have heard what happens with holiday pay for such people, who I would say are exploited, and what happens when they are off ill. My constituent made the point that they find it incredibly difficult to claim working tax credits, which they feel that they need because of their low income. I wanted to put their case on the record—it would be odd if I did not mention it while the debate is taking place.

There is a rather famous case of two drivers going to an employment tribunal and saying that they should be deemed to be not self-employed but contracted workers, and that findings in relation to the national minimum wage and holiday pay should apply to them. I will not say too much more about that, because of the restrictions that we may be under and the rules of engagement of today's debate, but the point that was made in that case was that Transport for London could perhaps play a much more beefed-up role and ensure that when it licenses companies, it takes a much more ethical view. I am conscious that we have 32 local authorities in Scotland. Are there rules and regulations around that that could be brought into play to work for my constituent and others?

I had a further look at the sector in the west of Scotland. It is possible to go online and see individuals advertising taxi driver jobs that are full time and permanent, but the drivers would be self-employed. They just need to have their taxi badge and to be more than 25 years' old for insurance purposes. Experience is preferred but not essential and the drivers are required for day shifts, back shifts and night shifts over seven days. I started to think about the point at which someone stops being self-employed if they are tightly contracted to do a very specific job but not necessarily with any of the protections that we would expect in relation to respect and dignity in the workplace.

I am sure that if employment law was devolved to this institution, we would find a way of tackling that—dealing with it—and legislating for it on a

cross-party basis. We would be able to transform the sector, whether for taxi drivers or for the people who deliver pizzas or Chinese meals of an evening and work goodness knows how many hours. We could tackle the issue—I know that we could.

For most people in this Parliament, the debate is about not whether we should tackle the issue, but whether it should be tackled here or in London. Unfortunately, I have been left with the feeling that the Tories do not want to tackle it at all. Shame on them.

There is another area to discuss that is not about people's rights when they are in employment, but about their right to try to get a job in the first place. In that context, I must mention the jobcentre closures, which look as if they will sweep right around Scotland and will include half the jobcentres in Glasgow, including my local jobcentre in Maryhill. Do members remember when jobcentres used to be thought of as a way to encourage people into employment? Where is a person's right to work if they feel that a jobcentre is an oppressive place, rather than a supportive place? I know many good-quality jobcentre staff who feel the same way.

My final point on the right to work comes from talking to family and friends over many years about their experiences. It is on the connection between the right to work and those who claim disability benefits and are almost terrified to get back into employment as they are not sure whether they have the confidence or physical ability to do so. They really worry about taking a punt on going back into employment because, if it all breaks down, they would not necessarily get back on the same level of disability benefits as they were on before. When we talk about the world of work and the right to work, let us ensure that the debate is about not just workers' rights in employment, but about those vulnerable people on the fringes of society who are trying to get into the labour market in the first place.

15:42

Neil Findlay (Lothian) (Lab): I declare an interest as a member of Unite the union and the Educational Institute of Scotland.

In a week's time, the people of this country have the greatest opportunity since 1945 to vote for a programme of change that will radically improve the lives of working people and rebuild our society. In 1945, after a decade of war and eye-watering austerity, the Attlee Government built one million council houses, created full employment and established the national health service, which was the greatest social policy that was ever introduced.

The Labour manifesto that was published a few weeks ago is built on the very same principles as that great transformative manifesto of 1945: the principles of community, co-operation, equality, justice and solidarity. When it was published, I had never been more proud to be a member of my party.

In a world of work in which too many people and their families suffer through low pay, job insecurity and attacks on their rights, Labour's manifesto will deliver fairness, justice, opportunity and, most of all, hope. We will again put full employment at the centre, as our key economic goal, with £20 billion coming to Scotland via a national investment bank.

We will ensure that all workers—part time, temporary or full time—have equal rights in the workplace. We will end the job insecurity of someone not knowing from one day to the next whether they have a wage by banning zero-hour contracts and ensuring that every worker who wants it gets a guaranteed number of hours each week.

We will stop agencies from exploiting local and migrant labour and ensure that any employer who wishes to recruit labour from abroad does not undercut workers at home, because that causes divisions in our communities by pitching worker against worker.

We will repeal the Trade Union Act 2016 because it is the right and fair thing to do. An organised workforce is a better-paid, safer and healthier workforce.

We will introduce four new bank holidays—there you go, Mr Fraser. How do you feel about that?

We will amend the takeover code to ensure that every takeover proposal has a clear plan in place to protect workers and pensioners, because workers should not suffer when a company is sold.

We will end unpaid internships. We will abolish tribunal fees across the UK. We will double paid paternity leave to four weeks and increase paternity pay, because fathers and parents deserve to spend more time with their newborn.

We will strengthen protections for women against unfair redundancy, because no one should ever be penalised for having children.

We will hold a public inquiry into blacklisting to ensure that it remains a thing of the past. We will use the spending power of procurement to drive up standards, end low pay and recognise trade unions.

Jamie Greene (West Scotland) (Con): I am sorry to interrupt the member's party-political broadcast. Can he tell me how much all this is going to cost, because his leader cannot?

Neil Findlay: Every single bit is costed in the Labour manifesto. The only numbers in the Tory manifesto are page numbers.

The party that introduced the national minimum wage, when SNP members of Parliament went to bed instead of waiting up to vote for it and Tories fought tooth and nail against it, will increase it to £10 an hour, which will give a pay increase to half a million Scots.

We will end the cap on public sector pay, ensuring that our nurses, bin men, housing staff, classroom assistants and others see the end of years of pay cuts and freezes. The greatest pro-worker policy of all will see the end of austerity as a UK and Scottish Government economic policy.

We have not seen Theresa May much in this election—I think that she has been locked in a cupboard in Tory HQ to prevent her from meeting the voters. However, in a rare sighting, she claimed that the Tories are the party of working people. The party of the bedroom tax, the rape clause, the poll tax, the trade union bill, privatisation—the party of greed and the me, here-and-now society—claiming to stand up for working people is enough to make a pig vomit.

In Scotland, the SNP's manifesto says that it will press the UK Government to do this, that and the next thing. Working people do not need a pressure group; they need a Government that is going to change their lives by giving communities back hope and optimism and a belief that no one will be left behind. They need a Government that acts in the interests of the many not the few and a Government that has care and compassion at its heart.

Our manifesto is a programme that will renew our communities and society. We have the chance to change our country for the better. I urge every voter to get out there on 8 June to vote Labour and reject the politics of division and despair.

15:48

Maree Todd (Highlands and Islands) (SNP): Trade unions are a vital part of our society. Like most people in Scotland, I recognise the importance of trade unions to our workforce. In 2015, 32 per cent of Scottish employees were members of trade unions.

Being a member of a trade union tends to benefit employees, but it also benefits employers. Evidence shows that unionised workplaces have more engaged staff, a higher level of staff training and a progressive approach to staff wellbeing; staff are also better paid. That makes for a better and more productive workplace.

Not only do unions challenge low pay, they challenge the gender pay gap. Across the UK, in

2015, employees who were trade union members earned, on average, 14 per cent more than non-members, and that difference was more pronounced among women, who earned on average 24.6 per cent more if they were members of a trade union. That is why supporting and protecting unions is vital.

I was appalled by the UK Government's Trade Union Act 2016 and I am glad that the Scottish Government has made clear its opposition to that pernicious act. It seeks to undermine the role of trade unions in the labour market and make it easier for employers to undermine the rights of the millions of workers who are represented by unions. It seeks to undermine the fundamental human right of employees to withdraw their labour, a right that is enshrined in a range of international conventions, such as the Universal Declaration of Human Rights and the European convention on human rights. It is an attack on workers and it will make it considerably more difficult for many employees to have their voices heard.

Thankfully, in this country, we have a Scottish Government that is working to take Scotland in a better direction, using the powers that it has at its disposal to mitigate the damage that would be done by Tory Government legislation or, where possible, to alter the direction of travel.

I welcome the £2.2 million that the Scottish Government has provided to support trade unions in helping people to access skills and lifelong learning opportunities that contribute to collective prosperity, fairness and equality for workers across Scotland. I look forward to the devolution of power over tribunals, and I would like more powers over employment law to be devolved. The Scottish Government has said that it will abolish tribunal fees. Since 2013, when tribunal fees were introduced, the number of claims being issued in the employment tribunal has dramatically declined, almost definitely because of the prohibitive cost, which can be up to £1,200 a case.

Liam Kerr (North East Scotland) (Con): Can Maree Todd tell us what proportion of the reduction in tribunal claims is a function of the introduction of tribunal fees and what proportion is a function of the introduction of mandatory Advisory, Conciliation and Arbitration Service conciliation?

Jamie Hepburn: There is a statistical correlation.

Maree Todd: There is certainly a correlation between the introduction of a charge and the effect. There is absolutely no doubt that the act that was introduced last year is an attack on workers' rights.

I welcome the further £250,000 that has been invested in the trade union modernisation fund to

support the modernisation of trade unions and to help to mitigate the negative impacts of UK legislation. However, as is always the case when it comes to mitigating UK Tory Government legislation, it is deeply disappointing that it is even necessary to do so.

We need to understand and commit to the idea of fair work and not let the Tories take us along in their pursuit of deregulation and low wages, particularly post-Brexit. I agree with the Labour amendment that all EU-derived workplace laws must be fully protected post-Brexit. In order to do that, we have the fair work framework, which sets five conditions for a fairer working environment through the provision of opportunity, security, fulfilment, respect and an effective voice to workers.

We have seen a dramatic rise in in-work poverty since the Tories and the Liberal Democrats went into Government in 2010. However, when employees have greater job security and sufficient income, fewer people have to turn to welfare and the country benefits from increased tax revenues. That approach makes economic sense. When employees have fulfilling work, it gives them a greater sense of self-worth and purpose, which improves physical and mental health. When employees have an effective voice, it can improve workplace relationships, creating a positive work environment that feeds into the productivity and wellbeing of employees.

Everyone would want those things from their work. People want to value their work and also to feel valued. They want to feel secure in their job, to feel that they have a voice and to have the opportunity to grow and develop through work. Those are things that we all want. I think that the ambition of workers in Scotland having all of those things is right and should be shared by all of us.

The Scottish Government has endorsed the fair work framework and I hope that, in the coming years, we are able to take that forward. Unions will play a role in doing that.

Recently, I had a meeting with a group of Norwegian trade unionists. Their catchword was co-operation. Workers in Norway are recognised as essential to the success of enterprise, so management and workers co-operate to improve businesses. I have to say that it is not the only time that I have felt a great sense of admiration for the Scandinavians.

I am sure that we in this chamber are all keen to work together to fulfil the ambitions of the fair work framework and to provide secure and meaningful work for employees in Scotland.

15:54

Mike Rumbles (North East Scotland) (LD): The Scottish Liberal Democrats will support the motion. The Scottish Government's fair work agenda has sensible aspirations: the promotion of dialogue, the reduction of inequality and the securing of sustainable economic growth.

Of course, words must be matched by actions, and the SNP Government's record in that respect is patchy, let us say. Take the living wage, which should become the norm and should be paid for all public services. Regrettably, however, the Scottish Government twice voted against similar proposals during the previous session of Parliament. The Scottish Government has levers to encourage its payment in the private sector, too—Jackie Baillie and Andy Wightman have mentioned the huge amounts of public money that are given to a company by the Scottish Government. In return for that financial assistance, the Scottish Government could have expected that company to pay the living wage, not £1 below it. It could also have asked the company to guarantee working conditions, but that is the subject of, let us say, considerable controversy. If the SNP is serious about standing up for fair employment, it should agree to stop dishing out millions of pounds to multinational companies that pay low wages.

The Scottish Government controls the pay of thousands of public servants, and just three weeks ago, in this chamber, SNP members were given the opportunity to commit to a real-terms pay rise for NHS staff. They refused it. Many public services are already struggling to recruit the staff that they need. Living standards are falling and public sector workers are going to food banks. The Liberal Democrats are clear that it is time to end years of pay restraint in the public sector by lifting the 1 per cent cap on the pay of nurses, teachers, the police and others. We would uprate wages in line with inflation.

Maree Todd (Highlands and Islands) (SNP): Does the member acknowledge that his party was in government when the pay cap was introduced?

Mike Rumbles: Oh, for goodness' sake. Time moves on, and we certainly realise that the pay cap needs to be lifted now—of course it does. However, others do not realise that, including the member's own party.

