



OFFICIAL REPORT
AITHISG OIFIGEIL

DRAFT

Meeting of the Parliament

Wednesday 13 June 2018

Session 5



The Scottish Parliament
Pàrlamaid na h-Alba

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Scottish Parliament

Wednesday 13 June 2018

[The Presiding Officer opened the meeting at 13:30]

Scottish Information Commissioner: Intervention Report

The Presiding Officer (Ken Macintosh): Good afternoon. The first item of business today is a statement by Joe FitzPatrick on the Scottish Information Commissioner's Scottish Government intervention report. The minister will take questions at the end of his statement. I encourage members who wish to ask questions to press their request-to-speak buttons as soon as possible.

13:30

The Minister for Parliamentary Business (Joe FitzPatrick): On 21 June 2017, Parliament agreed to a motion that was critical of the Scottish Government's handling of freedom of information requests. The motion called for an independent inquiry into the way in which the Scottish Government deals with such requests, and for post-legislative scrutiny of the Freedom of Information (Scotland) Act 2002. The Scottish Government supported that motion.

Post-legislative scrutiny is, of course, a matter for parliamentary committees to progress. In respect of the independent inquiry, the Standards, Procedures and Public Appointments Committee agreed on 11 September 2017 that the Scottish Information Commissioner, who is independent of Government and holds extensive statutory powers of regulation and enforcement, might be the appropriate person to undertake such an inquiry. On 15 November 2017, the commissioner wrote to me confirming his intention to carry out a level 3 intervention into the Scottish Government's FOI practice. He wrote to me again on 2 February this year, setting out the terms and scope of the exercise.

Members should be in no doubt about the thoroughness of the process that the commissioner has undertaken. The commissioner and his staff have had full access to the Scottish Government's tracking systems for FOI and Environmental Information (Scotland) Regulations 2004 requests. Over a period of months, the commissioner and his staff have undertaken a detailed inspection of more than a hundred individual case records relating to handling practices between 2015 and 2017, including cases

that were cited by members of the media. In addition, they have conducted in-depth interviews with a range of ministers, special advisers and officials across the Scottish Government.

I record my thanks for the professionalism of the commissioner's staff and their efficient and businesslike approach. I am pleased that the report notes the positive attitude that has been shown by the Scottish Government towards the intervention.

I consider the report to be thorough and well balanced. While being very clear about where improvements are required, it notes where there is already good practice and acknowledges the improvements that the Scottish Government has been making in its procedures over the last 18 months, and the results that have been delivered on faster turnaround of requests. In his assessment, the commissioner makes it clear that he has found no evidence to substantiate a number of the criticisms that have been made about the Scottish Government's approach. The report does, however, contain a series of significant recommendations for improvements in the Scottish Government's performance and procedures.

As with all Scottish public authorities, the Scottish Government should meet the standards of good practice that are set out in the statutory code of practice. No authority—least of all the Scottish ministers—can take such obligations lightly. We therefore take the commissioner's report very seriously. We accept all the recommendations that it makes and, as required by the commissioner, we will prepare and publish an action plan to put them into effect.

I turn to some of the report's specific recommendations. A central focus is on the request clearance process. The commissioner highlights lack of clarity about roles and responsibilities, potential for confusion in our procedures and guidance about what is meant by "clearance", and concerns about the time the FOI process takes. As many members will know, the FOI process can be complex. It is therefore important that the people who are involved in it are clear about their roles.

The legal duty to comply with FOI and EIR legislation lies with ministers, who are accountable for all responses that are issued by the Scottish Government. Decisions on release can be—and in many cases are—delegated to officials. However, it is entirely appropriate that ministers are sighted on and content with proposed information releases, in line with the requirements of FOI legislation, in sensitive and high-profile areas. They will, after all, be the people who have to answer questions about the information once it is released. As in any other area of government, it is

also appropriate that ministers are able to have the advice of special advisers in doing that.

Current Scottish Government procedures reflect those points. However, there is no doubt that the process itself can be time-consuming and that our guidance on roles needs to be clearer. In the light of the commissioner's report, and in line with our continuing efforts to reduce turnaround times, we will review current guidance and assess the appropriate levels at which decisions on release for different categories of information are taken.

The commissioner considered in detail whether the Scottish Government treats and manages requests from journalists differently from how it treats and manages requests that are made by other people, and whether there is any detriment to the quality of responses, as a result. Scottish Government guidance sets out a number of grounds on which case handlers should consider the views of special advisers and seek ministerial clearance, including whether the request is from a journalist, an MSP, a political researcher or another high-profile requester, or if the request is for "sensitive" information.

Only on the fact of explicitly identifying a particular type of requester did the commissioner conclude that there is a difference in treatment. He acknowledges that

"It may very well be the case that many requests for information from journalists, MSPs and political researchers are for sensitive information, in which case it may be entirely justified that clearance is required at a higher level in the organisation."

However, he stresses that our clearance system should be based on the nature of the request and not on the category of requester. We agree, so I am pleased to confirm that our internal guidance has been updated, with immediate effect, to make it clear that decisions about the sensitivity of requests should be based on the information that is being sought rather than on the identity or role of the person who is making the requests.

It is important to note that the commissioner found no evidence that the difference in the clearance process resulted in detrimental treatment of the requester, other than on timing. He also found no evidence that the involvement of special advisers has resulted, as was suggested in the open letter from the media, in any deliberate attempt to reduce the amount of information that was being disclosed to journalists, or in any improper motives in the application of exemptions.

The report notes that

"the greatest number of cases sent through the clearance process were not subject to material change".

Indeed, as the report states, the most recent statistics show that the percentage of refused requests was actually lower for journalists than it

was for other requester types. From close assessment of the case files, the commissioner cites just one example of a deliberate delay in releasing information, while a handling plan was put in place. As the commissioner highlights, the most recent statistics show that response times of media requests are generally in line with response times of non-media requests.

I am pleased that the report acknowledges the steps that have been taken by the Scottish Government in the past 12 months to improve and monitor FOI performance, as well as the significant improvements in performance.

A range of improvement initiatives are under way. From July last year, we have proactively published all information that has been released in response to requests that have been received by the Scottish Government. We have significantly increased capacity in the Scottish Government's central FOI unit, which provides advice, training and guidance across the organisation. We have introduced central oversight and clearance of review responses. Reporting measures have been put in place, which has enabled improved tracking of requests. Work is also under way on improvements to guidance and training. An improved tracking system to further improve reporting and monitoring is in the later stages of development.

Although those improvements will produce longer-term benefits, I emphasise the considerable improvement in performance in the past year against a continued increase in demand. In 2017, the Scottish Government received 3,046 requests, which was a 41 per cent increase in volume on 2015, and an almost threefold increase on 2006. In responding to those requests, 83 per cent were answered on time, which is more than the total number of requests that were received in either 2015 or 2016.

Against that backdrop of increasing request numbers, performance in the first five months of this year was 93 per cent, which is ahead of the 90 per cent target that was set by the commissioner. If FOI requests continue to be received at the same level, we estimate that we will process 4,000 requests this year.

Having accepted the commissioner's recommendations in full, we will now undertake detailed work on how they can be put into effect. The commissioner requires the Scottish Government to produce a draft action plan addressing his recommendations for approval by 13 September. We are committed to meeting that deadline. The approved plan will be published and we will work closely with the commissioner on its implementation.

Ministers take their responsibilities for freedom of information very seriously, as part of our commitment to open government. Parliament can be rightly proud of Scotland's FOI regime. The aim of any Scottish Government should be to act as an exemplar of good practice. Today's report provides a firm basis for achieving that aim.

Oliver Mundell (Dumfriesshire) (Con): From listening to that statement, it is not entirely clear that we have been reading the same report. It is unbelievable that, after more than a decade in power, it takes a report such as this to get the minister to budge even an inch from where we were last June.

The report highlights a number of especially concerning cases: one in which the case handler became increasingly frustrated and repeatedly tried to get clearance from special advisers for two months; another in which a special adviser said that an exception should apply in a situation in which the FOI unit said that the case was flimsy; and another in which a special adviser asked for an exception to be applied but the case handler argued against that, and the information was withheld after an unrecorded meeting.

The report reveals an SNP Government that not only deliberately stands in the way of legally binding FOI requests that are made by the media, but goes to great lengths to delay or influence the information that is provided. Will the minister now apologise for his Government's shameful record on transparency?

Joe FitzPatrick: Clearly, Oliver Mundell has not read the report in full. As I said in my statement, it is clear that the Scottish Information Commissioner has found that the quality and level of information that has been provided to all requesters are equal. However, he identifies that timeliness was an issue, in particular with regard to journalists' requests. We have accepted that point—as, I think, I did last year.

The commissioner also identifies the progress that has been made since last June. Oliver Mundell said that we are no further forward from last June, but the report clearly identifies the substantial progress that has been made over the past 18 months in terms of the quality and timeliness of our responses, in spite of a significant increase in the level of FOI requests that have been received.

I record my thanks to the staff across the Scottish Government who have managed, despite increased workload, to rise to the challenge of dealing with that increased level of FOI requests.

We believe firmly that freedom of information is an important right and an important part of our democracy, and I am pleased that, across Government, our staff have managed to rise to the

challenge of a threefold increase in the volume of requests. This year, we are providing 93 per cent of responses on time, which is ahead of the 90 per cent target that was set for us by the commissioner.

Rhoda Grant (Highlands and Islands) (Lab): This is a damning report. The Scottish Information Commissioner has said that the Scottish Government has to take action to act consistently within the letter and the spirit of the legislation. From the report, it is obvious that media representatives, MSPs and MSPs' researchers are being treated differently from other people. The 23 journalists who signed the joint letter to the Scottish Parliamentary Corporate Body have now been vindicated.

The commissioner also said that, due to deficient record keeping, he was unable to tell whether the information that was given to those groups was different. However, because FOI requests from the media, MSPs and their researchers take longer to reply to and are subject to a different process, the suspicion must be that the information that is given is also different.

How does the Government identify media and researcher requests, and what steps is it taking to ensure that those requests are anonymised in order to ensure that those requesters receive the same information as everyone else? Further, can the cabinet secretary confirm that action is required in five of the seven areas that were examined by the Scottish Information Commissioner, and will he now ask the Standards, Procedures and Public Appointments Committee to look into the standard of Scottish Government record keeping?

Joe FitzPatrick: The guidance on dealing with the media and other areas for which we had a different process was in the public domain. The guidance on different types of requester had been in the public domain for a considerable amount of time; it is not some secret document or a secret approach to government.

We have, of course, listened to what the information commissioner has said. Although we have said that we will work with the commissioner on all the areas where there are recommendations to put a plan in place, we felt that it was important to make immediate changes to the guidance on requesters, to make it clear that media, members of the Scottish Parliament and their researchers should not be treated differently because of their position. That is in the public domain from today.

As for what committees decide to do, it is not for the Government to direct committees' decisions on their work programme.

Clare Haughey (Rutherglen) (SNP): I appreciate that the minister confirmed the

commissioner's finding that there is no evidence that journalists suffered detriment as a result of Government guidance, but there are obviously concerns among the profession. Can the minister confirm what discussions he has had with the National Union of Journalists to discuss its concerns about FOI?

Joe FitzPatrick: The member is right about the commissioner's finding but, as I said, he made a strong recommendation and we have put in place new guidance on that matter.

Media scrutiny of the work of Government is an essential part of our democratic process and we welcome that scrutiny. Indeed, we facilitate that scrutiny. Every week, ministers undertake a wide range of media interviews, and every day the Scottish Government responds to a high volume of media inquiries. Last year, we responded to more than 5,000 requests from journalists, entirely outwith the freedom of information system. The latest figures show that, last month, we dealt with 449 inquiries from the media, and they were typically responded to within three hours.

The member asked about the NUJ. I met NUJ representatives last year to discuss some of the journalists' concerns, and it is worth pointing out that many of our staff are members of the NUJ and other trade unions. I thank those staff for their efforts in helping us continue to improve our performance.

Brian Whittle (South Scotland) (Con): The report begins to reveal the Scottish Government's standard of response, and it is starting to slip. I have personal experience of the lengths that the Government will go to to ignore requests or prevent information from reaching the public domain. That is a problem with not only FOI requests, but parliamentary questions and written answers. MSPs across the chamber routinely receive below-par responses. I have already raised that issue with my party to raise with the Scottish Parliamentary Corporate Body.

If transparency is the key to holding Government to account, will the minister commit to not only taking on the report's recommendations, but looking into the Government's record on answering parliamentary questions?

Joe FitzPatrick: Brian Whittle is right to say that transparency is very important. The processes around parliamentary questions are very transparent. A member will put in a question and the minister will respond to it. If the member does not like the answer, they will try to ask the question in another way. All that is done openly and I do not see how it could be any more transparent than it is.

The member mentioned information getting into the public domain. The Scottish Information

Commissioner's report does not substantiate the comments that the member has made. Further to that, this Government has gone further than any Government, not just here in Scotland but across the United Kingdom, by proactively putting information into the public domain. I am keen to continue to do that. The information is important and we are keen to take steps to continue to empower our population. Information is very much a part of that, and we will continue to take the steps that we are taking. Clearly, members of the public have to get their information from a range of sources, and if the UK Government were to follow the Scottish Government's suit there would be a lot more information in the public domain.

James Dornan (Glasgow Cathcart) (SNP): That was an opportune time for a Conservative politician to mention transparency. The minister stated that the Government will produce an action plan to put the commissioner's recommendations into effect. Can he provide any further information about the plan at this stage?

Joe FitzPatrick: We will take time to look at the recommendations in detail and work with the information commissioner to make sure that the way we propose to take the matter forward in our plan will achieve the aims that both he and we are seeking. The deadline is for the plan and proposals to be agreed and published before 13 September and we will, of course, put them in the public domain.

Neil Findlay (Lothian) (Lab): With this report, the Government has been found bang to rights: poor procedures and practice, inadequate record keeping, political filtering, withholding of records, unjustifiable delays, discrimination against journalists, MSPs and their researchers, and so much more. Now that the Government has been rumbled on how it disseminates information, what is it going to do about a key issue not within the remit of the report but mentioned in it—namely, the recording of information, minute taking and generally poor or non-existent record keeping of the Government? Finally, does the minister accept that there is a direct correlation between the dross that MSPs receive in written parliamentary answers and an increase in the number of freedom of information requests?

Joe FitzPatrick: I do not recognise most of what Mr Findlay said. However—

The Deputy First Minister and Cabinet Secretary for Education and Skills (John Swinney): Send me the answers that you are complaining about.

Neil Findlay: I will.

John Swinney: You do that—send them to me.

The Presiding Officer: Less conversation across the chamber please; the minister is on his feet.

Joe FitzPatrick: —on the—

John Swinney: It is the first time that we have heard about it.

The Presiding Officer: Mr Swinney and Mr Findlay, please let the minister speak.

Joe FitzPatrick: I do not recognise most of what Mr Findlay said, from the report or from reality. However, the Scottish Government fully complies with all record management policies, including those set out in the ministerial code. The code is clear that formal meetings should be recorded by setting out the reasons for the meeting, the names of those attending and the interests represented. We consider our record management guidance to be robust. However, as part of the programme to upgrade the corporate electronic record management system, the Scottish Government is revising the current information management training strategy. We will ensure that all staff are re-engaged with that process.