Our pay boost would apply to all public sector workers in Scotland, either directly or through Barnett consequentials, which would allow the Scottish Government to raise the pay of all public workers. That would lead to an estimated pay rise of £780 for an average public sector worker by 2021. Compare that to the Conservatives' public sector pay cap and Brexit squeeze, which will lead

to years of pitiful increases. Strong public services require workers to be paid properly.

Most employers recognise the long-term value in treating their employees decently. Those that exploit workers hurt individuals and undermine the competitive position of good employers. Everyone should share in our prosperity, which is why the Liberal Democrats also want new transparency requirements on larger employers regarding what they pay their staff; modern employment rights that are fit for the modern economy; more employee ownership, with new rights to request shares; staff representation at the top of companies; and the abuse of zero-hours contracts being stamped out. We will create a formal right to request a fixed contract and will consult on the introduction of a right to make regular patterns of work contractual after a period of time.

The failure of Theresa May's Government to guarantee the rights of EU nationals who are already working and living here is shameful. She is even, in my view, outkipping UKIP on that. However much Ruth Davidson's Conservatives may wish to differentiate themselves when it suits, the truth is that they are squarely behind Theresa May's miserable, cold-hearted agenda. The rights of 1,000 doctors across the NHS have not been guaranteed, and some are leaving now because they are concerned about that. The loss of those workers from sectors from our health service to tourism, agriculture and food and drink would be catastrophic, but Theresa May does not seem to care. The Liberal Democrats would end that uncertainty immediately and would unilaterally guarantee those workers' rights. It is in our interests, their interests and everybody's interests to do that.

The Scottish Parliament has condemned the Trade Union Act 2016 on several occasions, and I am happy to do so again today. It has fundamentally failed to recognise the job of protecting and enhancing workers' rights, resolving disputes and increasing productivity. It says something when David Davis—of all people—who is now the Brexit secretary, describes some sections of the act as being reminiscent of Franco's Spain.

Next week's general election is the chance to change the direction of our country. We need to give all our workers a brighter future in which people are decent to one another and are treated with respect, as opposed to Theresa May's cold, mean-spirited, inward-looking Britain.

The political dividers of our time would leave our country worse off. The Liberal Democrats will continue to make the case for openness, tolerance and unity, which are principles that have underpinned generations of progress in improving workers' rights.

16:00

Christina McKelvie (Hamilton, Larkhall and Stonehouse) (SNP): The trade union movement was a natural place for any activist to begin their fight against inequality and injustice. It is that same fight—against intolerance and unfairness—that drives me, every day, to fight on behalf of my constituents. Whether in work or not, being in the trade union movement offers a voice and a chance to stand in unity with union colleagues to fight against discrimination and persecution. Make no mistake about it—workers have been persecuted over the years, no more so than by the UK Conservative Government and its anti-trade union act. Indeed, the legislation and the Tory party as an entity are anti-trade union.

The Trade Union Act 2016 is, as we have heard, a pernicious piece of legislation that seeks to undermine collective solidarity. It seeks to restrict fundamental rights, such as the human right of workers to withdraw their labour. I am proud to say that the Scottish Government and our SNP colleagues in Westminster opposed the legislation every step of the way. Let me be clear that the Scottish Government has mitigated some aspects of the act, but today I reiterate the call for the act to go and for workers to be allowed to organise, to collectivise and to exercise freely their human right to withdraw their labour.

From the minimum wage—increased and enhanced by this Government to become the real living wage, not the fake one—to the EU working time directive, which is under threat from a reckless, hard-Brexit Conservative Government, trade unions continue to be at the forefront of striving for decent employment practices and the enhancement of working conditions for all.

It is with that same spirit and righteousness that we have to defend our workers' rights, particularly against the unrelenting pursuit of a hard-Tory Brexit. From maternity rights to paid holidays, the EU underpinned those working rights.

I do not believe or recognise the Conservative amendment today. It suggests that the UK Government will somehow now transform into the party of the working people and ensure the working rights of millions in a post-Brexit Britain. Most of us in the chamber do not believe the Conservatives; most of the people in the United Kingdom do not believe them either.

Simply put, workers' rights are human rights. That is a simple declaration, but one of virtue and truth. It is this Scottish Government that has worked with our partners in the trade union movement and shown commitment to those rights. The fair work convention and the fair work framework are testament to that. The framework values respect people and wellbeing over greed

and profit. The framework has a clear message: by 2025, the working conditions of people in Scotland will be underpinned by the values of fairness, wellbeing and respect. They will not be exploited, unregulated or unequal. A fairer working environment will be created by providing opportunity, security, fulfilment, respect and an effective voice for every working person in Scotland.

As the nature of work changes—make no mistake, it has changed, which we have recognised today—the Scottish Government stands ready to listen and to act. Indeed, it has acted against the anti-trade union act, ensured that those bidding for public contracts must adhere to fair work practices and refused to employ anyone directly through the use of zero-hours contracts. Our Government has done all that, but I hope that it will continue to listen and take further action.

I will listen to the likes of the better than zero campaign—a vibrant, young member-led organisation that breaks the mould. It leads the way on holding bad bosses to account, shining a light on poor employment practices and educating our young people about their rights in the workplace. The better than zero campaign is an example of what can be achieved through the dynamism of youth—maybe some of us should try it—and fearlessness of spirit. Using flash mobs, creativeness and song and sound, those young people have defined how the trade union movement should respond to the changing nature of work.

It is far too easy to say, as many of us in the chamber do, that young people are our future, but young people are our now. However, the under-25s in our country are discriminated against over and over again in terms of working practices, the living wage, the minimum wage and housing benefit—they are discriminated against all the time by the UK Government. I am sorry, but the Conservatives cannot stand here and say that they are sticking up for workers' rights when they discriminate against every young person under the age of 25.

Those young people are the apprentice or the administrator, and the student or the stylist. The Scottish Government knows the kind of working conditions that young people are subject to, and we have heard a lot about that in the debate. That is precisely why the Scottish Government will consult on extending the free bus pass scheme to apprentices and precisely why we have pledged in our manifesto to back a transition, over the next parliamentary session, towards payment of the real living wage as a new minimum legal requirement for all adults over the age of 18, not 25.

From our young people to our aged, the Scottish Government has been proud to stand alongside workers of every creed, nationality and religion, but especially our colleagues, friends and neighbours who are EU nationals. I reiterate that workers' rights are human rights and I urge the Scottish Government and the UK Government to be at the forefront of defending them and expanding them to all workers in Scotland.

The Deputy Presiding Officer (Christine Grahame): Our next speaker is Michelle Ballantyne, who will be followed by Stewart Stevenson. This is Ms Ballantyne's first speech in the Parliament—I welcome you here. We have often been on platforms together, although not with the same point of view.

16:06

Michelle Ballantyne (South Scotland) (Con): Thank you, Presiding Officer.

First, I declare an interest as an employer in my capacity as a director of Ballantynes of Walkerburn Ltd, as a director of two charitable trusts and an employee of a third, and as a councillor on Scottish Borders Council.

Presiding Officer and members, as I entered the chamber for the first time last week, my father reminded me of the letters that we had exchanged many years ago when I was complaining that my beloved NHS needed reforming or it was going to run into real difficulties. He had written back replying that the only way I could ever really bring about change was to become a politician. My response was polite but firm: hell was definitely going to freeze over first.

However, in 2009, my local councillor, Gavin Logan, saw fit to persuade me that I should join the Conservative Party and run for the council. Gavin may be disappointed to learn, though, that it was in fact during the general election of February 1974 that I first stood as a candidate. I was, of course, just a child then, and it was the mock election at my primary school. I was the candidate for the PLP—the Prevent Litter Party—and I am delighted to report that our heartfelt campaigning won the day and presented us with the honour of implementing our promises for one year. I learned a valuable lesson: making promises was easy; delivering results was the real challenge. After a year of picking up litter and trying to convince people not to drop it in the first place, I understood that we can get results only if our promises are realistic, everyone works together and we share responsibility for our world.

The laws that we make and the messages that we send out from the chamber should be ones that support rights and responsibilities whether someone is an employer or an employee; they

should encourage enterprise, reward endeavour and support success, because we do not protect the vulnerable in society by penalising that success. As a nurse and then in management, I have spent 36 years working in the NHS and the third sector, and 27 years ago, my husband and I set up a manufacturing company, through which we have experienced the real challenge of creating the wealth that drives our economy and funds the public services that I hold so dear.

It is because of those many years of experience of working in the public, private and third sectors, both as an employee and as an employer, of working with the unions and of putting my money where my mouth is by taking a risk and building a company whereby, even in times of difficulty, people count on us to find the money to pay the salaries and wages that they have earned, that I can say that I am proud of the record that the United Kingdom has so far in protecting workers' rights. The truth is that private enterprise is the backbone of any promise that a Government makes and it is the partnership between employer and employee that makes businesses successful.

The American politician John Lynch once said:

"We will not agree on every issue. But let us respect those differences and respect one another. Let us recognize that we do not serve an ideology or a political party; we serve the people."

To me, that is the backbone of what politics is about. Everyone wants the best for our country and our communities; what makes us different is how we believe we can achieve the best outcome for the people whom we serve.

When I stood in my first mock election, the United Kingdom had only just joined the European Union. I now enter Parliament as we prepare to leave it. Across the nation, there are people who, regardless of their political affiliation, believe that leaving the EU is a positive step and recognise that the laws that we make to protect workers' rights are laws of our kingdom because we as a nation support them. They are not forced on us by others; they are brought about in recognition that economic productivity and growth are best served by a society that is motivated and wants to succeed.

We must build a society that encourages individuals to employ others. All too often, I hear people say that they do not want to grow their businesses and have to employ people because of the burdens and risks. Our laws must be balanced so that workers are protected from being exploited by unscrupulous employers, but they must also provide protection for the employer and the consumer, who are responsible for or reliant on the service or product that is being delivered. Employers, employees and consumers are mutually dependent—a perfect circle that must not

be broken by political ideology. As Winston Churchill said,

"The truth is incontrovertible. Malice may attack it, ignorance may deride it, but in the end, there it is."

I am truly honoured to have been given a voice in the Parliament. In serving the people of this country, I will do my utmost to ensure that it is a voice of rational and balanced argument that seeks to embrace our democracy, as it is not the things that we have in common that make us stronger; it is the ability to debate and embrace our differences.

Thank you for listening. I look forward to working with all members. [*Applause.*]

16:12

Stewart Stevenson (Banffshire and Buchan Coast) (SNP): I congratulate Michelle Ballantyne on her first speech in Parliament. I see that she attracted a large and appreciative audience for it—at least among her own party. I well remember my first speech in Parliament, which was in June 2001. As Michelle Ballantyne did, I joined the Parliament late, in mid-session, and not at the general election. I wish her every success—short of actual victory, that is—in her time in Parliament, and I look forward to hearing a speech from her that I can agree with in full.

I think that Michelle Ballantyne said that the only way to achieve change is through politics. I sincerely hope that that is not true. In particular it is, in the context of today's debate, also possible to achieve useful change through trade union activity. It is another very important way of achieving change.

We are debating the protection of workers' rights, but we should pay continuous attention to the issue. I do not think that we could reasonably describe our Tory colleagues in particular as the natural friends of workers—perhaps the deletions that the Tory amendment seeks to make to the motion illustrate that. The Tories are unconcerned about how their particular plans for how we should leave the EU will impact on workers or more broadly, and it is clear that they wish to see continuation of the substantial fees that workers endure when they go to employment tribunals. The people who have least are being asked to contribute most for their own justice. In general, the Tories seek to defend their pernicious Trade Union Act 2016.

I find that I can agree with Labour colleagues—even during an election campaign. I recognise that opponents have articulated good sense when they suggest that the EU-derived workplace laws must be fully protected. I absolutely support that.

Moreover, when the Greens call for environmentally responsible business practices—again, that is not something that the Tories sign up to; I cite as an example the cancellation of the important carbon-capture project at Peterhead, under what would have been a major employer—I find common cause with those colleagues.

Let us talk about trade unions. During my working life before Parliament, I was a member of the Banking, Insurance and Finance Union. I must confess that I was not an active member; I simply paid my subscription, as someone who wanted to know that the union was there, should I ever need it, although I hoped that I never would. When I became a manager, sitting opposite the union on the other side of the table and discussing activities in our company, I remained a member.