Colin Beattie (Midlothian North and Musselburgh) (SNP): Can the minister confirm that the power to override or veto a decision of the commissioner has never been used in Scotland, unlike what has been done by successive UK Governments under UK FOI legislation?

Joe FitzPatrick: Colin Beattie is absolutely correct.*[Interruption.]*

The Presiding Officer: Order, please. Let us hear the minister.

Joe FitzPatrick: Members say that I should respond to the report, but I will respond to the question, which is very important. Not only has the veto not been used by this Government, but it has never been used by any Government in Scotland. It is greatly to be regretted that the veto is regularly used not just by the current UK Government, but by previous UK Governments.

Andy Wightman (Lothian) (Green): I thank the minister for advance sight of his statement, and for having the good grace back in June 2017—*[Interruption.]*

The Presiding Officer: Will members please stop having conversations across the chamber and listen to the questions and answers?

Andy Wightman: Thank you, Presiding Officer. The minister had the good grace back in June 2017 to admit that there were problems, and that the complaints were legitimate. I commend the Scottish ministers for accepting all the Scottish Information Commissioner's recommendations. I also put on record my commendation of the

commissioner on a very thorough piece of work, which reveals serious failings. For example, it makes clear that different treatment was given to journalists and MSPs and that that has no basis in law.

In his statement, the minister said that

"The legal duty to comply with FOI and EIR legislation lies with ministers",

and in paragraph 140 of his report the Scottish Information Commissioner said that

"There is nothing in FOI law or the ... Code of Practice which permits authorities to treat certain groups of requesters less preferentially than others".

Given that, does the minister agree that the Scottish Government has broken the law? Secondly, why did Scottish ministers draft special rules in guidance for handling media requests in the first place? Which minister instructed that and who signed it off?

Joe FitzPatrick: The Scottish Information Commissioner has given us recommendations about how we should make changes to those processes. We have accepted the commissioner's recommendations, and on that particular point we have put in place new guidance with immediate effect.

Tavish Scott (Shetland Islands) (LD): I, too, thank Mr FitzPatrick for the courtesy of sending out his statement. It would help his front-bench colleagues if they did not spend the entire time shouting at everyone else, given the seriousness of the issue. *[Applause.]* Mr Swinney did not like that, but members will reflect that he spent the entire duration of the statement shouting at everyone else. His department is one of the worst in here.

The minister was brave enough to admit that MSPs and journalists have had their requests handled in a different way from other people who make FOI requests. Why was that so? What is the definition of "sensitive information", which the minister mentioned in his earlier answer? Who defines "sensitive information"? Which minister will make the decision over what is sensitive or not sensitive? Will he lay those answers in the parliamentary library so that we can all see them in the transparent way that he mentioned?

Finally, when the former Deputy First Minister Jim Wallace introduced the FOI regime and legislation back in 2002, the Scottish National Party's front-bench spokesman Michael Matheson said:

"The effectiveness of the bill will not merely be down to its provisions; a change to the culture of secrecy that exists ... is required."*[Official Report, 24 April 2002; c 8216.]*

If that is so, why have we needed today's statement and this report?

Joe FitzPatrick: The report was the response to a parliamentary motion just over a year ago. The Standards, Procedures and Public Appointments Committee felt that it was appropriate that the Scottish Information Commissioner carry out the inquiry. I gave the statement today to respond to those points.

The Government is taking on board the points that are made in the report. I would have thought that we should be fine with that. We are going further than any Government has ever gone in the coverage of freedom of information. I will soon introduce regulations to extend freedom of information to cover social landlords, which the previous Administration never got round to doing.

We are not just making efforts to improve how we deal with freedom of information requests, but, very significantly, we are making substantial efforts to increase the level of information that is released proactively. That is important, because proactive release means that the information is there before people have even requested it.

I would encourage anyone to look at the Scottish Government's new website. Its functionality is very useful for people who are seeking to find information. One concern of the previous Scottish Information Commissioner was that, as we increase levels of proactive release, we might get to the point at which we have an information dump and it becomes difficult for people to access what is useful to them. I encourage people to look at the functionality of our new website, where I think that what they will see is an exemplar.

Ash Denham (Edinburgh Eastern) (SNP): The minister mentioned that work is being done on improvements to guidance and training and that an improved tracking system is now being developed. Can he provide any timelines for those being finalised and in place?

Joe FitzPatrick: Yes. The training is on-going and we will continue to work with the commissioner to make sure that the training that we provide across the Government is as appropriate as it should be. We have increased the staffing of the central FOI unit, which provides extra guidance and support across Government.

The new tracker system will, I think, be very important. It is always risky to give a definite date for when a new system will be rolled out, but we anticipate it starting in August. That is part of a range of digital improvements across the Scottish Government.

Graham Simpson (Central Scotland) (Con): The report states:

"Journalists, together with MSPs and political researchers, are expressly made subject to a different process for clearance than other requester groups."

Further on, it states:

"While I received reassurances throughout my interviews that journalists' requests were dealt with in the same way as requests from any other person, this is clearly not the case."

I will ask the same question that two MSPs have asked already—we have not had an answer. Why was it not the case? Why were journalists dealt with differently?

Joe FitzPatrick: Government officials would have provided responses in line with the guidance that was in the public domain and had been for a number of years. Today, we have accepted the commissioner's recommendations to change that guidance and provide clarity. I would hope that members would support that.

Willie Coffey (Kilmarnock and Irvine Valley) (SNP): I know that it is a long time since the last Labour-Lib Dem Administration and that the memory is fading, but will the minister outline how the current Scottish Government's performance on requests answered on time compares with that of the last full year of that previous Administration?

Joe FitzPatrick: In the last full year of that previous Administration, the response rate was 61 per cent. In 2017, the Scottish Government responded to 83 per cent of requests on time. We need to put that into the context of the near threefold increase in the volume of requests. Looking into it further, this year we are responding to 93 per cent of requests on time, in spite of a further increase in requests. I again put on record my thanks to all the staff who have helped us to achieve that.

Edward Mountain (Highlands and Islands) (Con): I am delighted to have the report, which is the result of a motion that I brought to the Parliament last year. My question is based on eight words in the report, in paragraph (iv) in recommendation 2, which states:

"Given the paucity of information in case files".

Why is there no information in the case files? Is that weeded out or is it not put in? Is that a Government policy or is it just the way that it happens?

Joe FitzPatrick: Clearly, in one of the recommendations, the commissioner has suggested that we need to look at how much information is kept in case files. That is one of the recommendations that we will accept.

Portfolio Question Time

Education and Skills

14:00

Attainment Gap (Adverse Childhood Experiences)

1. Jenny Gilruth (Mid Fife and Glenrothes) (SNP): To ask the Scottish Government how its cross-portfolio work on tackling adverse childhood experiences is contributing to closing the attainment gap. (S5O-02207)

I remind members that I am the parliamentary liaison officer to the Cabinet Secretary for Education and Skills.

The Deputy First Minister and Cabinet Secretary for Education and Skills (John Swinney): The Scottish Government recognises the negative impact of adverse childhood experiences on the wellbeing of children, which in turn has a direct impact on their attainment. The Scottish attainment challenge has a specific focus on health and wellbeing, alongside literacy and numeracy. Using funding from the £750 million attainment Scotland fund, schools are delivering a variety of health and wellbeing interventions to support their pupils, including those who have been impacted by adverse childhood experiences.

In addition, I hosted an event in March along with the First Minister and other ministerial colleagues to hear from people working across sectors about the actions that are needed to drive progress on ACEs. We have published a report on what we heard and I have committed to build on that important dialogue.

Jenny Gilruth: Research published last month by the Educational Institute of Scotland detailed the impact of poverty on Scottish education. Children are unable to afford school trips, they come to school hungry and they arrive at school in dirty clothes. Does the cabinet secretary plan to address the impact of adverse childhood experiences with his United Kingdom counterpart? Does he agree that the Tories' ideological obsession with austerity is damaging the—

The Deputy Presiding Officer (Christine Grahame): No—you have had your question. I am sorry, but we are short of time.

John Swinney: Austerity is undoubtedly having an effect on the circumstances of young people, and the Government is taking a number of measures to try to address that through various interventions. We spend more than £100 million a year mitigating the effects of austerity. In the tackling child poverty delivery plan, we have set

out a range of measures across Government to try to tackle those issues. Some of the substantial issues that Jenny Gilruth raised about young people missing out on opportunities can be alleviated by the utilisation of Scottish attainment challenge funding.

The Government recently reached an agreement with the Convention of Scottish Local Authorities to establish a minimum school clothing grant of £100, which will be a significant benefit to an overwhelming majority of those young people in Scottish schools. I appreciate the agreement that we have reached with local government to take that step to assist in tackling the issues that Ms Gilruth has raised.

Liam McArthur (Orkney Islands) (LD): The cabinet secretary referred to the engagement with COSLA. Obviously, local authorities are key to the delivery of the aspirations that he has set out. Will he outline the work that is being done with COSLA and the process for managing that on-going engagement?

John Swinney: We have regular discussions with COSLA at individual portfolio level and I met the COSLA education spokesperson just yesterday. Last week, as a team of ministers, we met the leadership of COSLA—the president, the vice-president and political group leaders across the political spectrum, including the leader of Orkney Islands Council, who was there on behalf of the independent group—to focus on how our combined efforts can support the same policy direction.

There was a very good example of that on Monday with the launch of the national performance framework, which has been endorsed by COSLA. Indeed, COSLA has been actively involved in its preparation, as have members of Parliament across the spectrum, to ensure that we overcome any effects of compartmentalisation in Government policy making. There is a need for cross-portfolio work to address the issues that are raised by adverse childhood experiences, as we will only address those questions if we work across boundaries.

School Leaver Transitions

2. Jeremy Balfour (Lothian) (Con): To ask the Scottish Government what support it gives to school leavers regarding the transition to further education, training and work. (S5O-02208)

The Minister for Employability and Training (Jamie Hepburn): A broad range of support is available to school leavers, including careers advice that is offered by Skills Development Scotland to help pupils move into further education, training and work. SDS also works closely with pastoral care staff in schools to

identify those leavers who are less likely to engage with mainstream opportunities and, together with local partners, it offers targeted transitional support to that vulnerable group.

Jeremy Balfour: We heard last week that a survey commissioned by the Education and Skills Committee found that just 3 per cent of school leavers were told more about how to get on to a training programme than other post-school options, whereas 60 per cent were told more about how to get into university than other options. What action is being taken by the minister and the Scottish Government to ensure that all school leavers receive adequate information and advice about transition into non-university routes such as apprenticeships—

The Deputy Presiding Officer: Briefly, please, minister—I meant, briefly, please, Mr Balfour.

Jamie Hepburn: I will still try to be brief, Presiding Officer.

I recognise and understand Mr Balfour's points, and that is exactly why we are taking forward our developing the young workforce programme. There is a historic challenge for us around ensuring that there is parity of esteem across all options for young people. It is a big challenge. We are committed to taking forward that work through our developing the young workforce programme. I have seen that beginning to make a difference, and I will take it further still with the recommendations from the learner journey review.

Johann Lamont (Glasgow) (Lab): Will the minister outline what advice is given to young people who go straight from school to work and might end up in exploitative and insecure work? What advice is given about what is reasonable for them to expect in terms of contracts? What advice is given about the role of trade unions in protecting young people from the exploitative practices that they might experience?

Jamie Hepburn: Advice about the world of work is provided through the careers advice that is available in every school environment. We need to reflect on the issue of what young people might expect in the world of work. We probably can do better in ensuring that we know what they expect and we should work towards that. We discussed that just yesterday at a meeting of the strategic labour market group, which I chair.

Further Education (Dumfries and Galloway)

3. Finlay Carson (Galloway and West Dumfries) (Con): To ask the Scottish Government what support it provides for the funding of further education courses in Dumfries and Galloway. (S5O-02209)

The Minister for Further Education, Higher Education and Science (Shirley-Anne Somerville): In the 2018-19 academic year, through the Scottish Further and Higher Education Funding Council, the Scottish Government will provide a real-terms increase of over 8 per cent to support the teaching of further and higher education courses at Dumfries and Galloway College, with the funding totalling £9.73 million. Additionally, we will provide £1.78 million in student support as part of the college's initial allocation.

Finlay Carson: At a recent consultation that was carried out with the south of Scotland economic partnership, the chairman mentioned that a good funding application had been submitted by the south of Scotland colleges. Why did the colleges have to do that? Is that not the role of the Scottish funding council?

Shirley-Anne Somerville: The colleges in that area should be commended for the innovative work that they are taking forward together and in partnership, and for taking full advantage of the new opportunities that are available in the south of Scotland because of the work that is going on there in not just education but skills, and because of the general economic recovery.

I look forward to hearing more about the suggestions that the colleges are taking to the south of Scotland economic partnership, and I encourage the colleges to continue that work.

Educational Campuses (Accessibility)

4. Jackie Baillie (Dumbarton) (Lab): To ask the Scottish Government how it ensures that educational campuses have appropriate and adequate levels of accessibility for disabled students. (S5O-02210)

The Deputy First Minister and Cabinet Secretary for Education and Skills (John Swinney): We have in place a range of legislation and guidance to ensure adequate levels of accessibility for disabled students. Responsible bodies, including education authorities and independent and grant-aided schools, are required to develop and publish accessibility strategies to improve, over time, access to the curriculum, the physical environment and school information for pupils with disabilities.

Jackie Baillie: I know a bright young woman who attends the cross-party group on muscular dystrophy who is applying for university. Her choices should be completely unlimited. However, because she is in a wheelchair, her choices are limited by the accessibility of campuses. What action will the Government take to improve accessibility and to inform disabled students about

accessibility, particularly in higher education institutions?

John Swinney: I am concerned to hear the detail that Jackie Baillie recounts. If she writes to me and the minister, we will look directly into that case.

Separate supports are in place, either through the student awards agency or the Scottish Further and Higher Education Funding Council, in which funding is allocated to try to address some of those issues in a practical way. Individual students will present for courses where there may be challenges in the existing physical estate, or there may be other issues where resources should be applied to try to ensure that there are no barriers to their learning.

I think that measures are in place to try to address the scenario that Jackie Baillie paints but, as I have said, if she writes to me with the details, we will look into the matter and see what we can do to address the issue.

Universities and Schools (Engagement)

5. George Adam (Paisley) (SNP): To ask the Scottish Government how it encourages engagement between universities and secondary education establishments. (S5O-02211)

The Minister for Further Education, Higher Education and Science (Shirley-Anne Somerville): We expect schools and other partners to work collaboratively with one another, and there are many examples of schools doing that effectively with universities, colleges, employers and others to the clear benefit of their young people.

In response to the recommendations from the commission on widening access, the Scottish Further and Higher Education Funding Council is developing a new school engagement framework to provide more targeted and enhanced engagement with schools. We invest £2.5 million a year through the funding council to support the access to higher demand professions and schools for higher education programmes.

George Adam: Does the minister agree that the University of the West of Scotland, which is based in Paisley, leads the way on this issue and that other universities should try to find ways of working with that institution to mirror its many successes?