With regard to the provisions of the Tory act that very specifically attacks trade unions, I note that section 2 requires a 50 per cent turnout of eligible electors for any ballot for industrial action. If that were a principled position, it would also apply, for example, to local authority elections. Of course, it does not—in fact, it applies nowhere else. If it did, however, half of Tory councillors would not be in office. I must say that in that respect it is quite tempting, in its way.

However, under section 3 of the 2016 act, 40 per cent of eligible voters have to vote in favour of a strike. That is extremely challenging—as those of us who campaigned in 1979 with regard to the Scotland Act 1978 will be aware as we recall the George Cunningham amendment that required a similar 40 per cent of the electorate. If we were to apply the same rule to local government, it would probably mean that the Tories would have no councillors at all—which is extremely tempting. There is a matter of principle here, though; that provision is a serious illustration of the fact that the objective of the 2016 act is to neuter trade unions, not to protect workers' rights. I also note other measures relating to the check-off system and the loss of facility time.

As we have heard, there is substantial evidence that trade unions are contributors to the success of businesses, companies and public services. Where unions are part of the decision making, better decision making results and success for the enterprise can follow. It might go back a while, but research that was undertaken by the Royal College of Nursing which has been subsequently endorsed shows lower leaving rates in unionised businesses, lower use of employment tribunals, fewer workplace injuries and less illness. That is a pretty good return for sharing, through the involvement of trade unions, decision making across all the people who work in an organisation.

I have been talking about the 2016 act, but I will close with some evidence from this Parliament of

that same attitude to workers. The Emergency Workers (Scotland) Bill was introduced to create additional protections for some of our most important public servants. We had a passionate and informed debate, and SNP members supported the bill, which had been introduced by the Labour and Liberal Democrat coalition. However, when our Parliament voted on the bill's general principles on 30 September 2004, only one of the seven members who I think are still here now voted against. Guess who? It was Murdo Fraser. Then as now, the idea was to deprive workers of their proper rights. The leopard never changes its spots—and the Tories will never work in the interests of workers.

16:18

Graham Simpson (Central Scotland) (Con): I, too, congratulate Michelle Ballantyne on her excellent first speech in the chamber.

Given that the issue of workers' rights is important and affects most of us, it is right that we debate it. As always, it provokes strong views—some of which we have heard this afternoon.

I want to focus on the trade union aspect of the Government's motion, and I speak as a former union rep with a reputation for fiercely defending my members and as a former—if only briefly—member of the National Union of Journalists. The NUJ was not the body that I was the rep for; I felt that it did not do a particularly good job and, when I was a member in the 1980s, it was far too right on and politically correct.

Everyone should have rights in the workplace, but they also have responsibilities. Workers deserve to be looked after; however, so do employers and, when we are talking about the public sector, so do the people who are served by those who work in it.

A lot of heat has been generated around the Trade Union Act 2016. Trade unions are valuable institutions, and dedicated trade unionists have a strong history of working hard to represent their members—as they should. They campaign for improved safety at work and better conditions, they support those who need support and they give invaluable advice. I have seen the good work that they do—both as an employee and as a former councillor, in which capacity I have seen some excellent public sector union representatives standing up for members.

However, it is only fair that the rights of unions are balanced with those of hard-working taxpayers who rely on key public services. The aim of the 2016 act is to rebalance the interests of employers, employees and the public with the freedom of trade union members to strike. It was previously the case that a small minority of union

members could disrupt the lives of millions of commuters, parents, workers and employers at short notice and without clear support from the union's members.

Stewart Stevenson: Will the member take an intervention?

Graham Simpson: No.

Because of their high impact on the normal life of a large group of people, it is my view that strikes should take place only on the basis of a reasonable turnout and substantial vote in favour by those who are able to vote. In the past, we have seen strikes taking place on the back of the votes of a fraction of union members. In 2014, a strike in the education sector that was organised by the National Union of Teachers was held based on the support of just 22 per cent of its members. The Public and Commercial Services Union, which frequently calls strikes among its members in the civil service, has never achieved a 50 per cent turnout in a national ballot.

Critics have argued that the 2016 act will make new legal strikes next to impossible. However, that is not true. Post Office workers voted to go on strike in a row over branch closures, job cuts and pensions; 83.2 per cent of a 50 per cent turnout voted in favour of industrial action.

I want to mention one other aspect of the 2016 act. Public sector employers—and some in the private sector—with at least one trade union official will be required to publish facility-time information. That is the amount that is spent on paid time off for union duties and activities. I have enjoyed that myself, as a union representative, and it is entirely right that we shine a light on it. Union representatives in the public sector tend to be employed to do other jobs. Most do not abuse the facility whereby they can take time off to perform union duties, but some do—I have seen it.

Neil Findlay: Will the member take an intervention?

Graham Simpson: No. I want to make this point.

Neil Findlay: It is on that point.

Graham Simpson: No—I am going to make a point.

In the case of one teacher, that abuse hampered the smooth running of the school in South Lanarkshire where she was meant to be working.

Neil Findlay: What does Graham Simpson say about his colleagues, one of whom is a football referee who takes time off for other duties when he should be here performing his parliamentary duties?

Graham Simpson: I wish that Neil Findlay would stick to the point, which is about union representatives taking time off.

If it is not just an SNP stunt—the usual diatribe about Westminster being wrong and the SNP being right—we need to ask what the effect of repealing the 2016 act would be. It would make strikes easier, and there would be more disruption—most of it undemocratic—and more waste of public funds. We should be careful what we wish for.

Let me touch just briefly on two other aspects of the Government's motion—

The Deputy Presiding Officer: You are in your last minute, so you should be brief.

Graham Simpson: I know. Those aspects are fair work and leaving the EU.

I had a quick look at the fair work convention's summary report. It did not take me long. Aside from statements of the blindingly obvious—such as that work should be fair, and that fair work should be available to everyone, no matter who they are—it is 32 pages of waffle and is pretty vague.

That brings me on to the EU. Here is the simple fact that the SNP hates: the Prime Minister has clearly said that when we leave the EU, workers' rights will be fully protected and maintained. [*Interruption.*] That is something that the SNP may not like.

Presiding Officer, the Government motion gets it right in recognising the role that unions can play; the rest of it leaves much to be desired.

The Deputy Presiding Officer: I call Joan McAlpine, who is the last speaker in the open debate. We will move to closing speeches after that.

16:24

Joan McAlpine (South Scotland) (SNP): I, too, congratulate Michelle Ballantyne on her first speech to the chamber.

The problem that we face today is stark. Once again we find ourselves discussing how to defend the people of Scotland from the actions of the UK Government. That is not what I or other members of Parliament would choose to do with our time, but it is necessary. I would prefer to stand here and demand further progress. I want to be part of a legislature that can significantly expand workers' rights and add further protections to what we have, rather than one that is continually looking for more ways to mitigate the reactionary policies of Westminster.

The Trade Union Act 2016 was rejected by this Parliament. It attacks the fundamental rights of workers on these islands. In a bid to mitigate the effects of the bill, the Scottish Government has provided £2.2 million to support trade unions in accessing skills and lifelong learning opportunities, but some things cannot be fixed within the current limited powers of the Scottish Parliament alone. I wish that the 2016 act was the only such case. Instead, however, it sits alongside the UK Government's pursuit of a hard Brexit in defiance of the people and Parliament of Scotland.

The bottom line is simple: leaving the EU will result in people losing their jobs and their employment rights. Currently, the EU safeguards Scottish workers' right to a paid holiday and the protection of women's rights during pregnancy, notably by giving women the right to statutory paid maternity leave and the right to take paid time off work to attend antenatal examinations. There are further important protections against discrimination on the basis of age, religion, belief and sexual orientation.

Many of the protections that we currently enjoy, including access to pensions across borders, rely on co-operation between member states. That is just one example. The posted workers directive of 1996 guarantees a minimum level of effective protection to temporary workers who are posted to another member state. As of last year, the directive is being revised to make it even stronger, following a campaign by the European Trade Union Confederation.

Other members have mentioned the gig economy. As we speak, the Court of Justice of the European Union is contemplating whether Uber is a transport firm, with the obligations that come with that, or an electronic firm. The non-binding opinion of the Advocate General is that Uber will need licences, like any other taxi company. We do not yet know the final opinion of the court, but it is clear that the end result will be important for protecting the rights of workers in the digital age.

Those are all significant matters in their own right and, in its white paper for the great repeal bill, the UK Government has committed not only to replicating EU employment rights but, further, to "enhance the rights people have at work."

As Graham Simpson said, that has come from Theresa May. I am a bit sceptical about statements that the Prime Minister has made: after all, she told us that there was not going to be a general election but she changed her mind on that, she changed her mind on her own budget, and she recently changed her mind on her own manifesto. I do not have much confidence in what Theresa May promises the nation.

The real purpose of the great repeal bill for the Brexiteers in the Tory party—and for the Tory remainers who have displayed a convert's zeal for Brexit since last summer—is clearly not to increase workers' rights. The desire to remove the UK from oversight by the European Court of Justice exists because the court is an obstacle to removal of those rights. After all, the EU's much-maligned court does not prevent member states such as the UK from passing employment laws that confer a higher level of protection on workers. In many cases, directives state that explicitly.

The UK is already one of the most deregulated labour markets in the EU and in the world. The UK is ranked 31st out of 34 developed nations by the Organisation for Economic Co-operation and Development for levels of employment protection for individual and collective dismissals. Other countries in the EU do far more than we do to actively encourage trade union organisation. In Sweden, membership of trade unions is about 70 per cent. The same is true of Denmark and Finland.

It might be useful to consider briefly how people do things in one of those countries—Denmark. The Danish trade union system has its roots in the early 20th century. Collective bargaining is done at sectoral level, which gives its trade union federation and its largest employer organisation central roles in the Danish industrial relations system. The wage systems that have resulted from those negotiations allow for flexibility where that is appropriate, while still protecting the rights of individual members. The effectiveness of the system was recognised by the International Trade Union Confederation in 2016, which ranked Denmark among the top countries for protecting workers' rights.

The collective bargaining structure that stems from that high level of membership is one of the main reasons why income inequality is so much lower in Denmark than it is in the UK. Members do not have to take my word for that; the issue is well documented and debated. On the OECD's measure of disposable income inequality using the Gini coefficient, Denmark came third and the UK came 29th. Why would we want to curb union power and reduce standards even further? We should aim to come up to the level of employee protection that our partners in Europe including Denmark have, instead of moving away from that.

A better future would be to chart a course for this Parliament and nation so that it is no longer necessary to spend our days debating how best to mitigate the policies of Westminster. As an independent nation with membership of the EU, we could work to enhance workers' rights and improve their lives, rather than be dragged along

in a race to the bottom that puts profits before people.

The Deputy Presiding Officer: Before we move to the closing speeches, I want to say that two members—Neil Findlay and Christina McKelvie—who took part in the debate are not back in the chamber. No doubt they will send an appropriate note to the Presiding Officers with sound reasons for their absence. I see that Ms McKelvie has just entered the chamber, so I remove her from that. However, it is disappointing that Mr Findlay, who took an active part in the debate, has not bothered to come for the summing up. I would like to hear what he has to say by way of an apology to the Presiding Officers.

16:31

Patrick Harvie (Glasgow) (Green): I declare my associate membership of the National Union of Journalists and, for completeness, the fact that my party is a tenant of the STUC.

Difficult though it was to restrain the instinct to intervene or heckle for seven minutes, I congratulate Michelle Ballantyne on making her first speech.

Jamie Hepburn said that the Scottish Government seeks to protect the rights of all workers and ensure that they are in practice able to access their rights. We should acknowledge that we are still a significant distance away from that being a reality for all people working in Scotland, whether we choose to blame the UK Government or take responsibility here. The Scottish Government should at least be commended for some of the basic facts of reality, such as the distinction between the Conservatives' fake living wage and the real living wage or the Government's acceptance of the need to place an expectation on employers about certain standards of ethical behaviour in the way they treat their workers.

As I have argued in the past, however, we can do a lot more, and we hope that the Scottish Government will support our amendment so that that will happen. We can add conditionality to the provision of taxpayer-funded support services, such as grant and loan schemes, to ensure that they require companies to sign up to a basic ethical standard. Many of us recognise that, although there has been little progress on the business pledge, it has potential. I found it strange to hear Conservative members most happily pointing out how few businesses are choosing to sign up to that ethical standard of treatment. If they acknowledge that very few businesses are willing by choice to sign up to the standards, they make the case for a greater level of compulsion, or at least for conditionality.