Shirley-Anne Somerville: I very much commend the work of the University of the West of Scotland in this and other areas relating to widening access. As I have stressed before in the chamber, it is imperative that all universities play their role in achieving our widening access ambitions, because it will only be through the

schools, the colleges, the universities, the funding council and the Government working together that we will achieve the widening access targets and the ambitions that we all share. I commend the University of the West of Scotland for its great work and encourage it to carry on. I am sure that it is a great source of good practice that other universities can follow.

Colin Smyth (South Scotland) (Lab): The minister will be aware that an innovative way in which universities and other further education establishments interact with the secondary sector is the Dumfries learning town project.

After the summer, pupils will move out of Langlands school, Lochside primary school and my former schools, St Ninians primary school and Maxwelltown high school, and into their new north-west Dumfries community campus. Will the minister join me in paying tribute to the enormous contribution that those four schools have made over the past few decades to the community, in particular that of north-west Dumfries, and wish all the pupils and the staff well as they embark on life at their new campus?

Shirley-Anne Somerville: I wish the pupils and staff well in their endeavours at their new campus. The Deputy First Minister will visit the campus, which he is looking forward to.

Pupil Equity Fund (Headteacher Feedback)

6. Fulton MacGregor (Coatbridge and Chryston) (SNP): To ask the Scottish Government what feedback it has had from headteachers regarding the pupil equity fund. (S5O-02212)

The Deputy First Minister and Cabinet Secretary for Education and Skills (John Swinney): The Scottish Government regularly engages with headteachers and headteacher representatives about pupil equity funding. For example, the Association of Heads and Deputies in Scotland fed into the development of the national operational guidance that was published to support headteachers on pupil equity funding. The attainment advisers who are appointed to take forward the wider work on attainment are in regular dialogue with headteachers about the Scottish attainment challenge and pupil equity funding.

Fulton MacGregor: The cabinet secretary will be aware of the continued attempts by North Lanarkshire Council's Labour and Tory administration to raid the pupil equity fund, last year for classroom assistants and this year for swimming lessons. Does he agree that it is important that headteachers are allowed to choose how they spend the money to lower the attainment gap, rather than being pressured into giving up

some of that welcome funding to pay for services that were previously supplied as part of the overall education budgets for councils?

John Swinney: The guidance makes it clear that pupil equity funding cannot be used to replace services that were provided by local authorities in the period immediately before the one in which decisions are made. I have taken action in relation to that question on one occasion, and my officials monitor the situation carefully.

It is important that headteachers can choose how to spend pupil equity funding, and the feedback that I have had from around the education system is that headteachers welcome the opportunity that it gives them to exercise greater discretion in meeting the needs of the young people whom they are trying to support. I encourage headteachers to continue in their efforts to utilise those resources effectively to help us in our national effort to close the poverty-related attainment gap.

Liz Smith (Mid Scotland and Fife) (Con): As the cabinet secretary is well aware, there are very positive signs on pupil equity funding, and the Education and Skills Committee has received a lot of good evidence in that respect. However, it has also received evidence that there has been some confusion about whether schools can spend that money on teachers. For the avoidance of any doubt, could the cabinet secretary confirm that schools can use pupil equity funding to take on additional teachers?

John Swinney: I am very happy to confirm to Parliament that pupil equity funding can be used to take on teachers, and I encourage headteachers to take such decisions if that is appropriate. As I think I said at the most recent portfolio question time and might also have said to the Education and Skills Committee, pupil equity funding is already supporting a number of teachers—if my memory serves me right, of the 600 teachers by which the number of teachers has increased in the past 12 months, 500 have been paid for using pupil equity funding.

One issue that was raised with me by the Education and Skills Committee was the longevity of contracts. The Government has given an absolute commitment that there will be £120 million of pupil equity funding in each financial year until the end of the parliamentary session. That should enable any school to take on a member of staff for a longer period of time than just 12 months. I have heard some evidence of 12-month contracts being offered. I give a commitment that that funding will be there until the end of the session, which I hope will encourage the offering of longer-term contracts to members of staff.

Tavish Scott (Shetland Islands) (LD): I welcome that last point. However, the cabinet secretary will recognise that the allocation of PEF is based on eligibility for free school meals and that, in some areas of Scotland—rural and isolated areas, in particular—use of that mechanism can be difficult because of the stigma that is attached to eligibility for free meals. How does he plan to address that point?

John Swinney: I will respond to that in two ways. First, although the level of free school meal entitlement in an individual school might vary from year to year, which might result in a difference in pupil equity funding, I have applied some constraints to the degree of variability that can apply, because I recognise that, if schools are to make long-term commitments of the type that I encouraged them to make in my answer to Liz Smith, they need to know that the level of PEF will not vary by that much from year to year. If my memory serves me right, I think that a tolerance level of 5 per cent is applied, but if that is incorrect, I will confirm that to Mr Scott in writing.

My second point is about eligibility for free school meals, which I accept is not perfect, although it is a more finely grained measure than the Scottish index of multiple deprivation in detecting the existence of poverty. Last week, I had a discussion with the Scottish Borders Council about work that it is undertaking to look at a variety of elements of information that could provide a more finely grained measure. The Scottish Government's statisticians will engage with the Scottish Borders Council on that mechanism. I am open to alternative mechanisms; it is just that, so far, we have not been able to develop a better and more reliable mechanism, statistically speaking, than entitlement to free school meals. I accept Mr Scott's point that, in rural areas, people are sometimes reluctant to apply for free school meals because of the danger of stigma.

Iain Gray (East Lothian) (Lab): The Education and Skills Committee also heard evidence of headteachers in, I think, two local authorities using pupil equity funding to employ campus police officers. Does the education secretary feel that that is an appropriate use of the funding?

John Swinney: If a headteacher believes that the most appropriate intervention that they should make is to recruit a campus police officer, I am not in a position to question their judgment on that matter. I have one caveat, which is the point that I made in answer to Fulton MacGregor's question. It would not be possible to use the funding to employ a campus police officer if one was employed by the local authority in the previous year, because that would be replacing a service that was previously provided and funded by the local

authority. However, in principle, if a headteacher believed that recruiting a campus police officer is the right step to take, I would accept the judgment of the headteacher on that question.

Sectarianism

7. Stuart McMillan (Greenock and Inverclyde) (SNP): To ask the Scottish Government what action it is taking in schools to address sectarianism. (S5O-02213)

The Deputy First Minister and Cabinet Secretary for Education and Skills (John Swinney): Sectarianism must be challenged wherever it occurs, and the Government has delivered an unprecedented range of activities to tackle the issue across Scotland.

Since 2012, we have invested £13.5 million to support 108 organisations to deliver work to tackle sectarianism. That work has included a wide range of educational activities, including developing Scotland's first national resource on tackling sectarianism and delivering free continuing professional development training sessions through the sense over sectarianism programme to support teachers to deliver anti-sectarian education. Our investment supported the development of the Nil by Mouth champions for change school programme, and I was pleased to learn that it is now available in all 32 local authority areas.

Stuart McMillan: The cabinet secretary might know that, last week, I hosted an event that involved two schools in my constituency—St Columba's high school and Clydeview academy in Gourrock—that are working jointly on an anti-sectarian project with Nil by Mouth. Does the cabinet secretary consider that the existing collaborative projects could be worked on? Has he also given any consideration to making similar projects mandatory when it is considered that local communities could benefit?

John Swinney: In relation to the event to which Stuart McMillan referred, two pupils from St Columba's high school delivered time for reflection yesterday, and it was a pleasure to see such fine young people contributing to our parliamentary proceedings.

Nil by Mouth has taken forward very welcome initiatives. As I said in my previous answer, I am very pleased that all 32 local authorities are now taking forward work with Nil by Mouth, and it is appropriate for that work to be deployed in all parts of the country.

Whether such projects should be mandatory is a different question. It is up to individual schools to decide what steps they should take to tackle sectarianism. The issue will be of greater or lesser significance in different parts of the country. What

is important is that we make available to schools the materials and the approaches to tackle sectarianism.

Prejudice-based Bullying

8. Christina McKelvie (Hamilton, Larkhall and Stonehouse) (SNP): To ask the Scottish Government whether it will provide an update on its progress in eliminating prejudice-based bullying in schools. (S5O-02214)

The Deputy First Minister and Cabinet Secretary for Education and Skills (John Swinney): On 28 May, the Scottish Government published supplementary guidance for schools and local authorities on the recording and monitoring of bullying incidents in schools. The purpose of that guidance is to develop a consistent and uniform approach to recording and monitoring. To complement the guidance, we are working with SEEMIS—the schools' information management system—to update the current bullying and equalities module to enable improved recording and monitoring of prejudice-based bullying in schools.

Christina McKelvie: I welcome all the advances that have been made through the work that the Government has undertaken. Last week, the cabinet secretary visited St John Ogilvie high school, in my constituency, to see the pupil-led work that has led to the establishment and implementation of its new school anti-bullying policy. Does the cabinet secretary agree that pupil-led peer education is to be encouraged and that headteacher leadership can make the difference in ensuring a whole-school approach to ending prejudice-based bullying in schools? Will he also commend the work of St John Ogilvie high school's headteacher, Eddie Morrison, and wish him well for his well-earned retirement?

John Swinney: I had the pleasure of passing on my good wishes to Mr Morrison when I visited St John Ogilvie high school last Wednesday. I took a great deal of heart from witnessing young people leading the process of formulating the school's anti-bullying policy. A very engaged and sometimes very forthright conversation involving a lot of pupils was going on, and it was well shepherded and steered by senior pupils in the school. That is a very good example of pupil engagement and the expression of the pupil voice, which lies at the heart of curriculum for excellence. I saw similar work the week before, at Holy Cross high school in Hamilton. That demonstrated a similar approach to engaging young people in the formulation of effective anti-bullying policies.

Early Learning and Childcare (Expansion)

9. Daniel Johnson (Edinburgh Southern) (Lab): To ask the Scottish Government what

progress it is making in delivering the expansion of early learning and childcare. (S5O-02215)

The Minister for Childcare and Early Years (Maree Todd): The Scottish Government is on track to deliver our ambitious programme to almost double funded early learning and childcare entitlement to 1,140 hours by August 2020. We are committed to fully funding the expansion, and we reached a landmark agreement with Convention of Scottish Local Authorities leaders on 27 April on a multiyear revenue and capital package. That agreement means that annual revenue investment will increase by £567 million from 2016-17 levels by 2021-22 and that £467 million of capital funding will be provided over four years.

That real partnership working is further evidenced by our joint consultation with COSLA, which was launched on 29 March and which sets out the details of the national standard that will underpin the new funding-follows-the-child model, which will be introduced in 2020. That consultation is open until the end of this month.

We are also working with our partners to support the expansion of the early years workforce. In October 2017, we launched the first phase of our recruitment marketing campaign, which was targeted at school leavers. The second phase, which is to attract career changers and parental returners to ELC, was launched last month.

Daniel Johnson: The minister will, no doubt, be aware of the recent National Day Nurseries Association survey in which four out of five independent and voluntary sector nurseries said that the amount of money that they receive for the current funded places—£3.72 an hour per child—is too low. They said that they are £2 an hour per child short, which is no surprise if we consider the living wage and staff ratios. Does the minister recognise that figure? If so, how will she tackle the situation? I fear that, if she does not do so, the 1,140 hours target will not be met or real damage will be done to the small and independently managed nurseries that are important to that provision.

Maree Todd: We will introduce the new funding-follows-the-child model in 2020. A key aspect of that model is that all providers that deliver the funded early learning and childcare entitlement will receive a sustainable funding rate that is set at the local level, that reflects the cost of delivering in a setting and that allows the delivery of national priorities including the payment of a real living wage.

As I said yesterday, we have introduced a new 100 per cent rate relief for private properties that are wholly or mainly used as day nurseries, and

the sector has really welcomed that. It is estimated that that relief will remove the burden of rates from up to 500 businesses to support an inclusive workforce and benefit the economy as a whole.

We have engaged with, and we continue to engage with, providers on the development of that incredible expansion. Indeed, we have engaged with them multiple times. At the ELC strategic forum yesterday, I received a commitment from my COSLA colleagues, whom we have worked with in close partnership. We and COSLA colleagues have committed to tackling any difficulties that people encounter with individual local authorities. We have a really solid working agreement, a really solid partnership, a shared vision and a shared commitment, and we are willing to help the sector to solve any problems that it might face. It is absolutely essential to our delivery of the programme that those nurseries and childminders receive the payment that they require.

Joan McAlpine (South Scotland) (SNP): What impact does the minister expect the deposit guarantee trial to have on Dumfries and Galloway? How will the Government evaluate that trial?

Maree Todd: The deposit guarantee pilot will guarantee the deposit of participating families in Edinburgh, Glasgow and Dumfries and Galloway. That means that up to 44 per cent of families with children under three will not have to pay a deposit up front.

Our recent survey found that families can experience difficulties in paying the up-front costs associated with nurseries, including deposits, and some nurseries have told us that the deposit guarantee scheme will help them to change their pricing model. If nurseries are able to use the deposit guarantee, they will no longer have to charge fees in advance, which families can struggle to pay and which can be a barrier to people returning to the labour market. The nurseries have said that they will be able to charge fees in arrears, which means that families will have received their first pay cheque before they have to pay their childcare costs.

We are working with NHS Health Scotland to ensure that the pilot is fully evaluated, and that will include understanding exactly how families and providers use the scheme and the impact that it has had.

The Deputy Presiding Officer: Thank you. If we have shorter answers and short supplementary questions, we will perhaps get a move on.

“The Right to Recover”

10. **Kezia Dugdale (Lothian) (Lab):** To ask the Scottish Government what its response is to the

findings of the report by the National Society for the Prevention of Cruelty to Children in Scotland, "The Right to Recover". (S5O-02216)

The Minister for Childcare and Early Years (Maree Todd): Child-centred and trauma-informed healthcare is at the heart of the current paediatric services that are provided to children in Scotland who experience sexual assault. The Scottish Government's child protection improvement programme is undertaking work to ensure that effective protection is in place for all children who are at risk from abuse and neglect. We have established a task force for improving services for adults and children who have experienced rape and sexual assault, which is led by the chief medical officer for Scotland. In addition, we have established an expert group for preventing sexual offending involving children and young people in order to identify actions to better prevent sexual crime involving children and young people.

In May last year, the Scottish Government and NHS Education for Scotland published a national trauma skills and knowledge framework to support strategic planning and delivery of training for those who have contact with people who have been affected by trauma across all parts of the Scottish workforce.

Kezia Dugdale: The report says clearly that there is a lack of services for children following sexual abuse in most local authorities across Scotland and that, where services exist, they are patchy, inadequate and unable to meet demand. What exactly is the minister doing to ensure that the resources that she has match the rhetoric that she has just used?

Maree Todd: Getting it right for child victims is a priority in our on-going reform of our justice system. I assure the member that we are working across portfolios with our health and justice colleagues. We have made significant progress in recent months in improving the support for child victims. I know, from my constituency, that the issue has been raised of the distances that people have to travel from Orkney and Shetland, but there have been great strides forward in improving that. The Vulnerable Witnesses (Criminal Evidence) (Scotland) Bill has just been introduced in the Scottish Parliament and will deliver on the commitment that we made in the programme for government. The bill will create, among other things, a new rule that children who are due to give evidence in the most serious solemn cases should have their evidence pre-recorded in advance of the trial. That is an important step towards achieving the Scottish Government's vision that, where possible, child witnesses should not have to give evidence at trial.

Colleges (Private Finance Initiative)

11. **Kenneth Gibson (Cunninghame North) (SNP):** To ask the Scottish Government which Scottish colleges carry a private finance initiative burden and what it is doing to alleviate that. (S5O-02217)

The Minister for Further Education, Higher Education and Science (Shirley-Anne Somerville): The Kilwinning campus of Ayrshire college is the only Scottish college with a PFI arrangement in place. The PFI contract obligations of around £2.2 million per year for the campus at Kilwinning will continue until 2025.

Kenneth Gibson: The previous Labour-Liberal Democrat Administration saddled the then James Watt college with a £50 million PFI burden following a £7 million investment in Kilwinning, which Ayrshire college subsequently inherited following regionalisation. Does the minister agree that it is unfair that, uniquely among Scottish colleges, Ayrshire college must make annual PFI payments of £2.18 million and that such a burden makes it increasingly difficult for the college to continue delivering outstanding outcomes for students, many of whom are from challenging backgrounds?

Shirley-Anne Somerville: I commend Ayrshire college for the outstanding outcomes that it has achieved for its students. I had the pleasure of attending an event on Monday evening in Ayrshire college to encourage women to go into science, technology, engineering and mathematics careers. I thank Ayrshire college for the hospitality that night.

The Deputy First Minister has written to the college to confirm the proceeds from the college disposing of its former Kilmarnock campus, with expected net proceeds of around £1.2 million to be retained by the college to be used towards the PFI costs on a one-year basis only. The Scottish Further and Higher Education Funding Council will continue to work closely with the college to ensure that it takes appropriate steps to ensure that it has a financially stable position going forward.

Sexual Harassment

12. **Linda Fabiani (East Kilbride) (SNP):** To ask the Scottish Government what its position is on the young women lead report on sexual harassment in schools. (S5O-02218)

The Deputy First Minister and Cabinet Secretary for Education and Skills (John Swinney): We want every child and young person in Scotland to develop mutually respectful, responsible and confident relationships. No pupil should feel unsafe, threatened or harassed at school. That is why we welcome the work of the young women lead committee in investigating and

highlighting the unacceptable issues that many young people are facing.

Linda Fabiani: I thank the Scottish Government for the positive way that it engaged in the project. Will the cabinet secretary look very carefully at the findings in the report of the young women lead committee, some of which are shocking? Does he recognise that we still have a big issue with sexual harassment in schools, which has been exacerbated by the use of social media? Will he respond in full to the report?

John Swinney: I acknowledge the significance and seriousness of the issues that Linda Fabiani raises and I recognise that they need to be pursued consistently. There are a number of areas where our policy is developing, particularly around the importance of healthy relationships, the question of consent and ensuring that the personal and social education in schools is fit for the current period in which we are living, not to mention the advent of social media. All of those issues are relevant to the agenda that is raised so powerfully by the young women lead committee. I assure Linda Fabiani and the committee that the Government will engage seriously on the contents of its report.

School Meals

13. **Brian Whittle (South Scotland) (Con):** To ask the Scottish Government what it is doing to ensure that school meals are of the highest quality and that the uptake of these is maximised. (S5O-02219)

The Deputy First Minister and Cabinet Secretary for Education and Skills (John Swinney): School meals are healthier and more popular than they have ever been. We are now seeing uptake of more than 50 million school meals each year. Last week, I launched a consultation on recommendations to further improve the school food regulations, at the new Broomlands primary school in Kelso. That is an excellent example of a school that is working to promote healthy eating habits in pupils.

Brian Whittle: Of course, the recent report would argue that school meals are not of the highest quality. Can I help the cabinet secretary in relation to his consultation? What we are looking to do here is to procure food locally, prepare it on site and allow pupils input to the menu to apply their learning. When will we stop having consultations on consultations and actually implement the obvious? Looking at the children eating—

The Deputy Presiding Officer: I must have brief questions so that I can let other members in. Thank you.

John Swinney: First, the Government has had regulations about school meals and their nutritional standards in place since 2008. There is a statutory footing to the guidance, so we expect it to be followed in individual circumstances.

Secondly, it is desirable for food to be prepared on site. In the example that I cited, the food was being prepared at Broomlands primary school that day by members of staff and presented very positively to young people.

Thirdly, the consultation that I have just launched is not about fundamentally reviewing the standards, because they are judged by the group that has just undertaken the technical work on my behalf to be of the highest level. They are applying some further changes in relation to the reduction of sugar intake and ensuring that there is a greater presence of fruit and vegetables within the menus that are available to young people.

Finally, on Mr Whittle's point about the engagement and involvement of young people, I would heartily encourage that. It is one of the many ways in which young people must have their voices heard in our education system. Any school, I think, will be serving its pupils very well by engaging them in discussions about the quality of school meals and their aspirations for the type of food that they want to consume.

University Access

14. **James Kelly (Glasgow) (Lab):** To ask the Scottish Government what its position is on the number of students from disadvantaged backgrounds going to university. (S5O-02220)

The Minister for Further Education, Higher Education and Science (Shirley-Anne Somerville): We are committed to ensuring that all our young people, no matter their background, have an equal chance of going to university. Our target is for 20 per cent of students who enter university to be from Scotland's 20 per cent most deprived backgrounds by 2030. The 2017 Universities and Colleges Admissions Service statistics on entrants demonstrate that we are making good progress towards that goal, with a 13 per cent increase in the number of Scots from the most deprived communities who are getting places to study at Scottish universities. That means 605 additional people from the most deprived communities being accepted to study.

Through the access delivery group, we will continue to work with universities to push forward our fair access agenda.

The Deputy Presiding Officer: The supplementary must be brief.

James Kelly: Despite the Government's rhetoric, recent UCAS stats show that the

percentage of applicants who are from disadvantaged backgrounds is declining, whereas the percentage from advantaged backgrounds is increasing. What action is the Government taking to reverse that worrying trend and give pupils from all areas of Scotland equal access to university?

Shirley-Anne Somerville: As I said in my original answer, the latest stats from UCAS demonstrate progress on the widening access agenda. The Scottish Further and Higher Education Funding Council's report on widening access produced baseline figures for 2016-17 that refer to university applications before the report of the commission on widening access was implemented. The Government is carrying out that report's recommendations and we expect further progress in future years.

The Deputy Presiding Officer: We started late, so I will take question 15 briefly.

Co-ordinated Support Plans

15. **Ross Greer (West Scotland) (Green):** To ask the Scottish Government what action it is taking to address the reported low uptake of co-ordinated support plans among pupils with additional needs. (S5O-02221)

The Deputy First Minister and Cabinet Secretary for Education and Skills (John Swinney): Under the Education (Additional Support for Learning) (Scotland) Act 2004, education authorities have a statutory duty to consider whether children or young people for whom they are responsible require a co-ordinated support plan. The CSP's purpose is to enable support to be planned in a co-ordinated way to meet the needs of pupils who have complex or multiple needs that require significant support from the education authority and any other agency. To support authorities in those considerations, we published in December 2017 the revised code of practice on supporting learners, which includes guidance for authorities on meeting their duties under the 2004 act in relation to CSPs.

The Deputy Presiding Officer: The supplementary question and answer must be short, please.

Ross Greer: Does the cabinet secretary accept that there is a direct link between the loss of hundreds of specialist additional support needs teachers and the exceptionally low uptake of co-ordinated support plans for young people who have additional support needs?

John Swinney: I do not accept such a relationship, because local authorities have a statutory duty to ensure that any child whose needs require a co-ordinated support plan receives such a plan. The two processes are entirely separate. Local authorities have a

statutory duty and obligation to fulfil what is expected of them under the 2004 act, and members of the public and young people and their families have a right to expect that of local authorities.

The Deputy Presiding Officer: I apologise to the five members I could not call. I will move straight on so that we lose no time.

Mental Health

The Deputy Presiding Officer (Christine Grahame): The next item of business is a debate on motion S5M-12706, in the name of Alex Cole-Hamilton, on health.

14:42

Alex Cole-Hamilton (Edinburgh Western) (LD): It is a great privilege to lead the debate for my party and to move the motion. In her first speech in the chamber after the 2016 election, the First Minister graciously credited my party when she announced the creation of a ministry for mental health and the post of Minister for Mental Health. We had fought for that for many years and we were gratified when it was made real.

However, after two years, the sense of common purpose that we shared on that day has all but evaporated. We can no longer find consensus with a Government that consistently lets us down so much on an issue of such importance.

We live in a Scotland in which less than half of new mothers are served by adequate perinatal mental health services, in which waiting times for child and adolescent mental health services are the worst on record and perform worse every month, and in which 1,000 adults have waited a year or more for access to a talking therapist. Against a steady decline in recent years in the implementation of the choose life suicide prevention strategy, we saw last year the terrible statistic that showed the first rise—an increase of 8 per cent—in the number of Scots who take their own lives.

The Government's response has been an additional £30 million in the previous budget, and more money has been announced today, but that will not even cover the 800 link workers whom the Government has agreed to deploy. Two strategies have been monstrously delayed and roundly criticised by the sectors that will implement them.

I am not here to make enemies, and I like to think that I treat everybody in this chamber with respect. However, against such a powerful index of failure I am compelled to ask the Minister for Mental Health exactly what she does all day. The eyes of the most vulnerable people in this country are fixed on the Scottish Government for answers, solutions and care—and they have been left wanting.

We celebrated the creation of this ministry: it was a staging post and the first part of a much bigger vision of a comprehensive, gold-plated, copper-bottomed service that would look after people who are mentally unwell from infancy until the end of life. However, we see deficiencies in

policy and provision at every level and at every single stage in that process.

As I said at the start, in Scotland there is a likelihood of less than half that a new mum with anxiety or depression as a result of her pregnancy will be seen by adequate perinatal mental health services. There is no standardised training of general practitioners, midwives or health visitors. The chances are that we do not even know about a child with any kind of trauma as a result of an adverse childhood experience, because we are not capturing that information. I thought that it was very telling that, in giving evidence to the Health and Sport Committee about his review of national health service targets and indicators, the former chief medical officer for Scotland Sir Harry Burns said that the one thing that we should be measuring—and are not—is young people who have experienced ACEs. Similarly, a young person identified as having anxiety, depression or self-harming behaviour can wait for up to two years for first-line treatment. If they need admission for tier 4 crisis bed support, there is every chance that they will be turned away because there are insufficient staff there to tend them.

Neil Findlay (Lothian) (Lab): Last week, during carers week, I met a group of young carers, to speak about their lives. Ten out of 14 of them told me that they had had to be referred to CAMHS. Most had had to wait for an extraordinary length of time, and some of their cases had been the result of self-harm. The only advice that had been given to some had been for them to visit a website, which is clearly not sufficient.

The Deputy Presiding Officer: I will give you a little time back, Mr Cole-Hamilton.

Alex Cole-Hamilton: Thank you, Presiding Officer.

I agree with Neil Findlay absolutely, and I think that what he said underscores the group who are most vulnerable, who are already delivering a service and whose love of the people around them—and for whom they care—we exploit. We should look after them in their time of need.

So bad are CAMHS that, in evidence to the Health and Sport Committee, the chief accountable officer of North Lanarkshire health and social care partnership, Janice Hewitt, said that referrals to such services

“have risen in tier 3 and severe by 23 per cent”.

She also said:

“There is something not right; there is something that we are not doing right with families or children.”—[*Official Report, Health and Sport Committee, 22 May 2018; c 37.*]

That was a red warning flag that we should all heed. Put simply, if someone's daughter fell off her

bike and broke her arm, we could reasonably expect her to be in plaster by the end of the day. However, if she came to her parent with anxiety, depression or even self-harming behaviour, we could expect her to join the longest queue in our NHS. It is simply not good enough.

Things do not get better when people transit to adult services. Those, too, are characterised by long waits and fractured continuity of care. Many of us on the Health and Sport Committee have heard compelling stories of families who have been bereaved by suicide. One person talked about their loved one, who, in the last five months of his life, had had appointments with no less than five psychiatrists. We would not expect a cancer patient to have to see five different cancer surgeons. Every time, he had to start at the beginning, retell his story and potentially retraumatise himself over that. There is no support for families in how to look after somebody who is experiencing a suicidal tendency. There is also no provision for non-English-speaking citizens or people from other countries for whom English is not their first language.

There is also precious little training of police. The subject is only optional at Tulliallan. We need to make it mandatory because it is often the police who form the all-important first response.

I should also say that my position is not a reflection of how I view our hard-working healthcare staff, who are absolute champions of the health service and deserve our respect. They only want for training, capacity and adequate resources.

The sharpest end of this agenda should cause us all great concern: an 8 per cent increase last year in Scots taking their own lives, against a marked period of decline. Yesterday, at the Health and Sport Committee, Toni Giugliano from the Mental Health Foundation said:

“There is no longer strong ministerial guidance to local authorities on directing money towards suicide prevention.”—[*Official Report, Health and Sport Committee*, 12 June 2018; c 4.]

I whole-heartedly agree with that, and I hope that the Government will listen to his message.

We have come a long way in this country in getting people to finally talk about mental health and to come forward, but we do them profound harm if, once we have brought them out of the shadows and got them to recognise the problems that they are experiencing, there is a void of services to offer them. That is an unconscionable cruelty.

I say: enough. Today I am asking the Parliament to take this department under special measures and ask it to bring forward plans for how it will turn the situation around.

The mental health strategy was 500 days late and it was panned by stakeholders. We often hear the First Minister say that that delay was caused by the Health and Sport Committee, but let us be clear that only three weeks of the 68-week delay to the strategy was caused by the Health and Sport Committee, and I will not hear anybody say otherwise in this debate.

We are still waiting for the suicide strategy; it is more than 500 days late. In those 500 days, 1,000 fellow Scots have perished at their own hand. It is a human tragedy—

Clare Haughey (Rutherglen) (SNP): Will the member give way?

Alex Cole-Hamilton: I will not; I am just coming to the end of my remarks.

It is a human tragedy that is visited on the north shore of my constituency every single week. My party can no longer excuse the deficiencies in the Government or its minister. The minister should do her job or make way for somebody who will do it.

I move,

That the Parliament believes that there is currently a mental health crisis in Scotland; deeply regrets that, in the two years since the appointment of the first dedicated mental health minister, published measures of services have shown a serious and sustained decline, including worsening waits for children, adolescents and adults requiring treatment; recognises that there is still no new suicide strategy, despite it being over 500 days since the last one expired, and that the mental health strategy that will set the tone for services for a decade was published 15 months late and was widely criticised for its lack of ambition; considers that hard-working staff do not have the resources and support that they require to deliver the service that they would wish, and demands that the Scottish Government publish plans detailing how it will improve performance against key targets and that the next Programme for Government delivers a step change in both ambition for and investment in mental health.

The Deputy Presiding Officer: I now call the minister, Maureen Watt. You have six minutes, minister.