Dean Lockhart: I am not sure that Mr Harvie has actually read the business pledge, which is vague and unclear as to what businesses are signing up to. Someone who is in business would be very reluctant to sign up to it, because it is nonsensical.

Patrick Harvie: I have made many suggestions and I will make more to give the business pledge additional teeth and clarity. I look forward to hearing Dean Lockhart's enthusiastic support for those proposals, on issues such as maximum tax compliance, the avoidance of any use of tax havens and low pay ratios between the lowest and highest-paid employees in an organisation. Those additions to the business pledge would give it additional teeth and reality.

The Conservatives say that they are lifting the lowest-paid workers out of tax by increasing the personal tax allowance, despite the reality that the bulk of the cost of that policy to the taxpayer and the Exchequer goes on high-income households and the lowest earners in our society gain nothing at all from it. The Conservatives' latest ploy is to give workers the freedom to go for a whole year without any pay in order to look after family members who have been ignored and abandoned by the social care system. They say that, in future, EU rights at work will be protected. Graham Simpson says that the Prime Minister has made that commitment but, as we heard just a moment ago, this is the Prime Minister who flip-flopped on Brexit, flip-flopped on an election, flip-flopped on social care and flip-flopped on support for child refugees, so we know precisely how strong and stable the Prime Minister is and it is not particularly impressive.

That commitment sits uneasily with what we have heard from other Conservative voices at UK level. Philip Davies, for example, has said repeatedly, year after year, that disabled people should be paid less than the minimum wage. Others, such as Jacob Rees-Mogg, have called for a slashing of environmental and safety standards, and Ms Leadsom—what is her name? Whatever her name is, Ms Leadsom, a cabinet minister, said:

"I envisage there being absolutely no regulation whatsoever—no minimum wage, no maternity or paternity rights, no unfair dismissal rights, no pension rights—for the smallest companies that are trying to get off the ground, in order to give them a chance."—[*Official Report, House of Commons*, 10 May 2012; Vol 545, c 209.]

They might well have a chance, but what chance would their employees have, stripped of every single one of those rights that Andrea Leadsom wishes to remove from them?

Finally, on Brexit, when capital is free to move but people are not free to move, that can be a

recipe only for even deeper labour market exploitation than we see in today's economy.

I hope that the Green case for additional requirements on the Government's support services to companies, and for ensuring that we address the condition of workers in what is coming to be called the gig economy, will get support from across the chamber. In one of the early Green debates during my first session in the Parliament, we were making the case for wider economic measures beyond gross domestic product, looking at quality of life, and I remember a Labour MSP—although it could have come from any party in the chamber—saying that having a job gives people dignity and that having money gives them quality of life. The notion that employment or work is the best or only route out of poverty is not enough unless we ensure that that work is decent, secure, safe, healthy to do and provided by an employer that respects family life.

Murdo Fraser told us about the good record that this country has on industrial relations. What he means is that we have fewer strikes. Where workers are punished, as they are today, for organising in unions, unable to take collective action, that is not an expression of good industrial relations. Rather, it represents successful industrial exploitation. It is not just the Trade Union Act 2016 but the actions of companies in the gig economy that are making that a reality, as the slaveroo campaign and the better than zero campaign are making clear. There has been greater progress towards workers' rights, and it can be achieved by Government action, but the lesson of history suggests that it is unlikely that that route alone will ever be enough, unless the option exists for people to organise together and take collective industrial action in defence of their interests.

I support the amendment in Andy Wightman's name.

16:38

Richard Leonard (Central Scotland) (Lab): I congratulate Michelle Ballantyne on what I thought was a very accomplished first speech. I look forward to hearing more of her speeches in the months ahead.

I refer members to my entry in the register of members' interests, especially my trade union membership of the GMB and Unite.

We need to contemplate what faces us over the next eight days, because on one side we have a party that is prepared to marshal all the apparatus of the state—Parliament, the judiciary and the courts—to close down legitimate and democratic trade union activity. I could be talking about the Combination Acts of the 18th and 19th centuries,

or the Trade Disputes and Trade Unions Act 1927. I could, for Murdo Fraser's benefit, be talking about the miners' strike 30 years ago—and I hope that people do not forget the brutality of those years or the de-industrialisation from which many of our communities have never recovered. However, for the avoidance of doubt, let me say that I am describing the Trade Union Act 2016, which came into force in this country just 90 days ago. The ink is not yet dry on the latest in a long line of crude attempts by Tory Governments down the years to suppress the rights and aspirations of working people and so to secure, through legislative means—and I do not use this term lightly—the domination of one class by the other.

I say to the SNP members who have spoken in this debate on workers' rights that the real division in society is not between Scotland and England but between those who own the wealth and those who, through their hard work and endeavour, create the wealth. That is the real division.

That is why democratic socialist solutions are more relevant now than they ever were. It is also the reason why nationalism, as a political creed, is a wholly insufficient answer. It is why, in the Labour amendment, we are critical of the Scottish Government's approach in relying on voluntary agreements through the Scottish business pledge, which exposes the insufficiency of the Government's political thinking in graphic economic practice.

Jamie Hepburn: If the member is concerned about a voluntary approach, can he definitively confirm that the Labour Party now supports the devolution of employment law to this place? If that is the case, why did Labour not support it at the time of the Smith commission?

Richard Leonard: We are interested in seeing what will happen to the rights that will be repatriated from Europe. Where it is appropriate that they come here, they should come here—*[Interruption.]* I understand that the minister wants them all to be repatriated here; that has been his stance as an SNP minister—

Jamie Hepburn: What is Labour's stance?

Richard Leonard: Our stance is that power should be taken to the level at which it is most appropriate for it to be exercised.

Let me return to the Tories. Members should not be deceived by what they have heard this afternoon. They should not be deceived into thinking that the Tories can be trusted with working people's rights, when the Tory amendment says that rights will be protected

“at the point at which the UK leaves the EU”.

That gives the game away, because the Tories fail, once again, to reveal precisely how long that

protection will last. The intention of the Tories today is, as it has always been, to try to con people into allowing the rich to rule the roost and continue to get richer at the expense of working people.

I am grateful to the Scottish Government for bringing this debate, because over the next eight days we need to consider the impact of Brexit and the future of workers' rights. Many working people benefit from provisions, rights and protections that emanate from Europe, so the questions for people to consider are these: is the future of workers' rights safe in the hands of the party that introduced employment tribunal fees, to deny access to justice? Are those rights safe in the hands of the party that is denying access to justice for working people who are injured at work? It is doing that because, in the words of Lord Young of Graffham,

"The aim is to free businesses from unnecessary bureaucratic burdens".

Is the future of workers' rights safe in the hands of a party that has already set out, in technicolour, through the Archer review for the Department for Work and Pensions, suggestions for streamlining occupational safety and health, including proposals to repeal legislation on chemical agents, safety signs, display screen equipment, risk assessments and much more? The Tories are in favour of low taxes and "better regulation", which we all know means lower regulation and deregulation.

Are workers' rights safer in the hands of a party that puts jobs and the economy, workers' rights and health and safety first and that will repeal the Trade Union Act 2016, abolish all employment tribunal fees, introduce a £10-an-hour real living wage for everyone who is 18 and over, ban zero-hours contracts, legislate for equal rights for all workers from day 1 and—I say to Joan McAlpine—introduce sectoral-level collective bargaining? That is the question that we need to answer.

Trade unions are a social and economic force. They are at their best when they are not just negotiating the best deal for their members but looking to change the social and economic system in which their members work. Over the next eight days, people will need to consider whether they want to subscribe to the social doctrine that the poor can be left behind or want to be part of a society in which the condition of each of us becomes the concern of all of us—a society with a more equitable distribution of not just wealth but power. That is a future worth fighting for.

16:44

Maurice Golden (West Scotland) (Con): The United Kingdom stands as a global leader on workers' rights, which means that Scotland, as part of the United Kingdom, is also at the forefront.

Today, we have achieved consensus on support for workers' rights and respect for trade unions. Jamie Hepburn spoke about "inclusive economic growth", which we also support. In closing, it would be helpful if the Government would reflect on what more it could do to utilise public sector procurement and taxpayer investment in companies where potentially workers' rights are not protected in the manner in which chamber would see fit—a point made by Mike Rumbles and Jackie Baillie.

Jackie Baillie also highlighted the point that growing the economy should not be at the expense of the workforce, with which we on these benches agree. Andy Wightman highlighted issues around the gig economy and a lack of workers' rights in that particular area. Murdo Fraser gave an historical analysis, showing how overpowered trade unions in the 1970s almost brought this nation to its knees and how we now enjoy strong and stable industrial relations—although Neil Findlay made it clear that he wants to take us back to the 1970s, when the UK was the sick person of Europe.

I also pay tribute to a magnificent maiden speech from Michelle Ballantyne, who brings a wealth of experience from the health sector and business to the chamber. I look forward to further contributions from her in due course.

As we leave the EU, it is worth remembering that it has been because of successive British Governments of all stripes that we have such strong employment rights. Our commitment to workers' rights traces its roots to before our membership of the European Union, with legislation on equal pay and to ban race discrimination. The fact is that Britain regularly gives workers more than the European Union's minimum standards: more statutory annual leave, more paternity leave and more flexibility around sharing paternity leave.

Neil Findlay: Everything that Maurice Golden listed was introduced by a Labour Government and resisted by Tory politicians across the piece. If we are in the unfortunate situation of tedious Theresa getting back into power, we will see workers' rights rolled back even further. Is it not the case that, for working people, the best thing to do is to vote Labour next week?

The Deputy Presiding Officer: I wonder if there is an election going on.

Maurice Golden: Mr Findlay should have reflected on my earlier words about Governments “of all stripes”, but I make it clear, also, that the UK Government is going to extend workers’ rights more than any Government has done before.

On Neil Findlay’s earlier point about Attlee’s commitment to building houses, I wonder why he did not reflect on the last Labour Government’s housebuilding plans for council houses: during the entire new Labour period in office, it built fewer council houses than were built in one single year of Margaret Thatcher’s Government. There is Labour’s record in office for all to see.

The Prime Minister has made it clear that the rights that we have built up over decades will be protected. All existing EU law will be converted into UK law, and all workers’ rights will still be in force.

Maintaining workers’ rights is one thing, but the Prime Minister has put herself on the side of working people by setting out how she will strengthen their rights, including through the right to bereavement leave, the right to time off for training, the right to representation on company boards and the right for every employee to receive information on key decisions. Those measures are important, because we want to see better relations between employers and employees.

Joan McAlpine: Will the member give way?

Maurice Golden: I need to make some progress.

We recognise that trade unions play an important role in the process and that trade unionists work hard for their members, but we must ensure that trade union bosses are also working in the best interests of workers and are not intertwined with one particular political party.

As a member of Unite, I might have been at the same trade union meeting as Neil Findlay at some point and I have received support and advice from trade union colleagues, which I value. Trade unions are at their best when they are standing up for workers and when they represent the many, not the few. Unfortunately, the trade union elite are determined to pursue a narrow political agenda that can, at times, be to the detriment of workers. We need to move forward, which is why we want to ensure that hardworking people are protected from undemocratic strike action. Increased ballot thresholds, a greater notice period and a sensible ballot mandate will all help to ensure that strikes are legitimate, for the benefit of all workers.

Underlying all that is our commitment to increase the national living wage in line with median earnings until the end of the next Parliament.

Ultimately, the value that the UK Conservative Government will bring will mean more rights, more protection, more money and a plan that puts workers first.

Jamie Hepburn: Will the member give way?

The Deputy Presiding Officer: The member is in his very last second.

Maurice Golden: That is what the Conservatives are delivering for hardworking families.

While other parties gripe and groan about leaving the EU, we see the opportunity to safeguard and strengthen workers’ rights. While they scheme and scaremonger for political advantage, we grow the economy. That is what the UK Government has been delivering, and that is what the SNP Government should be delivering.

16:52

The Cabinet Secretary for Economy, Jobs and Fair Work (Keith Brown): I thank all the members who have contributed to this important debate. In particular, I thank Michelle Ballantyne, who gave an interesting and articulate speech. I particularly liked the quote that she read out about the fact that although we will not agree on everything, we should respect each other—I certainly agree with that. I also congratulate her on her political legacy. She might be surprised to hear me say that, given that she has just joined this Parliament but, having stood 43 years ago for what I think she called the litter-picking party, she will have rejoiced at the recent success of the Rubbish Party in the East Ayrshire Council election. I welcome Michelle to the Parliament.

Despite that, this is an important debate. Basic questions arise for people, such as, “Will my job be safe? Will I be able to get a job? Are my rights protected? What avenues of recourse are available when things do go wrong?” That is why we have brought the debate to the Parliament.

We are passionately committed to protecting workers’ rights. We believe that every worker should be treated fairly and equally and that they deserve the right to safe, secure, well-paid work with statutory benefits and protections.

Research shows that fair work can not only reduce absenteeism, improve staff morale and promote loyalty but have wider impacts, such as improving people’s health and wellbeing. For example, Family Friendly Working Scotland reports that 65 per cent of employers indicate that flexible working has a positive effect on recruitment and retention. Just last month, the Poverty Alliance issued the results of a living wage poll in which eight out of 10 respondents said that being paid a real living wage—not the national

living wage—would make them feel more valued at work, 74 per cent said that they would be more committed to a job, and 66 per cent said that they would be more productive at work. That is the message that I and my colleagues are taking to businesses. Paying the living wage is as much in their interest as it is in their employees' interests.

There are many examples of Scotland-based companies seeing such approaches deliver real benefits. This month, I visited the 800th Scotland-based living wage accredited employer, which is Gorgie City Farm in Edinburgh. That was a real milestone for fair pay in Scotland. Of course, out of all the countries in the UK, Scotland has the highest proportion of people who are paid the living wage. That point has not been made so far in the debate, and it is very important.

The Scottish Government believes that every worker is entitled to a wage that at least covers the cost of living and does not stagnate. That is the only way that we can secure fair work and fair pay for all. We can only do that to the greatest extent possible if employment law is devolved to Scotland.

I would also like to consider what happens when workers are subjected to treatment that is not in keeping with our fair work ideals and that breaches their basic employment rights. We vehemently objected to the UK Government's introduction of fees for employment tribunals. We recognise that the fees could be a real and, in some cases, insurmountable financial barrier to legitimate claims, which is why we have opted to abolish fees for employment tribunals once we are clear how the transfer of powers and responsibilities will work.

A great deal has been mentioned about trade unions. We believe that strong trade unions play a hugely important role in securing and delivering protections for workers and, like many other members, I am a former trade union member and shop steward. Research shows that a low level of union membership reduces pay not just for union members, but across society.

I return to particular comments that have been made this afternoon about trade unions. We opposed the UK Trade Union Act 2016. The legislation represents a direct threat to unions, to the fundamental rights of workers and to the collaborative approach that we take in Scotland. To reiterate, we support the immediate repeal of the legislation.

In relation to abolition of the act, Graham Simpson said that we should be careful what we wish for and that we would be blighted by huge amounts of industrial unrest. He should do a bit of research before making such statements as, if he or the UK Government had done so, they would

have found that statistics from the Office for National Statistics show that the level of industrial dispute in Scotland decreased significantly, by 77 per cent, in the period from 2007 to 2015. From that, it is clear that working with trade unions and treating them with respect is the way to reduce industrial tensions, not introducing negative legislation such as the Trade Union Act 2016.

On other aspects that Conservative members raised, there was no answer from two Conservative spokespeople—I am happy to give way if they would like to intervene—on whether they thought that it was right to charge between £1,000 and £2,000 for the skills charge, which is a tax on employers for employing someone from a particular background. There was no answer on that—whether in relation to fair work, equality or it being good for business—so we have to assume that they support the measure that the UK Government has brought in.

The Conservatives also remained silent on their abortive attempt to introduce increases in national insurance contributions for the self-employed and whether it is the UK Government's intention to bring that in after the election; and they have not said enough about the employment tribunal charges that I mentioned.

They did, however, mention the importance of a good economy, but it was a one-sided and partial account. There was an absurd mention by Dean Lockhart of a deficit of £15 billion in Scotland—we have no deficit; we balance our budget every year. The UK Government has a national debt of £1.8 trillion—

Dean Lockhart rose—

Keith Brown: If I can just finish. It has gone up by £100 billion every year since the Tories got into power. Is Dean Lockhart going to apologise for that?

Dean Lockhart: No. I am going to ask the cabinet secretary what the "Government Expenditure and Revenue Scotland" numbers indicate. A few weeks ago in this chamber, the First Minister stood by the GERS numbers as showing what the notional budget deficit looks like in the Scottish finances. We need a strong economy to support and protect workers' rights, so is the cabinet secretary concerned that the economy in Scotland is halfway to recession?

Keith Brown: In the space of one speech, we have moved from a "budget deficit" to a "notional budget deficit". That is how the Conservatives play the game—they change the terms the whole time. Of course, there was no mention by the Conservatives of the fact that the UK Government has overseen a massive balance of trade deficit, inflation of nearly 3 per cent and higher unemployment in the rest of the UK than here in

Scotland. I agree that we need to have a strong economy, but that is not what we have seen.

Patrick Harvie: Will the cabinet secretary take an intervention?

Keith Brown: I am sorry, I do not have much time left, but I was just about to mention the Greens and, in particular, Andy Wightman, who talked about wannabe hipsters. I must admit that between Green wannabe hipsters and blue wannabe UKIPers, it was hard to keep up to speed with what was going on.

We heard from Neil Findlay about the minimum wage, which was important, and he mentioned the SNP MPs' support for that. It is also important to mention that it is the SNP that has achieved the 80 per cent level of payment of the living wage here in Scotland.

While we are trying to make party-political points, where were the Labour Party MPs in the Smith commission when they were asked to support the devolution of employment law to Scotland? They stood with the Tories on that, just as Labour stands with the Tories in West Lothian, as Neil Findlay knows. He will know, too, that the Labour Party-run councils in Glasgow and South Lanarkshire have failed to pay equal pay to many of their female employees. I will take no lessons from Neil Findlay.

The Conservatives' manifesto states that they would double the immigration skills charge, which is a levy on employers. That will help to destroy the economy and will take away the growth that we want to see. Members will share my concern that it will make it more difficult and expensive for employers in Scotland to recruit the best individuals who they require for their businesses.

Going forward, how can we guarantee the employment rights of migrant workers in Scotland? I ask Richard Leonard how internationalist it is to want to penalise people from other countries by preventing them from having freedom of movement. That is not an internationalist perspective and it does not bolster Richard Leonard's arguments in favour of the Labour Party. Richard Leonard made a point about the division between Scotland and England, but his party supports an end to freedom of movement, which will impact on workers' rights across the whole of the UK and the rest of Europe.

The Prime Minister called a general election to strengthen the grip of the Tory party, but its campaign has highlighted fundamental flaws in policies that really matter to workers, such as the minimum wage.

We believe that having the full range of employment powers and the support of the majority of members would lead us to take a

different and distinctly Scottish approach to protecting workers' rights.

We will support the Labour Party's amendment and the Green Party's amendment. I urge all members to support them and the Government's motion, and to support the transfer of powers over employment to Scotland.

Business Motions

17:00

The Presiding Officer (Ken Macintosh): The next item of business is consideration of motion S5M-05881, in the name of Joe FitzPatrick, on behalf of the Parliamentary Bureau, setting out a business programme.

Motion moved,

That the Parliament agrees the following programme of business—

Tuesday 6 June 2017

2.00 pm Time for Reflection

followed by Parliamentary Bureau Motions

followed by Topical Questions (if selected)

followed by Justice Committee Debate: Inquiry into the Role and Purpose of the Crown Office and Procurator Fiscal Service

followed by Business Motions

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

followed by Members' Business

Wednesday 7 June 2017

1.30 pm Parliamentary Bureau Motions

1.30 pm First Minister's Questions

2.15 pm General Questions

2.35 pm Portfolio Questions
Culture, Tourism and External Affairs;
Justice and the Law Officers

followed by Business Motions

followed by Parliamentary Bureau Motions

3.15 pm Decision Time

Tuesday 13 June 2017

2.00 pm Time for Reflection

followed by Parliamentary Bureau Motions

followed by Topical Questions (if selected)

followed by Scottish Government Business

followed by Business Motions

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

followed by Members' Business

Wednesday 14 June 2017

1.15 pm Members' Business

2.00 pm Parliamentary Bureau Motions

2.00 pm Portfolio Questions
Education and Skills

followed by Scottish Government Business

followed by Business Motions

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

followed by Members' Business

Thursday 15 June 2017

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 Scottish Parliamentary Corporate Body
Questions

2.45 pm Scottish Government Business

followed by Business Motions

followed by Parliamentary Bureau Motions

5.00 pm Decision Time—[*Joe FitzPatrick.*]

Motion agreed to.

The Presiding Officer: The next item of business is consideration of motion S5M-05882, setting out a timetable for stage 1 of the Wild Animals in Travelling Circuses (Scotland) Bill.

Motion moved,

That the Parliament agrees that consideration of the Wild Animals in Travelling Circuses (Scotland) Bill at stage 1 be completed by 27 October 2017.—[*Joe FitzPatrick.*]

Motion agreed to.

Parliamentary Bureau Motions

17:01

The Presiding Officer (Ken Macintosh): The next item of business is consideration of two motions on the approval of Scottish statutory instruments.

Motions moved,

That the Parliament agrees that the Insolvency (Regulation (EU) 2015/848) (Miscellaneous Amendments) (Scotland) Regulations 2017 [draft] be approved.

That the Parliament agrees that the Public Services Reform (Corporate Insolvency and Bankruptcy) (Scotland) Order 2017 [draft] be approved.—[*Joe FitzPatrick.*]

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

Decision Time

17:01

The Presiding Officer (Ken Macintosh): I remind members that, if the amendment in the name of Dean Lockhart is agreed to, the amendment in the name of Jackie Baillie will fall.

The first question is, that amendment S5M-05864.2, in the name of Dean Lockhart, which seeks to amend motion S5M-05864, in the name of Jamie Hepburn, on protecting workers' rights, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Balfour, Jeremy (Lothian) (Con)
 Ballantyne, Michelle (South Scotland) (Con)
 Bowman, Bill (North East Scotland) (Con)
 Briggs, Miles (Lothian) (Con)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Cameron, Donald (Highlands and Islands) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Chapman, Peter (North East Scotland) (Con)
 Corry, Maurice (West Scotland) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Golden, Maurice (West Scotland) (Con)
 Greene, Jamie (West Scotland) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Lindhurst, Gordon (Lothian) (Con)
 Lockhart, Dean (Mid Scotland and Fife) (Con)
 Mountain, Edward (Highlands and Islands) (Con)
 Scott, John (Ayr) (Con)
 Simpson, Graham (Central Scotland) (Con)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Thomson, Ross (North East Scotland) (Con)
 Tomkins, Adam (Glasgow) (Con)
 Wells, Annie (Glasgow) (Con)
 Whittle, Brian (South Scotland) (Con)

Against

Adam, George (Paisley) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)
 Baillie, Jackie (Dumbarton) (Lab)
 Beamish, Claudia (South Scotland) (Lab)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Campbell, Aileen (Clydesdale) (SNP)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Constance, Angela (Almond Valley) (SNP)
 Cunningham, Roseanna (Perthshire South and Kinross-shire) (SNP)
 Denham, Ash (Edinburgh Eastern) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dugdale, Kezia (Lothian) (Lab)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fabiani, Linda (East Kilbride) (SNP)
 Fee, Mary (West Scotland) (Lab)
 Findlay, Neil (Lothian) (Lab)
 Finnie, John (Highlands and Islands) (Green)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Freeman, Jeane (Carrick, Cumnock and Doon Valley)

(SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (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)
 Johnstone, Alison (Lothian) (Green)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lamont, Johann (Glasgow) (Lab)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lochhead, Richard (Moray) (SNP)
 Lyle, Richard (Uddingston and Bellshill) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 Martin, Gillian (Aberdeenshire East) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 McAlpine, Joan (South Scotland) (SNP)
 McArthur, Liam (Orkney Islands) (LD)
 McDonald, Mark (Aberdeen Donside) (SNP)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 Neil, Alex (Airdrie and Shotts) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Ross, Gail (Caithness, Sutherland and Ross) (SNP)
 Rumbles, Mike (North East Scotland) (LD)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Russell, Michael (Argyll and Bute) (SNP)
 Scott, Tavish (Shetland Islands) (LD)
 Smith, Elaine (Central Scotland) (Lab)
 Smyth, Colin (South Scotland) (Lab)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Stewart, David (Highlands and Islands) (Lab)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Todd, Maree (Highlands and Islands) (SNP)
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
 Wheelhouse, Paul (South Scotland) (SNP)
 Wightman, Andy (Lothian) (Green)
 Yousaf, Humza (Glasgow Pollok) (SNP)

The Presiding Officer: The result of the division is: For 23, Against 68, Abstentions 0.