14:51

The Minister for Mental Health (Maureen Watt): Thank you, Presiding Officer. Six minutes is a rather short time to address these important issues, but I will do my best.

As stigma around mental health has lifted, we have witnessed a fantastic change in our society. More and more people are comfortable talking about their own mental health and coming forward for help when they need it. As a result, it is right that our expectations on services for mental health care should also change. Our mental health strategy sets out a vision of a Scotland where people can get the right help at the right time, expect recovery, and fully enjoy their rights, free

from discrimination and stigma. Achieving that vision is not an easy task, but it is one to which I believe that everyone in the chamber is committed.

On child and adolescent mental health services, I am clear that performance on new referrals is simply not good enough. I have met, and continue to meet, the chairs and chief executives of NHS boards on the issue. I have made clear to them my expectation for them to produce new plans on how they will take forward their services to best meet the needs of their patients.

We are entering a period during which services are being redesigned to meet the changing demand of young people and children coming forward. We have put young people at the heart of some of the key upcoming reports that will help to shape that. Last year, I commissioned an audit of rejected referrals by the Scottish Association for Mental Health, to provide us with recommendations on how we can reshape services to ensure that those who need our care can receive it. It will be published later this month.

We have invested £95,000 in a youth commission on mental health, led by Young Scot and SAMH, which will also set out recommendations on mental health services. To improve care planning for children and young people, we are working with the Scottish Youth Parliament, examining provision for those transitioning, including from CAMHS to adult mental health services. That work will also conclude shortly.

We are also working to reshape provision on adult services. In primary care, we are investing in multidisciplinary teams. Each integration authority is developing a primary care improvement plan, which must include meeting the needs of people with mental health issues. All four test sites for distress brief intervention are under way, with early indications of positive outcomes. That is a world-leading innovation, which is attracting international interest.

Our mental health and incapacity legislation is based on rights and principles. The review of how the Mental Health (Care and Treatment) (Scotland) Act 2003 works for those who have learning disability and autism is under way, and we have consulted on proposals for reform of our incapacity legislation.

A further piece of work that will conclude soon is the development of our new suicide prevention plan. It will be published before recess and it will build on our current investment in prevention of more than £2 million a year.

The loss of anyone to suicide is a tragedy. It represents not only the pain and distress that has led to someone taking their own life but the pain

and the loss of their loved ones. As a result, I believe that it is impossible to be too ambitious on aiming to prevent suicide. The new plan will signal a step change in our approach to suicide prevention.

I would like to put on record my thanks to stakeholders such as the Samaritans—I note that the tone of the Samaritans' briefing is in stark contrast to that of Alex Cole-Hamilton—Penumbra, the Mental Health Foundation, the Mental Health Alliance and many others for their help in improving the prevention plan in recent months.

In a recent amendment, we outlined that the prevention plan would include the development of a new national leadership group. That group will help to drive improvement, and we are creating a new suicide prevention innovation fund of an additional £3 million over the next three years to assist in that work.

Of course, I expect to be held to account for delivery of the change to mental health services. The Scottish Government will publish plans detailing how it will improve performance against key targets. I will be reporting on progress on the mental health strategy in the annual report to Parliament in the autumn.

Jenny Marra (North East Scotland) (Lab): Will the member take an intervention?

Maureen Watt: I am in my last minute.

The next programme for government will deliver a further step change in both ambition for and investment in mental health.

I move amendment S5M-12706.4, to leave out from “is currently a mental health crisis” to “demands” and insert:

“has been a welcome shift in attitudes to mental health in recent years; commends the work of NHS staff in supporting mental health and wellbeing care across acute, community and primary settings; notes that, following the publication of the mental health strategy, Young Scot is leading a commission on child and adolescent mental health services, and that SAMH will soon publish its report and recommendations on rejected referrals; supports a vision of mental health care where people can get the right help at the right time, expect recovery, and fully enjoy their rights, free from discrimination; believes that this will be aided by improving the scope of available information on the usage of services beyond the currently published performance against new referrals; notes that a new suicide prevention plan is being developed in partnership with stakeholders, which will build on the current spending of over £2 million a year on suicide prevention; welcomes the ambition to support the step change, which will be supported by the application, by the national leadership group, of a new prevention innovation fund of an additional £3 million over the next three years; considers that NHS boards should set out detailed plans for taking forward new models of support and services to improve performance, including through partnership with the third sector, and asks”.

14:56

Annie Wells (Glasgow) (Con): I thank the Liberal Democrats for bringing this extremely important topic to the chamber today.

Last week's figures for mental health waiting times showed without doubt that, when it comes to mental health, Scotland is falling behind. As much as I welcome the announcement of the investment of £3 million over the next three years, I am disappointed to see the Scottish Government attempt to override a motion that rightly highlights what has been, at best, a patchy record on mental health. Attitudes to mental health have improved in recent years, which I whole-heartedly welcome, but we have a mental health crisis, and there is no reason to wash over it—we are where we are.

To put the debate into context, one in three people presenting to a general practitioner has a mental health problem, and about one in 12 people in Scotland use antidepressants every day. We urgently need ambition and a step change.

It is evident from last week's figures that we are waiting too long before assisting people with mental health problems. Nearly 30 per cent of children and more than 20 per cent of adults are not being seen for mental health treatment within the 18-week target that has been set by the Scottish Government. That is why, as highlighted in my amendment, it is important that we refocus our efforts on early intervention and prevention by supporting people in front-line services.

With regard to children and young people, there is a vital opportunity to provide support for teachers who are struggling to cope with the demands of what has become a generational epidemic. Some 10 per cent of children aged between five and 16 have a clinically diagnosable mental health problem and 75 per cent of mental health conditions have onset before the age of 24. A SAMH survey showed that more than two thirds of teachers do not feel that they have received sufficient training in mental health to allow them to carry out their role properly and that only a third of school staff say that their school has an effective way of responding to pupils experiencing mental health problems. We must recognise the incredibly important role that teachers play in the lives of young people and support them in navigating the web of where to signpost pupils. That is why I am calling for a commitment from the Scottish Government to a national roll-out of teacher training as well as improved counselling services—something that the First Minister was not able to guarantee when I asked her about it last month.

As well as alleviating the pressure on teachers, we need to look at the health service provision for mental health. As I have mentioned before, social

prescribing is absolutely key to promoting more intermediate forms of treatment and easing the pressure on CAMHS and psychological therapy services. We know that there have been 18,000 rejected referrals to CAMHS in Scotland over the past three years. That is why I am also calling on the Scottish Government to commit to the provision of specialist mental health support in every GP practice and hub and to concentrate on the faster recruitment of key mental health link workers. I also want mental health support to be provided in every accident and emergency department on a 24/7 basis.

Broadly speaking, the strategy has been widely criticised for its lack of ambition, and much of what we have seen in the past year has been a Government playing catch-up. Nowhere have we seen that more than with the suicide prevention plan, a strategy that expired two years ago, during which time we have seen suicide numbers rise.

I appreciate that a new plan will be published shortly, along with extra funding, but the process of reaching this point has been arduous, to say the least. Only this weekend we saw another third sector organisation, the Mental Health Foundation Scotland, express concerns about what it saw as lost impetus at both national and local level.

I thank the Lib Dems again for using their business time to highlight the urgent challenges that we face in tackling mental health issues right across Scotland. Many of the statistics raised across the chamber today will show why we cannot bury our heads in the sand over mental health. The appointment of a dedicated mental health minister in the Scottish Government two years ago was welcome, but we have arguably gone backwards since then in relation to assisting those who most require our support. It is time for us to be bolder and more ambitious in our mental health strategy and to ensure that no patient is left behind when they require treatment and support.

I move amendment S5M-12706.1, to insert after “requiring treatment”:

“; calls on the Scottish Government to refocus on prevention and early intervention through improved front-line support, including the roll-out of national mental health teacher-training, improved secondary school counselling provision and the placement of specialist mental health support in every GP practice and hub”.

15:00

Anas Sarwar (Glasgow) (Lab): I thank the Liberal Democrats for bringing this timely and important debate to the chamber. I say right at the outset that we will be supporting their motion today. We will also be supporting Annie Wells's amendment, but sadly we will be voting against the Government's amendment, because although we welcome much of what is in it, it is a

complacent amendment that fails to recognise the Government's failures and fails to provide a coherent, long-term strategy to get to grips with the long-term impact of mental health services.

The debate comes just a few weeks after we debated the appalling situation with mental health services in Tayside, so perhaps the minister can give us an update on the progress with that. Do we yet have terms of reference and the appointment of an independent chair who has the confidence of the families? Perhaps she can address that in her closing remarks.

The debate also comes hot on the heels of some of the most appalling, distressing, shocking and shameful statistics on the time that mental health patients have to wait to get treatment under this Government, under the Cabinet Secretary for Health and Sport, and under the Minister for Mental Health. More than 1,000 children are waiting longer than they should. Thousands of children have been rejected after being referred for help by their GP. Thousands of adults are waiting longer than the expected standard.

Although I welcome the fact that we have a Minister for Mental Health, that alone is not good enough. It is not good enough to have the symbolism of a minister. It is delivery that matters. It is the workforce that matters. It is services that matter. Most important of all, it is patients that matter.

However, in Scotland today, under the current Government, the number of children with recorded mental health problems in schools more than doubled between 2012 and 2016. In CAMHS, 1,147 young people waited longer than they should have for treatment in the first three months of 2018 alone. That is an increase of 60 per cent on the same period last year. A 60 per cent increase in one year is not a record of improvement; it is a shameful record.

Tom Arthur (Renfrewshire South) (SNP): Mr Sarwar referred to CAMHS waiting times and workforce. As he will be aware, staffing for CAMHS has increased by 69 per cent since 2007. Clearly he thinks that that is inadequate. Can he say by which percentage he believes that it should have increased since 2007?

Anas Sarwar: Consultant vacancy numbers are going up, not down. There has been a failure to plan adequately for the workforce, which is why we have had to launch our own workforce commission. We have seen a cut in the number of educational psychologist places under the current Government over the past four years, not an increase. We should have some more reality in this debate.

Last March, the Scottish Government promised an audit of cases where children who had been

referred to child mental health services had been rejected and of why. Since we were promised that audit, more than 5,000 cases have been rejected. That is 5,000 young people. The First Minister told the chamber, and the minister repeated it today, that the audit report would be published by 30 June. Can the minister therefore give a commitment to the chamber today that that audit report will be published before Parliament goes into recess and that its publication will be accompanied by a ministerial statement in this Parliament?

On psychological services for adults, the number of patients waiting too long for help is also on the rise. In the first three months of 2018, almost 3,400 adults waited longer than the Government's own target for treatment—400 more than last year. Again, progress is going backwards, not forwards. Real people are in need of help and are not getting it, sometimes with devastating consequences.

That is why we need a genuinely transformational approach. We need to ring fence mental health budgets to make sure that they go to the front line. We need to listen to the concerns of senior doctors and have a mental health counsellor in every school across the country. We need to go further by restoring the bursary for educational psychologists and we need to see the number of educational psychology training places, which have been cut over the past four years, going up.

Crisis mental health services are also in need of urgent support. Some patients cannot wait for days or weeks to see a GP, or wait for weeks or months to see a psychologist. For some people, that time difference is literally a matter of life or death. That is why we need a fundamental rethink of mental health services. Our patients and staff deserve better.

We must recognise that the challenges with mental health services go beyond NHS Tayside. The review in Tayside, therefore, has a national significance, so perhaps the time has come for a nationwide review—perhaps a commission—to look at service provision, funding, models of care, community support, access to crisis services and patient involvement. Let us be clear: a review, strategy or ministerial title, which is always so popular for this Government, cannot be a fig leaf for its failures and an excuse for it not to act. I urge Parliament to send a message to the Government today that the time to act is now.

I move amendment S5M-12706.2, to insert at end:

“; notes the results of the Scottish Social Attitudes Survey, which suggest that at least half of people in Scotland feel that poorer health is a result of an 'unjust society' and believes that inequality and poverty have a

significant impact on mental health; believes that societal and economic reforms are needed to reduce many drivers of poor mental health; further believes that early intervention is vital if the country is to see a generational shift and that, as part of that, there should be access to a mental health counsellor in every school, and recognises that suicide prevention strategies should be implemented at a local level, with funding ring-fenced, and that any new framework on suicide prevention should have sufficient resources, workforce, governance and leadership.”

15:06

Alison Johnstone (Lothian) (Green): I am pleased that one of the amendments that have been selected for debate today—the Labour amendment—acknowledges that the prevalence of mental health problems is linked strongly to disadvantage and inequality. I agree that there is now a mental health crisis in Scotland, and that if we want to tackle it in the long term, we must make sure that people have the social and financial security that they need.

Yesterday, the Health and Sport Committee heard from the Mental Health Foundation Scotland that

“the austerity agenda and welfare reform have had a huge impact on people’s mental health, particularly around employment”

and that we need to look at

“in-work poverty and job security”.—[*Official Report, Health and Sport Committee*, 12 June 2018; c 14.]

That is why my amendment, which was not selected for debate, called on the Scottish Government to improve support for mental health in primary care. We know that the erosion of social security support has placed increasing pressures on people’s health, and on general practices.

Access to primary care in Scotland remains inequitable and, as I have stressed many times during debates on health, general practitioners in the most deprived areas typically have longer patient lists and see many more patients with mental health problems. Supporting GPs in areas of high deprivation is absolutely fundamental to supporting mental health and tackling health inequalities.

The Government has committed to putting 800 additional mental health workers in place, but progress is slow and we still lack clarity on how many staff will be based in primary care settings and what degree of specialty they will have. We know that there are real issues with access to talking therapies. I agree that there should be access to specialist support in every GP practice, hub or cluster and that as well as prioritising early intervention, we need urgent improvement to support people who experience mental health crises. At the moment, that support—especially out of hours—is just not good enough. We heard

from Samaritans in Scotland yesterday that many people would not know where to turn if someone close to them was in crisis.

The Scottish Association for Mental Health has pointed out that there is now a crisis care concordat in England, which aims to ensure that there is 24/7 provision of crisis support. We need to know that the specialist mental health staff are liaising effectively with accident and emergency departments and the emergency services. There is good practice in many areas, but there are real concerns. As James Jopling from Samaritans in Scotland said yesterday,

“There is no line of sight from the minister to what is happening locally.”—[*Official Report, Health and Sport Committee*, 12 June 2018; c 25.]

and in its written submission, Samaritans said,

“There is no longer an effective structure of suicide prevention leadership or delivery in Scotland.”

I have repeatedly raised the lack of leadership on self-harm, too, and the mental health strategy did not set out any action on reducing it. The Government said that it would be part of the suicide prevention action plan, but it was not a priority in that consultation either. We cannot allow people who have self-harmed or who are at risk of self-harming to fall through the gaps in the strategies.

The Scottish Young Greens are campaigning for every pupil to be given high-quality mental health education, and my colleague Ross Greer has made review of personal and social education in schools a priority. It is fundamentally important that young people also have good access to counselling; the Labour and Conservative amendments both reflect that. The Government, however, has cut the bursary for people who wish to study educational psychology. I ask that it review and reverse that decision.