Amendment disagreed to.

The Presiding Officer: The next question is, that amendment S5M-05864.1, in the name of Jackie Baillie, which seeks to amend motion S5M-05864, in the name of Jamie Hepburn, on protecting workers' rights, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Adam, George (Paisley) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)
 Baillie, Jackie (Dumbarton) (Lab)
 Beamish, Claudia (South Scotland) (Lab)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)

Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Campbell, Aileen (Clydesdale) (SNP)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Constance, Angela (Almond Valley) (SNP)
 Cunningham, Roseanna (Perthshire South and Kinross-shire) (SNP)
 Denham, Ash (Edinburgh Eastern) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dugdale, Kezia (Lothian) (Lab)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fabiani, Linda (East Kilbride) (SNP)
 Fee, Mary (West Scotland) (Lab)
 Findlay, Neil (Lothian) (Lab)
 Finnie, John (Highlands and Islands) (Green)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Freeman, Jeane (Carrick, Cumnock and Doon Valley) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (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)
 Johnstone, Alison (Lothian) (Green)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lamont, Johann (Glasgow) (Lab)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lochhead, Richard (Moray) (SNP)
 Lyle, Richard (Uddingston and Bellshill) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 Martin, Gillian (Aberdeenshire East) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 McAlpine, Joan (South Scotland) (SNP)
 McDonald, Mark (Aberdeen Donside) (SNP)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 Neil, Alex (Airdrie and Shotts) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Ross, Gail (Caithness, Sutherland and Ross) (SNP)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Russell, Michael (Argyll and Bute) (SNP)
 Smith, Elaine (Central Scotland) (Lab)
 Smyth, Colin (South Scotland) (Lab)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Stewart, David (Highlands and Islands) (Lab)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Todd, Maree (Highlands and Islands) (SNP)
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
 Wheelhouse, Paul (South Scotland) (SNP)
 Wightman, Andy (Lothian) (Green)
 Yousaf, Humza (Glasgow Pollok) (SNP)

Against

Balfour, Jeremy (Lothian) (Con)
 Ballantyne, Michelle (South Scotland) (Con)
 Bowman, Bill (North East Scotland) (Con)
 Briggs, Miles (Lothian) (Con)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Cameron, Donald (Highlands and Islands) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)

Chapman, Peter (North East Scotland) (Con)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Corry, Maurice (West Scotland) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Golden, Maurice (West Scotland) (Con)
 Greene, Jamie (West Scotland) (Con)
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 Lindhurst, Gordon (Lothian) (Con)
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 Rumbles, Mike (North East Scotland) (LD)
 Scott, John (Ayr) (Con)
 Scott, Tavish (Shetland Islands) (LD)
 Simpson, Graham (Central Scotland) (Con)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Thomson, Ross (North East Scotland) (Con)
 Tomkins, Adam (Glasgow) (Con)
 Wells, Annie (Glasgow) (Con)
 Whittle, Brian (South Scotland) (Con)

The Presiding Officer: The result of the division is: For 64, Against 27, Abstentions 0.

Amendment agreed to.

The Presiding Officer: The next question is, that amendment S5M-05864.3, in the name of Andy Wightman, which seeks to amend motion S5M-05864, in the name of Jamie Hepburn, on protecting workers' rights, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Adam, George (Paisley) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)
 Baillie, Jackie (Dumbarton) (Lab)
 Beamish, Claudia (South Scotland) (Lab)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Campbell, Aileen (Clydesdale) (SNP)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Constance, Angela (Almond Valley) (SNP)
 Cunningham, Roseanna (Perthshire South and Kinross-shire) (SNP)
 Denham, Ash (Edinburgh Eastern) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dugdale, Kezia (Lothian) (Lab)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fabiani, Linda (East Kilbride) (SNP)
 Fee, Mary (West Scotland) (Lab)
 Findlay, Neil (Lothian) (Lab)
 Finnie, John (Highlands and Islands) (Green)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Freeman, Jeane (Carrick, Cumnock and Doon Valley) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (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)
 Johnstone, Alison (Lothian) (Green)

Kidd, Bill (Glasgow Anniesland) (SNP)
 Lamont, Johann (Glasgow) (Lab)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lochhead, Richard (Moray) (SNP)
 Lyle, Richard (Uddingston and Bellshill) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 Martin, Gillian (Aberdeenshire East) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 McAlpine, Joan (South Scotland) (SNP)
 McDonald, Mark (Aberdeen Donside) (SNP)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 Neil, Alex (Airdrie and Shotts) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Ross, Gail (Caithness, Sutherland and Ross) (SNP)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Russell, Michael (Argyll and Bute) (SNP)
 Smith, Elaine (Central Scotland) (Lab)
 Smyth, Colin (South Scotland) (Lab)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Stewart, David (Highlands and Islands) (Lab)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Todd, Maree (Highlands and Islands) (SNP)
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
 Wheelhouse, Paul (South Scotland) (SNP)
 Wightman, Andy (Lothian) (Green)
 Yousaf, Humza (Glasgow Pollok) (SNP)

Against

Balfour, Jeremy (Lothian) (Con)
 Ballantyne, Michelle (South Scotland) (Con)
 Bowman, Bill (North East Scotland) (Con)
 Briggs, Miles (Lothian) (Con)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Cameron, Donald (Highlands and Islands) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Chapman, Peter (North East Scotland) (Con)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Corry, Maurice (West Scotland) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Golden, Maurice (West Scotland) (Con)
 Greene, Jamie (West Scotland) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Lindhurst, Gordon (Lothian) (Con)
 Lockhart, Dean (Mid Scotland and Fife) (Con)
 McArthur, Liam (Orkney Islands) (LD)
 Mountain, Edward (Highlands and Islands) (Con)
 Rumbles, Mike (North East Scotland) (LD)
 Scott, John (Ayr) (Con)
 Scott, Tavish (Shetland Islands) (LD)
 Simpson, Graham (Central Scotland) (Con)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Thomson, Ross (North East Scotland) (Con)
 Tomkins, Adam (Glasgow) (Con)
 Wells, Annie (Glasgow) (Con)
 Whittle, Brian (South Scotland) (Con)

The Presiding Officer: The result of the division is: For 64, Against 27, Abstentions 0.

Amendment agreed to.

The Presiding Officer: The next question is, that motion S5M-05864, in the name of Jamie

Hepburn, on protecting workers' rights, as amended, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Adam, George (Paisley) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)
 Baillie, Jackie (Dumbarton) (Lab)
 Beamish, Claudia (South Scotland) (Lab)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Campbell, Aileen (Clydesdale) (SNP)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Constance, Angela (Almond Valley) (SNP)
 Cunningham, Roseanna (Perthshire South and Kinross-shire) (SNP)
 Denham, Ash (Edinburgh Eastern) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dugdale, Kezia (Lothian) (Lab)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fabiani, Linda (East Kilbride) (SNP)
 Fee, Mary (West Scotland) (Lab)
 Findlay, Neil (Lothian) (Lab)
 Finnie, John (Highlands and Islands) (Green)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Freeman, Jeane (Carrick, Cumnock and Doon Valley) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (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)
 Johnstone, Alison (Lothian) (Green)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lamont, Johann (Glasgow) (Lab)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lochhead, Richard (Moray) (SNP)
 Lyle, Richard (Uddingston and Bellshill) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 Martin, Gillian (Aberdeenshire East) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 McAlpine, Joan (South Scotland) (SNP)
 McDonald, Mark (Aberdeen Donside) (SNP)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 Neil, Alex (Airdrie and Shotts) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Ross, Gail (Caithness, Sutherland and Ross) (SNP)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Russell, Michael (Argyll and Bute) (SNP)
 Smith, Elaine (Central Scotland) (Lab)
 Smyth, Colin (South Scotland) (Lab)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Stewart, David (Highlands and Islands) (Lab)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Todd, Maree (Highlands and Islands) (SNP)

Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
 Wheelhouse, Paul (South Scotland) (SNP)
 Yousaf, Humza (Glasgow Pollok) (SNP)

Against

Balfour, Jeremy (Lothian) (Con)
 Ballantyne, Michelle (South Scotland) (Con)
 Bowman, Bill (North East Scotland) (Con)
 Briggs, Miles (Lothian) (Con)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Cameron, Donald (Highlands and Islands) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Chapman, Peter (North East Scotland) (Con)
 Corry, Maurice (West Scotland) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Golden, Maurice (West Scotland) (Con)
 Greene, Jamie (West Scotland) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Lindhurst, Gordon (Lothian) (Con)
 Lockhart, Dean (Mid Scotland and Fife) (Con)
 Mountain, Edward (Highlands and Islands) (Con)
 Scott, John (Ayr) (Con)
 Simpson, Graham (Central Scotland) (Con)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Thomson, Ross (North East Scotland) (Con)
 Tomkins, Adam (Glasgow) (Con)
 Wells, Annie (Glasgow) (Con)
 Whittle, Brian (South Scotland) (Con)

Abstentions

Cole-Hamilton, Alex (Edinburgh Western) (LD)
 McArthur, Liam (Orkney Islands) (LD)
 Rumbles, Mike (North East Scotland) (LD)
 Scott, Tavish (Shetland Islands) (LD)

The Presiding Officer: The result of the division is: For 63, Against 23, Abstentions 4.

Motion, as amended, agreed to,

That the Parliament recognises the vital role of trade unions to Scotland's economy, society and its workforce; supports the Fair Work agenda to protect the rights of all workers in Scotland regardless of sector, background or employment status; supports the Better than Zero campaign and its efforts to support workers in the so-called gig-economy; agrees to make access to government support and funding dependent on clear ethical and environmentally-responsible business practices; is concerned about the impact that leaving the EU will have on the workforce in Scotland; agrees with Scottish Government plans not to impose employment tribunal fees when powers over tribunals are devolved; recognises that, for too many people, work is insecure with real terms pay still lower than before the financial crisis and that a £10 real living wage is essential; believes that progress on flagship policies such as the Business Pledge has been poor with only 2% of jobs in Scotland covered by it; considers that all EU-derived workplace laws must be fully protected post-Brexit and that existing rights for all EU nationals living in Britain are guaranteed; believes that zero-hour contracts should be banned and that all workers should have equal rights from day one, whether part-time or full-time, temporary or permanent, which would help transform the workplace, and calls on the UK Government to act now to protect workers across the UK by repealing the Trade Union Act 2016.

The Presiding Officer: The next question is, that motion S5M-05883, in the name of Joe

FitzPatrick, on approval of a Scottish statutory instrument, be agreed to.

Motion agreed to,

That the Parliament agrees that the Insolvency (Regulation (EU) 2015/848) (Miscellaneous Amendments) (Scotland) Regulations 2017 [draft] be approved.

The Presiding Officer: The final question is, that motion S5M-05884, in the name of Joe FitzPatrick, on approval of an Scottish statutory instrument, be agreed to.

Motion agreed to,

That the Parliament agrees that the Public Services Reform (Corporate Insolvency and Bankruptcy) (Scotland) Order 2017 [draft] be approved.

Child Safety Week

The Deputy Presiding Officer (Linda Fabiani): The next item of business is a members' business debate on motion S5M-05455, in the name of Clare Adamson, on child safety week 5 to 11 June 2017, safe children: sharing is caring. The debate will be concluded without any question being put.

Motion debated,

That the Parliament notes that Child Safety Week, the flagship annual campaign run by the Child Accident Prevention Trust (CAPT), takes place this year between 5 and 11 June 2017 and its theme is "sharing is caring"; further notes that accidents are a leading cause of death, serious injury and acquired disability for children and young people in the UK, that they account for three deaths every week and over 2,000 hospital admissions and that many of these accidents can be prevented; commends CAPT's aim of securing a safer environment for children of all ages by helping families understand the risks, as well as the consequences, but most importantly, the simple ways that accidents can be prevented; further commends work undertaken in Child Safety Week in bringing together individuals and organisations around the UK to promote safety messages to families in a fun and engaging way and encourage parents and carers to increase confidence by sharing experiences and learning; congratulates CAPT and other organisations working in accident prevention on their outstanding dedication, in particular the Royal Society for the Prevention of Accidents (RoSPA) which, this year, celebrates its centenary; notes RoSPA's past successes from the Tufty Club in the 1960s and the introduction of the seatbelt law in the 1980s, to a successful campaign for moulded plugs in 1992 and EU-wide regulations on looped blind cords in 2014; further notes the new hazards for parents and carers to be aware of such as liquid laundry capsules, button batteries, hair straighteners and nappy sacks, and congratulates all those many organisations that continue to work tirelessly and collaboratively in the field of accident prevention and child safety.

17:08

Clare Adamson (Motherwell and Wishaw) (SNP): We were all shocked and saddened by the horrific attack on young people that took place last week in Manchester. No one can prepare a parent, family member or friend for the appalling grief that accompanies the death or injury of a loved one, and, although the horrific circumstances of a deliberate attack are not the same as an accident, the outcome, in terms of the grief of those affected, is always a tragedy. Last week, many people said that, on hearing the dreadful news, they resolved to hug their own loved ones a little tighter and a little closer. The theme of this child safety week—sharing is caring—will resonate all the more strongly with parents and families across the United Kingdom.

Child safety week is the flagship annual campaign that is run by the Child Accident Prevention Trust. This year, it takes place between 5 and 11 June. Accidents remain the leading

cause of death, serious injury and acquired disability for children and young people in the UK. They account for three deaths every week, and more than 2,000 hospital admissions. However, many of those accidents can be prevented.

Child safety week brings together individuals and organisations around the UK to promote safety messages to families in a fun and engaging way, and it encourages parents and carers to increase their confidence by sharing their experiences and by learning. I congratulate CAPT on its efforts this year. As convener of the cross-party group in the Scottish Parliament on accident prevention and safety awareness, I have had the pleasure of working with CAPT over the years, as well as with other organisations such as the Royal Society for the Prevention of Accidents, whose past successes—it celebrates its centenary this year—include the Tuffy club, campaigning for the seat belt law and campaigning for moulded plugs and looped blind cord legislation in Europe. At the moment, it is encouraging parents to be aware of the dangers of button batteries, which are lethal to children when swallowed.

I commend Electrical Safety First, which is a charity that is aimed at reducing the number of electrical accidents in the home. Like CAPT, it provides resources for children including a website at switchedonkids.org.uk, and it supports teachers in delivering key advice on electrical safety in the classroom. It also provides a junior checklist to encourage children to carry out electrical safety checks on their homes and to inform their parents and carers about the potential hazards around them.

Earlier this year, a wonderful example of sharing and caring entered my life. Each year, I do my best to support an anti-sectarian project, the Mark Scott leadership for life award, which brings together young people to come up with a project that enhances their community. The young women from Cumbernauld schools who took part this year decided that they would learn about first aid training and deliver it to their local primary schools. Their inspiration came from hearing the story of a toddler who choked on a grape. It was a hugely successful project, and I commend the young women who took part in it. I cannot think of a more deserving project for the sharing is caring theme.

What can we do? This year, there are lots of different things—big and small—that we can do in child safety week to ensure that people are better informed and that ideas and best practice are shared among organisations. Of course, it is not about individual organisations; it is all about working in partnership. The key to success in doing that is our local councils, many of which have road safety officers and trading standards officers who work day in, day out to make sure

that the products that are on sale in our communities are safe and will not lead to damage or danger for people. They also use local facilities such as libraries to ensure that safety messages are distributed throughout our communities.

We must work with our health service—our general practitioners, our hospitals and our ambulance staff and paramedics, all of whom work daily with the consequences of accidents and have a valuable and wide knowledge of how we can make our children more secure in our homes. Our fire service, police service and other groups—including children's organisations, sports groups, the brownies and scouts and housing associations that have homes where children live—must come together as partners to ensure that a safety message is at the heart of what they do and how they help the people who live in their communities.

There are several key areas that are of danger to people. I mentioned Electrical Safety First, and the fire service provides a wealth of information to people on how to avoid fires in their homes. We also need to understand the dangers of water far better. In Scotland, we have a particular problem with drowning in our coastal waters, which might be because people do not understand the safety warnings on beaches—how the flags operate—or because parents are unaware that it takes only 5cm of water for there to be a risk of a young person or toddler drowning.

Road safety is also an issue. I was informed this morning of an accident at a nursery in my community, although thankfully it does not seem to have been very serious.

This morning, we had a tragic death on our roads in Edinburgh. There must be constant reminders that the roads are a shared space for pedestrians, cyclists and vehicles. It is important to understand the green cross code and its message to look right and look left before crossing. Indeed, all the messages that were repeated to us as children, including “Clunk Click Every Trip”, resonate; they are remembered. Working with children in fun and engaging ways really makes the messages sink in.

We must also consider falls and trips. A young person can fall out of a high chair. Windows in an upper storey building or in a flat can pose a danger. Children can fall from cots and beds. The dangers of trampolining—I imagine that it is the bane of most accident and emergency departments at the moment—must be considered, too. Indeed, many children have accidents on trampolines despite the fun to be had while playing on them.

We need to understand that society changes. For example, there may be a reduced fire risk from people not smoking in the house, but e-cigarettes

can cause dangers if they are stored inappropriately, for example alongside metals. We should all be aware of the changing and varying dangers that exist in our homes and which surround us.

As you know, Presiding Officer, I could go on ad infinitum on this topic, and talk about the dangers of poisoning and liquitabs. I am pleased to say that we promote all that work in the cross-party group on accident prevention and safety awareness. This week, my wish is that people come together and remember how precious our young people are, share those experiences and show that we are a caring country. We must get the accident statistics down, and reduce the number of deaths, and the number of injuries to young people in our society.

17:16

Bill Bowman (North East Scotland) (Con): I thank Clare Adamson for securing the motion, and I associate myself with her comments about Manchester, with which we all agree. I welcome today's debate. It recognises the importance of child safety week—the annual campaign that is run by the Child Accident Prevention Trust.

Clare Adamson mentioned so many things that I was going to talk about—I still will. If I cast my mind back, I can remember the road safety campaigns with their message to

“Look right, look left, look right again and, if safe, cross quickly.”

The trouble is that when I googled that message to check whether it was right, Google came up with

“Look left, look right, look left”.

I wondered whether I had been getting it wrong all my life until I realised that I was looking at an American website. The message is obviously an international one—people just need to be sure where they are when they apply it.

In those days, the safety concern was about complacency. There were not as many cars on the road and there was always a risk that children would cross without checking for traffic—never mind the fact that the vehicles did not have seat belts or that they had sharp edges and were made of hard materials. People were probably safer outside them than they were in them.

The safety concerns for child pedestrians are different now: the concern is about distraction. There are faster cars on busier roads and children have more and more gadgets to distract them. We are all probably aware of their using smartphones, wearing earplugs, with a hat on or hood pulled up, with a juice can in hand, talking to their friends. They need to look up and unplug from all that if

they are to be safe and aware of what is around them.

As the nature of safety and accident prevention changes, there is always a place for organisations such as the Child Accident Prevention Trust and the Royal Society for the Prevention of Accidents. Both those organisations have throughout their histories run impressive campaigns to raise awareness of the straightforward ways in which children can be protected from unintended injuries.

There are many sayings. One is:

“Safety is as simple as ABC: Always Be Careful.”

Another is:

“Always point sharp items away from you.”

The message “Don't hold lighted fireworks” was one that, I must admit, I did not always listen to. Another message is “Walk, don't run.”

Another organisation that we should recognise in the debate is the National Society for the Prevention of Cruelty to Children. That charity is known mostly for its efforts in helping children who have been abused to rebuild their lives. However, it also dedicates time to raising awareness about child safety. Recently, the NSPCC warned that children who are left at home alone during the summer holidays might be at greater risk of being injured in an accident. That warning could not be more timely, as we approach the summer school holidays. As I understand it—I am open to correction on this by any member who has legal knowledge—there is no specific legal age with regard to children not being left at home alone; the law says only that a child should not be left at home alone if they are at risk, with parents being expected to use their own judgment on that. However, knowing that that decision can be tricky, the NSPCC provides invaluable safety guidance to parents and a very useful quiz on its website to help parents to make the right decision for their child. Such tools are invaluable when engaging with parents about child safety.

I praise the dedication and tireless campaigning efforts of the Child Accident Prevention Trust and welcome its continued efforts to raise awareness of child safety through its sharing is caring campaign, and I pay tribute to the Royal Society for the Prevention of Accidents as it celebrates its centenary year.

17:20

Stewart Stevenson (Banffshire and Buchan Coast) (SNP): I declare that I am a member of the safety-related body, the Institute of Advanced Motorists. I congratulate Clare Adamson on bringing the subject of the debate to Parliament tonight.

I was probably the pupil who always sat at the back of the class not listening to, or engaging with, safety messages. I have a long history of what I can only describe as attempted suicide. I will start with being in the Rev Willie McCraw's manse garden at Bow of Fife at the age of approximately three, when a swing hit me in the middle of the nose. That meant my first visit to the hospital, which I still remember. There was a white line down a table which I had to lie on so that my nose could be X-rayed—it was not broken.

Aged 15, I am cycling back from the football, my football boots are hanging over the handlebars and the studs in the boots are engaging with the wheel, but I am ignoring that. Eventually, they get trapped in the spokes, the bike stops and I fly over the handlebars and land on my elbows, which both swell up: another visit to the hospital, but I still did not manage to break anything.

My memories are not quite in the right order, but not long after we got a television, I saw that the power cable was unplugged and thought that it would be a jolly good wheeze to stick my finger in the socket to see what electricity was like. I had a black line round the finger and a near-death experience.

One would think that those various experiences as a child would teach me to be a more sensible adult. Hardly. On 4 November 1975—parachute failure at Strathallan at 3.30 in the afternoon. It is strange that I can remember the time. In April 1965, I was out with my pals and we had been up Ben Macdui and were walking back across—suddenly, one cloud appears and we are in almost zero visibility, I am at the front of the queue and we have not roped up, put our crampons back on or any of that stuff. I get too near the edge of the corrie, walk on to a snow cornice, fall 300 feet and walk away. I still did not manage to break anything.

In 1980, we decided to go to Peru, despite the Foreign and Commonwealth Office having said “essential travel only”. The taxi that we were travelling in as we went over the Andes, because the trains were on strike, got shot at. The bullet hit the car just 2 feet behind me. So, that was another one.

In 1956—this is entirely relevant, so members should listen carefully—I got sunstroke at Benderloch beach and was hospitalised at Oban. I survived that one as well. So, I am doing pretty well. By the way, I have come off a plane in an emergency on three occasions, so do not fly with me.

Jackie Baillie (Dumbarton) (Lab): Will the member take an intervention?

Stewart Stevenson: Yes, of course I will.

The Deputy Presiding Officer: Ms Baillie, put your card in.

Jackie Baillie: I am trying not to have an accident in making this intervention.

The gallery is starting to clear at that litany of accidents. I wonder whether Stewart Stevenson would, given his tendency to have accidents, recommend that we should, in fact, clear the chamber right now.

Stewart Stevenson: Of course, I would draw an entirely different conclusion: if there is going to be an accident, people will want me there because I always survive, and they probably will, too. We are politicians: we can turn any example of anything to any point.

There is a serious point to all this, besides my just having a bit of knockabout fun. Parents and everybody else simply cannot anticipate every danger to which children will choose to expose themselves. My parents simply did not know that I was going to do all those daft things. As well as responding to specific dangers, we must think about how to educate our children to recognise that they are putting themselves in danger and to recognise appropriate actions to mitigate the effects of putting themselves in danger. I do not know how to do that, by the way, but I state it as an important point to think about.

Every day we hold our lives in our hands. When I look at my hands, I can see the scar from when I was drilling into metal and forgot to key the bit, and I look at what happened when I tried to scythe off my thumb. More important, I can look at where six stitches had to be put in my hand when I stuck it through a letter box and a dog got it. That was during a Falkirk East by-election campaign.

Life is full of hazards, and children will meet those hazards, as well.

I congratulate all those who seek to support children and, more fundamentally, who seek to support them to be safer and more responsible citizens than I have ever chosen to be in my entire life.