We cannot look away from the fact that children and young people from the most disadvantaged areas are three times more likely to develop mental health problems than are their peers from more affluent areas. A truly preventative approach to mental health has to tackle that inequality at its root.

I welcome the fact that we are debating such an important issue this afternoon, and I will be pleased to support the Liberal Democrat motion and the Conservative amendment. I will also support the Labour amendment—although I point out that I am concerned about ring fencing.

Janice Hewitt from North Lanarkshire health and social care partnership told the committee:

“one thing that we ask is that partnerships are trusted to invest where they think that the greatest need is”.—[*Official Report, Health and Sport Committee*, 22 May 2018; c 8.]

She went on to say—

The Deputy Presiding Officer: No. I am sorry, but you must conclude. You have made your point.

Alison Johnstone: Thank you.

The Deputy Presiding Officer: It is now the open debate. I am afraid that speakers have a strict four minutes.

15:10

Liam McArthur (Orkney Islands) (LD): Scottish Liberal Democrats have, over the years, consistently sought to keep the spotlight on mental health. We have repeatedly used the time that is available to us in the chamber to highlight concerns that, I am sure, we all share about lack of progress, and to demand from ministers the sort of response that does justice to the scale of the challenge that we face, so that mental health gets the priority that it needs and deserves.

My colleague Alex Cole-Hamilton vividly set out the scale of that challenge, the failure to match Government rhetoric with effective and timely action, and the alarming evidence that shows that it appears that in key areas we are, far from making progress, going backwards.

I do not doubt the sincerity of the minister's commitment and, as most people did, I welcomed her appointment as the dedicated Minister for Mental Health. However, that has not by any measure resulted in the step change that is needed to address mental health issues.

In CAMHS, we are seeing the worst performance against waiting time targets since the current targets were established in December 2014. Children and young people who need help are waiting longer and/or travelling further for that support.

For psychological therapies, the picture appears to be little better, as the Government's target is now being met in only one health board area. In the meantime, the number of adults who are waiting over a year for treatment has doubled to 1,000 since the minister was appointed. Shocking as that figure is, it should not be taken as criticism of the staff who work in our mental health services, who do outstanding work despite lacking the resources and support that they need.

Although turning the situation around will take time, the Scottish Government's apparent lack of urgency, or lack of recognition of the scale of what is needed, is alarming. The approach to suicide prevention illustrates that perfectly. Like the mental health strategy, the suicide prevention strategy was allowed to lapse. When a draft was finally published 18 months late, it fell woefully

short of what was needed. Samaritans branded it "very disappointing". The Mental Health Foundation Scotland suggests that it

"has significant gaps and lacks clarity over fundamental issues, including resourcing, timescales, structures"

and

"the future of Choose Life".

It is one thing for the Government to take its time to make sure that it gets things right, but it is quite another for it to drag its heels for months and then to come up with a strategy that patently falls far short of what is needed.

Again the Mental Health Foundation Scotland hit the nail on the head when it pointed out that

"while mental health has taken a more prominent place on the political agenda over the past decade, suicide prevention has lost impetus and drive at both national and local levels".

The foundation calls for a radical redesign, strong national leadership and efforts to recapture the impetus that was seen during the early years of the choose life programme, when the number of suicides fell significantly.

That certainly strikes a chord with me in terms of what I see locally in Orkney. For example, in recent correspondence the minister assured me that Orkney had a choose life co-ordinator, but then named the chair of the local choose life group, who does excellent work but is not in a position to co-ordinate activity in Orkney, far less to do so across the region. Moreover, the local group has no access to any resources, which means that it has no chance of undertaking the sort of work that saw choose life make such an impact in its early years.

Although suicides in Scotland have been on a downward trend, the most recent figures show a disturbing reversal of that trend. I hope that it is just a blip, but it reinforces the urgency for Government to up its game on leadership, resources and timescale.

On average, every day in Scotland two people take their own lives. Each is a tragedy and each is devastating for the people who are left behind, but each needs to be seen in the context that suicide is preventable. As the Mental Health Foundation Scotland rightly put it,

"No caring society or government should tolerate the suffering and despair that leads a person to take their own life."

I therefore urge Parliament to support the motion in Alex Cole-Hamilton's name, and the Labour and Conservative amendments, and to send a strong message that we believe that treatment of mental ill health deserves the same priority as treatment of physical ill health.

The Deputy Presiding Officer (Linda Fabiani): We are very tight for time, so I will have to be strict.

15:15

Tom Arthur (Renfrewshire South) (SNP): I am grateful for the opportunity to speak in the debate, which takes place at a time of significant change in attitudes to mental health. Here in Scotland, all the parties that have been elected to Parliament were elected on manifesto commitments to improve provision and quality of mental health services. Although we may differ in our approaches, we are united in challenging all stigma that is associated with mental health, are proud to support our third sector partners and have, collectively, played a part in pushing mental health to the top of the political agenda. That is to be welcomed, and it demonstrates what can be achieved when we speak with a common voice. Despite much of what has been said so far, I believe that there is much common ground.

Just as we all recognise the priorities of increasing awareness, tackling stigma and achieving parity for mental health with physical health, we all recognise the challenges in making that vision a reality. I am sure that all members fully appreciate that. I am sure that we have all supported constituents and their families who have had difficulties in accessing timely treatment. I certainly know how frustrating and time consuming it can be to achieve a successful outcome for constituents in such cases. I therefore understand clearly why frustration and anger inform the language that some members use to discuss mental health services, and why that leads to demands for immediate action from the Government. However, we all know and appreciate that there is no short cut to achieving our shared vision for mental health services.

The welcome increase in awareness of mental ill health in Scotland has seen a commensurate increase in demand. As all members will realise, that situation is not unique to Scotland: our neighbours in other parts of the United Kingdom are experiencing the same challenges. Indeed, our Commonwealth cousins in Canada, Australia and New Zealand are also facing the same rising demand, which is resulting in political debates that are similar to the one that we are having.

The fact that other countries near and far are tackling the same problems as we are is, of course, no comfort to a young person who has had a rejected CAMHS referral or who has received a referral only to find themselves on a long waiting list, and nor is it any comfort to their family. However, I believe that it is vital that we understand that Scotland is not alone in having to adapt and develop its health services to meet new

needs and demands. That is as true for mental health as it is for the demands arising from having an ageing population.

Just as we need that perspective internationally, we require it when look at Scotland internally. As members are well aware, with mental health services and all public services, there is performance variation within Scotland. That is a consequence of having 32 local authorities, 31 integration boards and 14 territorial health boards. Clearly, our aim must be to minimise variation and to work towards equity in service provision, but achieving that will take time. As the member for Renfrewshire South, I know that in CAMHS in NHS Greater Glasgow and Clyde in the last quarter, 88.7 per cent of people were seen within 18 weeks and that, in bordering NHS Ayrshire and Arran, the figure was 98.3 per cent. However, I know that the same is not true in other parts of the country, so we must work to achieve parity.

As I said, that will take time. To take one example with CAMHS, we want a situation in which people do not get to tier 3 and 4 services; that is about having strong community provision. Scotland has taken a lead on that, and we all support integration, but we know that the benefits will take time to feed through, just as it will take time—

The Deputy Presiding Officer: You must close, please.

Tom Arthur: I will just say that there is common ground and that, if we work together constructively, we can achieve the vision that we all share.

15:19

Miles Briggs (Lothian) (Con): I welcome this important debate on mental health, and I thank the Liberal Democrats for using their debating time to have it.

The motion rightly refers to the disappointment that many people who work in the mental health and voluntary sectors felt when the Scottish Government's new mental health strategy was published in late March 2017. At the time, I called the strategy "a missed opportunity" that would not deliver the transformative change in mental health services that we all want. Unfortunately, I am sorry to say that I have not seen enough additional action from the Scottish Government since March 2017 to change my view.

Despite the strategy and the rhetoric that we have heard from ministers, the sad fact is that mental health services are still failing too many people. Waiting times for child and adolescent mental health services are a particular concern, as members from around the chamber have said

today. The latest CAMHS data, which was published by Information Services Division Scotland last week, indicates that, during the previous quarter, only about 70 per cent of patients were seen within the 18-week target. That is a significant fall from the 84 per cent that was recorded this time last year, and it is a massive 20 per cent below the Government's target.

NHS Lothian met the target in only 65 per cent of cases, which means that many vulnerable young people in my region are currently waiting far too long just to start treatment, which places even greater pressure on their families. Everyone knows that swift and effective support to tackle mental health challenges in childhood is essential in order to prevent mental ill health worsening and to reduce the risk of it resurfacing in adulthood, so the delays are unacceptable. They could prove to be devastating for individuals and families.

I hope that today's debate focuses the minister's attention on the need to take genuine and decisive action to turn things around. Annie Wells's amendment correctly identifies the importance of increasing mental health support in schools and of early intervention. They are both vital, and I continue to believe that we need to do far more to offer young people with mental health challenges—and people of any age who go to their GP with mild to moderate depression or anxiety—social prescribing options with local groups and voluntary sector organisations, as well as access to counselling and talking therapies.

Under the Scottish National Party, we are building a crisis in mental health services in Scotland. That is unsustainable and it will continue to fail families around Scotland. The Scottish Government needs to prioritise social prescribing and support for local groups that can provide support to people when they need it. If the Scottish Government's mental health strategy target of delivering an "Ask once, get help fast" approach to mental health is to be achievable, we need to make sure that that change happens. It is absolutely no use for families to ask once and be told to wait a year before they get any help.

The Government also needs to understand that other parts of our NHS are not delivering for patients, which is impacting on mental health services. I am the co-convenor of our Parliament's cross-party group on chronic pain, and the mental distress and suicidal feelings of chronic pain patients who face delays of up to a year in accessing vital treatment is of increasing concern. At our last meeting, the CPG heard moving testimony from one chronic pain patient who had attempted suicide rather than face a year of being in pain before she could get repeat treatment. Ministers need to recognise the impact of long

waiting times for chronic pain treatment and how it impacts on the wellbeing of many people.

I agree with the concerns that have been expressed by Alex Cole-Hamilton and other members about the new suicide strategy. Only yesterday, a representative of Samaritans in Scotland agreed at the Health and Sport Committee that

"We have gone from being ahead to being behind."—*[Official Report, Health and Sport Committee, 12 June 2018; c 5.]*

He told us that the Scottish Government had undertaken no evaluation of the previous strategy, and ministers should understand that that needs to take place as soon as possible.

We simply cannot afford to be complacent when suicide is one of the biggest killers of men in Scotland, especially of men under 45, and when we know—we must always send out this message—that every suicide is preventable.

15:23

Jenny Marra (North East Scotland) (Lab):

There are thousands of stories behind the children's mental health waiting times statistics. Each child has their own story of how their name came to be on the waiting list, becoming part of the bigger story that we debate today, and each of those stories will inform the child's life and their decisions, paths and relationships. That is why waiting lists are most destructive for children, out of all sections of our society. A day is a long time in a child's life, a week seems like an eternity and nearly eight months—the time that a child in Dundee has to wait for a CAMHS appointment—is unimaginable to them.

Last Monday, I visited Tayside's children's mental health service in the Dudhope centre in Dundee, where we have the highest CAMHS waiting list in Scotland. The average waiting times for CAMHS treatment is 23 weeks, which compares with the Scottish average waiting time of 10 weeks, which is still far too long. The main reason that I was given for the long waiting times was consultant vacancies. Tayside has four full-time equivalent CAMHS consultants when it requires seven. Rightly, all the cases are consultant led, so consultant shortages result in longer waits for every child on the list.

The Scottish Government is aware of the issue, but it needs to tackle it urgently. If we are not training enough psychiatrists—and we are not—we need to. The vacancies for GPs, hospital doctors and psychiatrists are in deprived areas, and the reality is that people in more deprived areas have longer waits for mental health services.

We train doctors in Scotland. No one—not the General Medical Council nor the British Medical Association—will give me an official figure, but I understand that we lose about 40 per cent of our trained doctors to New Zealand and Australia. Not only is that a huge brain drain, it is a failure of public policy that, although we invest and pay to train doctors at public expense, we are not able to employ them in the Scottish NHS.

I understand that the location of services is also an issue. To my mind, there is no good reason why consultants based in the CAMHS centre in each health board cannot work for a day in some of the localities. In Dundee, that might mean a day in Arbroath, Menzieshill or somewhere else in the health board area. A CAMHS referral is a significant matter for families. The impact on school, work and the whole family is significant, and more ready access in the community should be considered.

On my CAMHS visit, I, too, was concerned about the rejected referrals. I welcome the fact that information will be published before the end of the month, but it is imperative that we have an opportunity to scrutinise the issue before Parliament, and I would welcome confirmation of that in the minister's closing speech.

My initial understanding of rejected referrals from the health services point of view is that everything is being referred to CAHMS in the absence of an earlier intervention or support in the community. That is only part of the picture, but I wonder whether the minister has up-to-date figures on the number of educational psychologists working in our schools. I have raised that issue many times before in the chamber. The declining number of educational psychologists makes a referral on to a higher-level intervention inevitable, when that child's problem could have been addressed in their own community, without a CAMHS referral and all that that means for the child, their family and public resources.

15:27

Stewart Stevenson (Banffshire and Buchan Coast) (SNP): Alex Cole-Hamilton's motion says that the

"hard-working staff do not have the resources and support that they require to deliver the service that they would wish".

I beg to differ. I agree with Anas Sarwar, who said that it is the patient who matters. Therefore, my entire speech simply quotes from the Care Opinion website. All three cases come from the previous week and cover all Scotland.

Alison Johnstone: Will the member take an intervention?

Stewart Stevenson: No.

The first comment is about Aberdeen royal infirmary:

"I attended A&E during a mental health crisis. From the start, reception staff were really patient and understanding. I got seen in triage by Gail and, her manner with me was just fantastic. She genuinely listened to me and didn't make me feel like I was a burden or anything.

Due to the way I was feeling and the state I was in, I was kept in A&E to see the psychiatry team. In A&E whilst I was waiting, another nurse, Bethan was looking after me. I appreciated just the small things—giving me some juice and a biscuit, listening to what I had to say.

I was in A&E for about 3 hours and, in that 3 hours they didn't fix everything but, they gave me somewhere safe when my thoughts were too much and a plan. I can't really ask for much more."

Alex Cole-Hamilton: Will the member take an intervention?

Stewart Stevenson: We will hear from patients; we have heard from politicians.

The comment continues:

"I know a lot of the A&E nurses from various admissions with self harming but, Gail and Bethan did an absolutely amazing job when I needed it most".

A kiss—an X—then follows.

The second comment, which was made this week, is about Crosshouse pharmacy services:

"My son who has Aspergers Syndrome and mental health issues"—[*Interruption.*]

I would appreciate silence behind me, Presiding Officer. It is dreadful that people have mental ill health, Mr Rumbles. I will start again:

"My son ... has Aspergers Syndrome"—

Mike Rumbles (North East Scotland) (LD): Your Government is not doing anything about it.

The Deputy Presiding Officer: It is getting a bit silly now. Please let Mr Stevenson proceed.

Stewart Stevenson: I will continue:

"His medication leaked in his bag on Sunday. If he misses a dose of medicine his mood can change considerably. It is normally a special order prescription, I rang my local pharmacy who had none in stock.

I then phoned the pharmacy at Crosshouse Hospital and spoke to a very helpful pharmacist, Ailsa, she phoned round a number of community pharmacies and found one which had it in stock, making sure that I knew exactly where it was. I can't express strongly enough how grateful both my son and myself are for this excellent service."

Mike Rumbles: Will the member take an intervention?

Stewart Stevenson: I will not take an intervention from that source.

This is what someone in the south of Scotland had to say last week:

"I suffer with depression and anxiety (which can be pretty severe)"—

Neil Findlay: Will the member take an intervention?

Miles Briggs *rose*—

The Deputy Presiding Officer: Mr Stevenson has made it quite clear that he does not intend to take any interventions, so all that members are doing is wasting time. Please carry on, Mr Stevenson.

Stewart Stevenson: They said that they had

"suicidal thoughts and feelings (which are present every single day) and at times become overwhelming",

and went on to say:

"What I would like to say about the Crisis Team is how I feel they really are in a league of their own when it comes to Mental Health Services. It was during my first experience of using the service that one nurse in particular said a few words to me in a moment of such mental and emotional pain, with such compassion and conviction, that someone felt my life, me, had value, to know that someone out there was 'hoping' for me because I couldn't.

A nurse from the team would visit me every day for around the next 10-14 days ... the crisis team are a team of very special people".

Of course there are challenges in mental health. I have experienced suicide in my family, so I know that perfectly well. However, there are good stories, too, and let us not demean our staff by pretending that there are not.

The Deputy Presiding Officer: We move to the closing speeches.

15:32

Mary Fee (West Scotland) (Lab): I thank Alex Cole-Hamilton and the Liberal Democrats for lodging their motion on mental health. The motion recognises that there is a crisis in mental health in Scotland. No matter how often we debate and discuss mental health, our actions matter more than our words. The current Scottish Government has a record of platitudes, not performance, and Opposition members have rightly called on it to do more. Young people and adults across Scotland are in crisis and in desperate need of help. They deserve a service that delivers; they do not need platitudes from the Government.

Children, young people and adults are all waiting longer for treatment. People are taking their own lives because they cannot be seen when they reach out for help. They are being told to go home. The Government's mental health strategy was published late and a suicide strategy is missing. Those are just a few of the reasons why we support the Liberal Democrat motion, which should shame the Government into action.

Our amendment is a reasoned one that backs up the motion's argument that there is a crisis in mental health. That point was well made by Anas Sarwar, and it echoes the view of mental health organisations and charities that suicide prevention should be carried out at a local level with ring-fenced funding. It reaffirms our position that every secondary school should have a mental health counsellor, and it recognises that inequality and poverty have a significant impact on mental health.

Jenny Marra spoke movingly about the crisis in CAMHS in Dundee and the impact that the staff shortages there have. Anas Sarwar told us that, in the first three months of 2018, 3,400 adults waited longer than the Government target. Those 3,400 people needed help but did not get it. We welcome the fact that we have a Minister for Mental Health, but we need substance rather than symbolism. We need a service that works and delivers, and a workforce that is properly supported and properly resourced. We want every person in Scotland who needs mental health support to get that service. We speak for thousands of people across Scotland who are being failed.

The failure of the Scottish Government to implement a new suicide strategy after the expiry of the previous one shows that mental health is less of a priority than the Scottish Government claims it to be. I hope that the recent rise in suicide is an anomaly, and that the rate will fall in coming years. However, without the leadership of the Scottish Government in preventing suicide, I fear that many people will miss out on the front-line services that they desperately need.

The recent figures for child and adolescent mental health services show, once again, that there is not the parity between mental and physical health that the SNP claims to want. More than 1,147 children and young people were not seen within the 18-week target for an appointment, which is a rise of more than 60 per cent on the previous year's figures. That rise means that more children and young people are missing out on the vital support and treatment that they need. The SNP needs to do more than offer warm words. Not all children and young people require specialist services, and many can be seen outwith a health context. That is why we want there to be a mental health counsellor in every school, so that young people are supported at an earlier stage.

I ask members to support the Liberal Democrat motion and the Labour and Conservative amendments at 5 o'clock.

15:36

Brian Whittle (South Scotland) (Con): I refer members to my entry in the register of members'

interests. I have a close family member who is a healthcare professional in the Scottish NHS.

I thank the Liberal Democrats for using their time to debate what is, in my opinion, one of the most important topics for Parliament to tackle. I wish that we had the opportunity to give the issue the time that it deserves.

We have heard very personal and heartfelt speeches from across the chamber, which have been very hard hitting. Alex Cole-Hamilton highlighted a suite of extended and extending mental health waiting lists. Mental health should be an acute issue, but people are waiting so long to get treatment. That point was backed up by Anas Sarwar, Miles Briggs and Jenny Marra, among others, who talked about the length of time that it takes to access CAMHS being far too long. It was also highlighted that the transfer from CAMHS to adult services is problematic. Sandra White and I heard about those problems last week in taking evidence for the Health and Sport Committee at Cardonald College, where we got the opportunity to sit round a table with young adults who were experiencing such issues.

The problems are not new, but they continue to deteriorate. I was disappointed to hear Maureen Watt and Tom Arthur almost congratulating themselves on encouraging people who are suffering to come forward because, when people do come forward, they are faced with inadequate services and an inability to access them. If we want to reduce the stigma around mental health and encourage people to come forward and be treated, how can it come as a surprise—

Clare Haughey: Will the member take an intervention?

Tom Arthur: Will the member take an intervention?

Brian Whittle: I am not taking any interventions.

How can it have come as a surprise—
[*Interruption.*]

The Deputy Presiding Officer: Mr Whittle has said that he will not be taking interventions.

Brian Whittle: —that the demand for such services has gone up?

There has been poor planning. Annie Wells said that one in three people presenting to GPs has mental health issues and that one in 12 people in Scotland uses antidepressants. It cannot be a surprise that we need more support for people with mental health issues.

Early intervention is highlighted in the Conservative amendment and it was highlighted by Annie Wells in her speech. The education portfolio is crucial in tackling poor mental health,

particularly in relation to health inequalities and access to opportunities, as has been highlighted.

The topic should cut across all political divides, and the subject is one that we should all want to rally round. We should use every resource to reverse the crisis. During meetings of both the committees on which I sit—the Public Petitions Committee and the Health and Sport Committee—the evidence that we have heard on the state of Scotland's mental health and the mental health strategy is as harrowing as it is incontrovertible. It is similar to the evidence that we have heard on the related suicide strategy. Stewart Stevenson would do well to look at that evidence because, from listening to his speech, I think that his head is definitely in the sand.

Throwing people and resource at a symptom of a continually evolving crisis without considering the cure is the Government's attempt at a solution, but it cannot work. Without dealing with the root causes or taking significant cognisance of the preventable element of poor mental health or of poor health in general, the Scottish Government is not managing the long-term sustainability of the health service. All that it is doing is managing the demise of the NHS.

Tom Arthur: Will the member give way?

Brian Whittle: I am in my last minute.

In conclusion, there is, without doubt, a crisis, and it is a crisis that lies at the feet of Maureen Watt and her Government. As we have seen, it is a crisis that has cut through political divides—and it should do so. I ask the Government to reflect on what has been said in the chamber and on the mountain of evidence, which continues to pile up. Definitive action is already long overdue. The minister should not leave it any longer.

15:40

The Cabinet Secretary for Health and Sport (Shona Robison): I want to use my time to try to respond to as many contributions as possible. I would like to think that, given the subject that we are debating, all contributions across the chamber have equal value, and they should be treated with the respect that they deserve.

Alex Cole-Hamilton said a number of things. One thing that he talked about was the suicide strategy. It is important to get that strategy right. The engagement that there has been with key organisations such as Samaritans Scotland and the listening that has taken place have got the strategy into a better place. That is reflected in the Samaritans Scotland briefing, which says that it strongly welcomes the Scottish Government's commitment to a £3 million innovation fund to support the work of the proposed leadership group

and that it welcomed the national suicide prevention leadership group previously. Although it says that it wants to see the detail of the final suicide prevention plan, it has been very closely involved in its development.

Miles Briggs: Samaritans Scotland told the Health and Sport Committee yesterday that there has been no assessment or evaluation of the previous strategy. How will we learn from what works and what has gone wrong in the past?

Shona Robison: The fact that the suicide trend is down by 17 per cent over 10 years suggests that the strategy has had some success. Every individual suicide is a tragedy, but the trend has been on a downward trajectory. That is positive, and we have to build on that. That is why getting the next phase of the strategy right is so important. We want to do more. So far, the response of organisations such as the Samaritans has been very positive, and we welcome that.

Annie Wells mentioned the need for co-location with GP practices. That is, of course, what the new GP contract and the new primary care model are designed to deliver. That is backed up with record levels of funding in primary care. In addition to that, there is the funding for 800 additional workers, including for co-locating in primary care practices. What members, including Annie Wells, have been asking for is therefore in train, and we want to deliver that as quickly as possible.

Anas Sarwar asked a couple of specific questions. He asked about an update on Tayside. I am not sure whether he is aware that, just two weeks ago, NHS Tayside put out a statement in which the chairman, John Brown, announced progress on establishing the independent inquiry. *[Interruption.]* Anas Sarwar asked a question. Does he want to listen to the answer?

The Deputy Presiding Officer: Can the private spats stop, please, and can we have a bit of respect from both sides?

Shona Robison: John Brown announced:

“Three potential independent chairs have been identified and expressed a willingness to take up the role.

- The potential chair of the inquiry will be invited to meet with families and key stakeholders before a final decision is made on who will lead the independent review.

- The independent chair will be supported by high level professional advice from a leading psychiatrist”.

He also announced that the chief executive of Health and Social Care Alliance Scotland, Ian Welsh,

“will independently lead a Stakeholder Participation Group made up of families, the public and other external stakeholders. He will meet with families and the public providing them with expert independent advice, leadership

and support to ensure people know how they can input and give evidence to the inquiry”,

and that the terms of reference of the inquiry will be

“shaped and agreed by families and the public”

in a process that is led by the alliance.

Of course, NHS Tayside has also made a commitment to staff that they will be supported to continue to make improvements. I heard someone say “shocking” from a sedentary position a moment ago. Surely we want to put families at the heart of the process, and what I have just read out does that. I do not understand how that can be shocking. I would have thought that members would have welcomed that update.

Anas Sarwar: Will the cabinet secretary take an intervention?

Shona Robison: Yes.

The Deputy Presiding Officer: The cabinet secretary is drawing to a close.

Shona Robison: I can confirm, as John Swinney announced on 26 May, a new joint funding package of £4 million to help train up to 90 new educational psychologists over the next three years, which will include support for those in training over the three years. Again, that is something that I hope that Anas Sarwar will welcome.

The Deputy Presiding Officer: You must close, please.

Shona Robison: I welcome Alison Johnstone’s recognition of the impact of welfare reforms on mental health, which was an important point made in the debate.

The Deputy Presiding Officer: I call Tavish Scott to close the debate. You have up to six minutes, please.

15:45

Tavish Scott (Shetland Islands) (LD): We have had an abundance of mental health statistics in the debate, but every statistic is a person: a woman, man, child or young person. Few families in Scotland are not touched by some aspect of mental ill-health—mine has been—and such cases are, without a shadow of a doubt, the toughest cases that we deal with as MSPs. I can think of a number of constituency surgeries in which the only case that I could remember afterwards involved someone who had come to talk about some aspect of mental ill-health.

One of those involved a woman who came to see me some time back about her particular circumstances. She was on medication for depression and was going through a rough time.

She found out last summer that she was pregnant, but her GP and the maternity services did not feel able to help her—or were not comfortable about it—by providing enough information about the impact on her pregnancy of the possible side effects of the medication that she was on. She was therefore referred to mental health services last summer, but she heard nothing. She was one of those statistics, because she was one of those people who waited and waited and waited. Sadly and deeply depressingly, she miscarried during her pregnancy. She got through that because of the incredible support of her partner, some friends and local people whom I know, and she is now in a much better place. However, the sad thing for me, apart from the loss of the child, was the fact that mental health services did not quite make it on that occasion.

I have no criticism whatsoever of Stewart Stevenson, who has every right to set out three examples of where things went properly and right. However, for every such example, there are many examples of where, sadly, things have gone the other way. That is what is at the heart of this debate and at the heart of why Parliament is rightly, across all parties—including, I suspect, the Government party—challenging our Government to recognise the sheer scale of the problems that exist. It is why Alex Cole-Hamilton, Anas Sarwar and others have trotted out so many statistics. I will not repeat them, because they have been mentioned and the minister and the cabinet secretary are all too well aware of them and all too familiar with them.

Any Government would react to those statistics and recognise the depths of the problems and the scale of the issues that confront it in the mental health area, which is, arguably, the most specialist one. I do not think that any Government minister or any Government could accept that taking more than a year to pull together a strategy is adequate. It is not so much the strategy that matters—I will remember this from my ministerial days—but what we do with that strategy thereafter. If I may say so, we are awfully good at producing strategies in politics but are less good at ensuring that they make a difference to real people's lives. If it was otherwise, all of us could stand up and give three examples in the way in which Stewart Stevenson did earlier in the debate.

Maureen Watt was fair in saying that the performance was not good enough. I noted carefully what the Government has done with the Liberal Democrat motion in Alex Cole-Hamilton's name: it has accepted, in its amendment, the last three points, one of which says specifically that the Government should

“publish plans detailing how it will improve performance against key targets”.

The amendment also refers to the other two points, on ambition and investment. If I have one concern about the wind-up speech that we have just heard from the cabinet secretary, who knows this area intimately—rightly—it is that there was an opportunity in that speech to set out exactly what she was going to do in response to those three specific points in our motion.

I will pick up on three or four other points that have been made widely by members in the debate, the first of which is on counselling. A number of members mentioned organisations outside formal health service structures that make such a difference to so many lives. We depend highly on them in many different parts of Scotland. In my area, Shetland, Mind Your Head has absolutely taken on the challenge. It now sees 161 people—who would not be being seen by the national health service—through its wellness and wellness together programmes. That work is essential in providing much-needed counselling.

However, that reflects the waiting times across Scotland, which colleagues have mentioned. For talking therapy services, there is a five to six month wait. Indeed, there is a year-long wait to see a specialist. We got the figures only through the much-maligned freedom of information regime that was mentioned earlier. That is a side point, but therein lies half the problem. In 2015-16, people in Shetland waited for 96 weeks for psychological therapy referrals. In 2017-18, they were waiting for 105 weeks, and the current wait is 65 weeks. Colleagues will have such figures for places across Scotland. By any standards, such waiting times are too long, and more needs to be done.

I have two final points. First, I want to reflect the strong points that a number of colleagues made on workforce planning. Anas Sarwar raised that right at the start. It strikes many of us that the lack of people in key specialisms, be they psychologists, psychiatrists or mental health nurses, is at the heart of many of the problems. For example, Stewart Stevenson and I are both familiar with the Royal Cornhill hospital, as we have seen many of our constituents being referred there over the years. That facility, important as it is for the north-east of Scotland and the islands, has to close beds because it does not have enough specialist staff at key times. That is at the heart of this debate.