The Deputy Presiding Officer: Please be careful when you sit down. The wheels on the chairs can be a bit dodgy.

17:26

Alexander Stewart (Mid Scotland and Fife) (Con): I am certainly not as accident prone as Stewart Stevenson, so I hope to survive my speech without incident. I am delighted to have the opportunity to participate in this debate, and I congratulate Clare Adamson on allowing us to have it.

In the wake of the events involving innocent children in Manchester last week, the debate is very poignant. The safe children: sharing is caring child safety week theme this year is also very poignant. It lets us recognise that unintentional accidents take place, as has been said. Such accidents account for around three deaths and 2,000 hospital admissions every week. It has long been recognised that injuries are the largest single cause of death for children and young people. One in every seven admissions to hospital is of a child under the age of 15.

As a councillor in Perth and Kinross, I was privileged to sit on the council's corporate health and safety committee. Part of our remit was to look at the daily risks to which children could be unintentionally exposed. Children are naturally curious: they want to engage, tackle, touch, feel and do things. Sadly, many of the risks that they experience are the same as those that we experienced during our childhoods. Things have evolved, but that has not changed. For example, we have probably all experienced or known of someone who has experienced scalding from a bath, a kettle or a hot drink, for example. We may have had experiences with appliances such as cookers, fires and hair straighteners, which are prone to being left unattended. Youngsters want to touch them. I know that my wife and my sister have touched them when they have tried to do their hair. Hair straighteners are dangerous appliances to use for beauty.

We have talked about chokings, suffocations and all the other hazards that we have in the modern day. The capsules that we put into laundry, the button batteries that we put into items that we use, and plastic bags are all potential risks to toddlers and children. Sadly, many people do not see the risks; some are even in denial that there will be any consequences or risks for children as they go about their play and work.

CAPT tries directly to educate parents and carers to ensure that they take on board safety measures. Many families want to engage. That has to be done in a novel, fun and engaging way, and that has certainly been achieved. I pay tribute to CAPT's approach, because it is important to try to break down some of those barriers and make us all think about what we are doing.

As for road and pedestrian injuries, which have been mentioned, I note that although we have traffic-calming measures, 20mph zones and lots of new technology that is meant to protect and help, they have still not resulted in our having free and safe locations in our vicinities. Wearing a helmet while riding a bike was just not something that we did when I was a youngster and we were quite happy to go out on our bicycles without any

protection, but these days that sort of protection is much more involved in that activity.

There have been some successes down the years. In that respect, I highlight RoSPA's 100th anniversary and the Tufty club—I will admit to being a member of the Tufty club, and I will say that it taught me some very good lessons—and the recent and very useful work on seat belts and blind cords.

In conclusion, we should focus on what can be done to reduce unnecessary harm to children and individuals, and I firmly believe that the sharing is caring initiative represents a very positive and pragmatic approach to education in that respect. I congratulate CAPT and commend its staff and volunteers for everything that they do, because their endeavours in protecting our children each day are what make the difference, and an annual campaign such as this one gives us the opportunity to highlight what they are doing and to support their mission.

17:31

Mark Ruskell (Mid Scotland and Fife) (Green): I thank Clare Adamson for bringing the motion forward for debate and for her moving and very thoughtful comments, particularly on the tragedies that we have seen in recent weeks.

I also congratulate the Child Accident Prevention Trust. I think that its approach of sharing the knowledge that can keep us safe with families and within our community makes a lot of sense, and it culminates in child safety week, which I believe takes place next week.

Although it is perhaps not as action packed as that of Stewart Stevenson, the world that we live in is complicated. It is certainly technologically complicated, and sometimes the hazards associated with laundry capsules and button batteries, although perhaps not quite so instantly apparent, are nevertheless present. As Bill Bowman explained, many of us of all ages are spending much of our time on our screens; indeed, often the first thing that I look at when I wake up is a screen, and the same is true for my kids. For better or worse, that leads to a bit of chaos and what the trust calls the "morning mayhem" as everyone tries to get out of the house but is increasingly distracted by technology.

As I have said, then, the idea of sharing information on safety and good practice makes a lot of sense. In fact, the other week, I learned a new road safety tip from a Dutch driver, who told me that in Holland every driver is told to open their car door with their passenger-side hand. Obviously, that means having to reach across to open the door, which makes the driver turn, look over their right-hand shoulder and check the blind

spot for cyclists or, indeed, pedestrians who might be walking in that door space. It is a great tip; it is not something that I was taught when I was learning to drive and taking my driving test, but it is the kind of knowledge that needs to be shared.

I also congratulate RoSPA, which is marking its centenary. We have heard about some of the landmark changes that it has managed to bring in, such as the seat belt law and drink-drive limits—and who can forget the Tufty club? It is perhaps the only club that I have shared membership of with Alexander Stewart, although who knows? In any case, it is good to hear it mentioned again in the chamber.

I want to turn briefly to the serious issue of speed reduction. I am sure that members will be aware that I have now lodged a member's bill proposal for the restricted roads (20mph limit) Scotland bill. It is up on the Parliament website and open to consultation, and the response is building up nicely. Of course, the aim of the proposed bill is to set 20mph as the default speed limit in urban areas while allowing for sensible exemptions.

I just want to focus on the impact on children of introducing a default 20mph speed limit. Studies show that for every 1mph that we reduce the average speed rate we reduce the accident rate by around 4 to 6 per cent. Through studies of children's cognitive ability, we also know that they struggle to judge speed until they reach their middle teens, no matter how adept they might be at using the Xbox—that perhaps masks their inability to judge speed out there on the roads. Perhaps that is one of the reasons that the Royal College of Paediatrics and Child Health is backing a default 20mph area-wide speed limit.

We all know about the experience that there has been in Edinburgh on speed limits; it has been in the *Evening News* and has been widely discussed and debated. However, quietly alongside that—in fact, since 2003—Fife Council has been rolling out 20mph zones in every one of its residential areas. Three years into that roll-out, it did a study that looked at the impact on accident rates, and found that, among children, there was a one-third reduction in slight accidents and a 100 per cent reduction in fatal accidents. It also found a greater reduction in accidents in areas of multiple deprivation, so it is a social justice issue in our communities. Of course, we have 20mph zones outside our schools, but they often apply for only a couple of hundred metres beyond the school gates, when we know that the average child walks over a mile to get to school, so the wider urban area is not protected. We also know that, as drivers, when we leave a 20mph zone, we see a 30mph sign that has the effect of encouraging us to speed up as we leave that zone.

One of the other impacts in Fife as a result of the roll-out of the area-wide 20mph speed limit across the region was the increase in active travel—not just increases in walking and cycling, but increases in scooting, skating, and parking and striding—which has brought benefits all round.

No doubt I will return to the issue in the chamber but, in the context of today's motion, I note that speed-limit reduction can play a part—even if only a small one—in making our streets safer for children.

The Deputy Presiding Officer: I call Mark McDonald to lead us in a rendition of the Tufty club song—or to close the debate.

17:36

The Minister for Childcare and Early Years (Mark McDonald): Presiding Officer, you have somewhat stolen my thunder, because I was going to follow on from Mr Ruskell in talking about the ecumenical nature of the Tufty club. I, too, was a member of the club in the 1980s, which I suspect was somewhat later than either Mr Ruskell or Mr Stewart, but clearly, it has many august graduates.

I congratulate Clare Adamson on bringing the debate to the chamber. I know that Ms Adamson has a long-standing passion for and interest in the issue. Over the previous parliamentary session and into this one, she has done a great deal of work to raise awareness of the wider safety agenda and, in particular, to bring the focus on child safety week to the chamber on more than one occasion. She made a very important point in reflecting on the campaigns led by RoSPA to gain EU-wide regulations on moulded plugs and looped blind cords. It is worth reflecting on and remembering that, although we hear so often about red tape from Brussels, some of those regulations have a practical impact on the safety of children, who are protected as a consequence.

We segued rather nicely into the misspent youth section of the debate, in which Bill Bowman talked to us about firework handling in his chequered past. We then heard from Stewart Stevenson; I am amazed that he has survived this long. I have drawn two conclusions: one is that Stewart Stevenson is very accident prone, and the other is that he is clearly immortal. Presiding Officer, we can determine whether that is a good or a bad conclusion to have drawn.

Alexander Stewart made a fair point about the difficulty that is often faced in ensuring that there are safe locations for children. We want to ensure that we do not dissuade and discourage parents from allowing children to be children. Many of us grew up—as our children do now—with bumps, bruises, skint knees and dirty trousers from playing outdoors. We do not want to discourage

that. We want to ensure that we create a society that is risk aware rather than risk averse. Getting the balance right on that is important, which is why work is being done by the CAPT and RoSPA to ensure that people are aware of the risks and can mitigate and manage them, while still allowing children to enjoy exploring the world around them.

Mark Ruskell spoke about ensuring that we take cognisance of the difficulties and distractions that technology can create. He also spoke about the member's bill that he has planned. Obviously, I am not in a position to comment on it at this stage, but he makes a very fair point about ensuring that motorists give due recognition to the fact that we are trying to encourage more children to be active and play outdoors, which will necessarily mean that children are likely to be playing on some streets. We certainly encourage children to play safely in such environments, and motorists to bear that in mind in their behaviour while driving in those areas.

The Scottish Government continues to work closely with RoSPA. We have a number of programmes under way. They include NHS Greater Glasgow and Clyde's straight off, straight away campaign to reduce the risk of burning from hair straighteners. We also have the not for play, keep them away partnership with NHS Greater Glasgow and Clyde, under which there has already been a dramatic decrease in the number of young children being intubated after swallowing the contents of liquid laundry capsules—a matter that I know Ms Adamson has brought to the chamber previously and on which she has campaigned vociferously. Train the trainer courses are being delivered to fire officers and local authorities to support the roll-out of training on home safety awareness and risk.

We are delighted to have funded child safety week since 2008, and we continue to support it in 2017. As part of next week's events, my colleague the Minister for Community Safety and Legal Affairs will visit Craigroyston primary school in Edinburgh, where she will join the haven project, which provides support to children and families living in the local area to improve the wellbeing of the whole family.

The Government is delighted to endorse the child safety week resource packs. Available to all community groups across Scotland, the pack provides ideas and information on the most common types of accidents and advice on how to prevent them. The pack includes a one step ahead child safety chart and links to a range of online resources and activities for children, families and schools. Partnership is the key to successful delivery, and this year's theme of "Sharing is caring" further promotes the benefit of joint working and community engagement.

We continue to commit to child safety through our community-focused building safer communities programme. Phase 2 of that work includes a commitment to a reduction of unintentional harm, which is defined as

"Predictable and preventable unintentional physical or psychological harm."

Through that programme we have recently published the first national strategic assessment of unintentional harm in Scotland. This is the first time that the different sources of relevant data and information that inform incidents of unintentional harm have been put together into a single strategic assessment.

There are many examples of good practice across the country. The home safety scheme in Dundee is a multi-agency project that includes the Scottish Fire and Rescue Service, Police Scotland, NHS falls and third sector protection and rights organisations. Through a collective home assessment, a common referral system and a trigger approach, households can receive specialist advice and assistance at the point of need.

The home check scheme in Aberdeen, my local area, offers a free service to any family with a child under the age of two and to elderly residents, and includes a home safety check, with advice given on how to apprehend hazards within the home.

The go safe Scotland campaign, written by experienced teachers from Glasgow and Fife, provides a groundbreaking resource to teach young children about the right choices to stay safe, linking all aspects of child safety within health and wellbeing.

A range of work is under way in some of those areas. We are aware of and recognise the continuing work of the cross-party group on accident prevention and safety awareness, which Ms Adamson founded and continues to chair.

Work is also continuing with Water Safety Scotland. It is important to highlight its work as we enter the summer months, particularly given the spell of good weather that we are having now, as people make their way to the beaches and lochs of Scotland. We recognise that there is a need to ensure appropriate water safety, not least because there have recently been a number of tragedies, including one that affected my constituency. The Government continues to engage on that work as it progresses.

I have mentioned some great examples of local initiatives that are under way. We will continue to support the efforts of community safety partnerships and community planning partnerships across the country to continue that good local partnership work, and I have no doubt that Ms

Adamson will continue to lead the way in bringing debates such as this to the chamber and in her work on the cross-party group. The Government looks forward to continuing to engage with her on this agenda.

Meeting closed at 17:44.

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