It is right that the Parliament focuses on mental health. As Liam McArthur said, it gives it parity with physical health, and the remarks that Brian Whittle made in that regard were absolutely right. It is also right that there is a dedicated minister. Few of us would disagree with that. Indeed, it gained broad parliamentary support. However,

Alison Johnstone made a very important point on that—

The Deputy Presiding Officer: Please close.

Tavish Scott: I will finish with this, Presiding Officer. A minister needs to have line of sight between the strategy and what they do on the ground. That is the part that the Government needs to measure up on.

Sustainable Growth Commission

The Deputy Presiding Officer (Linda Fabiani): I would appreciate it if members could change their seats quickly. We are already late in starting this debate, so timings are really tight. Please pay attention to them.

The next item of business is a debate on motion S5M-12708, in the name of Willie Rennie, on finance and the constitution. I call Willie Rennie to speak to and move the motion. You have up to seven minutes.

15:53

Willie Rennie (North East Fife) (LD): Thank you, Presiding Officer. I feel sorry for Scottish National Party members. The big, long-awaited report was published in a flurry of breathless press releases and members were champing at the bit to debate it at their conference, but after the long bus journey to Aberdeen they discovered that it was not even on the agenda. However, I am generous and I am here to help. We have carved out time today so that SNP members can have their say, tell us what they really think and let off steam. It could be quite a cathartic experience.

The sustainable growth commission's report is a substantial piece of work.

Members: Hear, hear.

Willie Rennie: The SNP members would love me to stop there, but they do not know what is coming next.

The report admits how challenging an independent Scotland's finances would be. It is a confession. It is the best case, although not of many great choices. It is the stark reality. This is not some flimsy report that is easily dismissed. It is the words of the First Minister's close advisers. The First Minister herself described it as a blueprint. It is a significant development and it deserves scrutiny in this Parliament.

Liberal Democrats oppose independence, and the report strengthens our case against it. The report makes points on the currency, on the volatility of small countries' economies, on the deficit and on the years of financial pain. That financial weakness is a direct threat to our national health service—it is that serious.

Ivan McKee (Glasgow Provan) (SNP): Will the member take an intervention?

Willie Rennie: Not just now.

I will go through some of the evidence, which I am sure that SNP members will want to hear. In 2014, I warned that small countries' economies are prone to greater volatility. That was denied

then, but it has now been confirmed by the commission. Paragraph B8.33 of its report says:

“The greater volatility that small economies can experience also strengthens the case for fiscal conservatism”.

I warned that an independent Scotland could not demand control of the pound. That was furiously denied, but the commission has confessed—*[Interruption.]*

The Deputy Presiding Officer: Excuse me, Mr Rennie. I understand why the subject is emotive for everyone, but I would like to hear what Mr Rennie is saying, so a bit of murmuring and less shouting would be useful.

Willie Rennie: The louder they shout, the happier I am.

Paragraph C1.5 says:

“Scotland’s government would cede effective sovereignty over monetary policy”.

I warned that oil prices were volatile, falling and could not be relied on. The commission has now admitted that. The report says that oil should not be

“depended upon for recurring annual commitments.”

I warned that Scotland could lose the annual United Kingdom Barnett dividend of about £9 billion. That was angrily refuted, but the commission now agrees. Not only would that go, but an independent Scotland would pay the UK money for years after leaving. Who has heard that before? Paragraph 3.139 says:

“The Annual Solidarity Payment is modelled at around £5 billion”.

That £5 billion would be paid to the UK, so it would be goodbye to the Barnett dividend.

I warned that there would be spending cuts. That was denied in 2014, but the commission has now admitted it. Paragraph B4.32 says:

“A 6-7% fiscal deficit is not sustainable and action will be required to reduce it to more sustainable levels.”

Figure 12-2 makes it clear that, in an independent Scotland, spending would be 1 per cent less than the gross domestic product growth rate, so GDP growth of 1 per cent or less would result in real-terms spending cuts. In the past decade, Scottish onshore GDP has shown average real growth of just 0.8 per cent per annum. The latest forecast from the Government’s Scottish Fiscal Commission, which it published last month, is that GDP growth to 2023 will run at 0.9 per cent. When we look back and forward, we see that an independent Scotland would face cuts.

According to the sustainable growth commission’s report, cuts would last for 10 years.

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

Willie Rennie: The report says—*[Interruption.]* This is the Government’s report, so it should listen to the quote. Paragraph 3.201 says:

“We then anticipate a period of between five and ten years to put the public finances on a sustainable footing.”

What I have said is not just my interpretation. David Phillips from the Institute for Fiscal Studies confirmed that

“It’s a continuation of austerity.”

If public spending growth is one per cent less than GDP growth, that’s austerity.”

Even independence supporters say that. Jonathon Shafi admitted that the approach would

“open the door to various forms of austerity politics”.

Ivan McKee *rose*—

The Deputy Presiding Officer: Mr Rennie is in his last minute.

Willie Rennie: An independent country would face at least a decade of pain. It would have cuts to public services and would not have the back-up of significant oil revenues. It would have no control over its currency, and its economy would be prone to greater volatility.

Liberal Democrats are opposed to independence, and always have been. The commission confirms why we were right to oppose it in 2014 and why we are determined to stop it now. All the things that I want to achieve for Scotland—a country in which we invest in people through education and mental health services, champion science, innovation and research, take seriously our obligations to future generations and the environment, and treasure individuals’ freedoms and liberties—can be better achieved by our rejecting the nationalist case and the cuts and restrictions that it imposes on our country.

I move,

That the Parliament notes the analysis of the Sustainable Growth Commission; further notes the commission’s statements on public spending, the volatility of oil revenues, the economic volatility of small countries, Scotland’s control over the pound, and the extended period of financial pain, and believes that independence would be damaging for Scotland.

16:00

The Cabinet Secretary for Finance and the Constitution (Derek Mackay): First, let me say that the timing of this debate is very appropriate, coming as it does just hours after the shameful contempt that was shown to the devolution settlement at Westminster last night. Let us, for a moment—*[Interruption.]*

Members: Walk out then!

The Deputy Presiding Officer: That is enough. Excuse me, Mr Mackay—[*Interruption.*]

Stewart Stevenson (Banffshire and Buchan Coast) (SNP): It is their turn for out.

The Deputy Presiding Officer: Enough, please. Mr Stevenson; that is not like you at all.

As I said, I understand that this is emotive, but it would be useful if we could all hear what contributors are saying.

Derek Mackay: Presiding Officer, the unionists may be able to shut us down at Westminster, but they will not do so in Scotland's Parliament.

Perhaps we can spend a moment to reflect on Scotland's current economic performance. We have had a record year for foreign direct investment, rising employment and record low unemployment, goods exports increasing by 12 per cent and the fastest growth in any part of the UK. The Royal Bank of Scotland's purchasing managers' index reports that, last month, private sector growth in Scotland was stronger than that in the UK as a whole. High employment, a highly educated population and innovative companies that export around the world, significant natural resources and huge renewable energy potential are just some key fundamentals of the Scottish economy.

If we look at what small, successful, advanced economies across the globe have that we have not, there is only one answer: independence. We have the potential to become one of the most successful countries in the world. First and foremost, the commission's report is a report to my party, and I warmly welcome the debate that it has generated. It is, after all, about choices. It sets out how the London-centric UK economic model has failed and how we could grow our economy, tackle inequality and match the performance of the world's most successful advanced economies. It explicitly rejects the UK Government's austerity policies, because austerity is the price of the union—not of independence.

It is clear to those who have read the report that tackling the inherited financial position can be done with public spending rising. We should remember that the current notional deficit is the product of the current constitutional position and not of Scotland as it could be, and recognise that the UK is increasingly unequal in individual and geographic terms. With all the tools that an independent nation would have, we could improve productivity, participation and population and reduce both poverty and gender inequality. That would be the right thing to do in our own right, and would bring massive economic benefits to our nation. Having just launched the new national

performance framework on Monday, we know just how important wellbeing is. The happiest nations in the world are those with the least inequality. It is clear that UK control does not suit our economic or social needs, with population being a case in point.

As Cabinet Secretary for Finance and the Constitution, I have set out how—even in devolution—three key areas could make a positive difference now against austerity, Brexit and caps on immigration. However, unionist parties keep telling us to hold on, which is holding Scotland back from what we could truly achieve. A migration policy—[*Interruption.*]

The Deputy Presiding Officer: Excuse me, Mr Mackay. My eardrums are starting to get sore with all the nonsense that is going on between members. Please just have a bit of respect for each other and let Mr Mackay finish.

Derek Mackay: A migration policy that was designed in Scotland and for Scotland would welcome people with open arms, not throw up barriers. The UK Government's hostile environment is failing Scotland's economy and our public services, and I repeat the calls to the UK Government to stop damaging our economy and give us the powers to fix its mess.

Dogmatic unionism might not be able to see any upside to Scotland controlling our own fiscal policies, but this is a serious debate in which settling for more of the same is just not good enough. Every promise that has been made to Scotland has been broken. Devolution has been downgraded. Brexit is imminent against the will of our people, and our economic potential is in a fiscal straitjacket. That is the consequence of Westminster control with more to come.

The Deputy Presiding Officer: Please come to a close.

Derek Mackay: There are paths that are open to Scotland to take rather than simply continuing to repeat the failing UK economic model and expecting different results.

The Deputy Presiding Officer: You must come to a close.

Derek Mackay: I say to the unionists that "Too wee, too poor, too stupid" will not cut it this time. Scotland is ambitious. Scotland deserves better.

The Deputy Presiding Officer: Close, please.

Derek Mackay: Scotland can be better. We will have that debate, and we are determined to win it.

I move amendment S5M-12708.4, to leave out from "notes the analysis" to end and insert:

"agrees that independence is best for Scotland's future, and recognises that Brexit is a major threat to Scotland's

economy, society and environment.”

[Applause.]

The Deputy Presiding Officer: That is enough. We are seriously pushed for time. We will end up losing speakers or having to cut their time right down.

I advise everyone in this chamber that I expect respect to be shown to the chair at all times.

16:06

Murdo Fraser (Mid Scotland and Fife) (Con): I thank the Liberal Democrats seriously for giving us at Holyrood the opportunity that was denied to SNP members at their conference at the weekend to debate the SNP’s growth commission. Is it not remarkable? They have all turned up. The SNP benches are full for this debate. How quickly they have forgotten the First Minister’s message at the weekend to stop obsessing about independence—it is the only thing that they care about and the only thing they want to come to the chamber to talk about.

There is no time this afternoon to debate the entirety of the growth commission report and I am sorry that that is the case. We cannot do justice to the whole 350 pages of what Alex Salmond’s former adviser Alex Bell described as a “political suicide note”.

There has been a lot of praise for our former colleague Andrew Wilson’s authorship of the report. Mr Wilson is indeed a credible figure and he put a lot of work into the publication. It is therefore rather unfortunate that it contains a number of schoolboy errors. One whole section has been lifted straight from a New Zealand treasury paper without any referencing. Despite the plaudits that the report has received in some quarters, it is nevertheless riddled with errors that make it a less than credible prospectus for an independent Scotland.

It is hard to know whether to be outraged or simply disappointed by the growth commission report. We should welcome the fact that the paper now represents a total repudiation of the 2014 prospectus for independence. The white paper on which that referendum was fought is now exposed as a compendium of inventions with its ludicrous overstatement of future oil revenues and the optimistic gloss that it put on public finances. It would be good to hear an apology from the SNP for its attempt to hoodwink the Scottish people just four years ago.

Let me give a few examples from the growth commission report and some quotes from better-qualified people on some of the proposals. On currency, the report proposes indefinite sterlingisation with a move towards a separate

Scottish currency at some undetermined future point. The experts are clear that that is simply not workable.

Jeremy Peat, the former chief economist at RBS, said in 2014 that using sterling outwith a currency union would be

“wholly implausible, dangerous and highly unlikely to be optimal”.

Paul Krugman, the Nobel prize-winning economist, called sterlingisation very dangerous. There has even been criticism from within the SNP’s ranks, with the former MP George Kerevan, who fancies himself as a bit of an economics expert, stating that sterlingisation would lead to an independence campaign

“covering the same sterile ground as the last time”

and slamming Andrew Wilson as “dangerously naive”.

Further, the SNP’s favourite economist, Richard Murphy, said that the growth commission’s currency plan was “devastating” and gave five reasons why it would fail.

It is not only on currency that the report falls short. The proposals for public finances involve accepting “Government Expenditure and Revenue Scotland” figures as the starting point for an independent Scotland, which would create austerity max—austerity on a scale that this country has never seen. It would mean £27 billion-worth of austerity over 10 years, meaning massive tax rises and spending cuts.

Ivan McKee: Will the member take an intervention?

The Deputy Presiding Officer: Mr Fraser is in his last seconds.

Murdo Fraser: That is exactly why so many on the left—many of whom were part of the yes campaign in 2014—have rejected the growth commission’s proposals. Further, let us never again hear a member of the SNP bleating about austerity, because what the SNP is proposing is many times worse than anything that we have seen in the past.

We propose a simple addendum to the Liberal Democrat motion today, making just one point: we do not want a second independence referendum. It is not wanted by the Scottish people—not now and not in the near future. It would divide the country as the country was divided in 2014.

The Deputy Presiding Officer: You must close.

Murdo Fraser: This debate, and the publication of the growth commission report, are a distraction from the Government’s responsibility to get on with the day job.

The Deputy Presiding Officer: Mr Fraser, you must close.

Murdo Fraser: We know that it is the only thing that the SNP cares about, but the Government needs to get back to the business of government and stop talking about independence.

I move amendment S5M-12708.1, to insert at end:

“, and urges the Scottish Government to rule out a second independence referendum, in line with the views of the majority of Scottish people.”

16:11

James Kelly (Glasgow) (Lab): I start by thanking Andrew Wilson and the co-author of the report, Derek Mackay, for laying bare the fact that independence would be a disaster for Scotland. The reality is that it was not a growth commission but a cuts commission. Its proposals would pile pain on to Scotland's communities and bring the country to its knees.

The report acknowledges the reality of the GERS statistics and the fact that we have a £10 billion deficit—the difference between what we spend and what we take in in tax. It says that it would take 10 years of cuts in order to reduce that deficit to 3 per cent of GDP.

Ivan McKee: Will the member take an intervention?

James Kelly: No, thank you.

The reality of that is that public services would be decimated. The SNP cannot deny that.

There is a supreme irony in the fact that the Liberal Democrats have brought this debate to the chamber, because it is a debate that the SNP does not want. There is absolutely no mention—*[Laughter.]*

The Deputy Presiding Officer: Okay, that is enough. *[Interruption.]* Mr Arthur, that is enough.

James Kelly: They might be all packed behind Derek Mackay today to be cheerleaders for independence, but, at the conference in Aberdeen, they were as quiet as mice.

Derek Mackay: Will the member take an intervention?

James Kelly: No thank you, Mr Mackay. Why do you not go back to Aberdeen and start the debate that you did not have the conference?

The reality is that the SNP did not want to expose the divisions that exist in the party over independence. There are those who would have an independence referendum every week and there are those who want to shut their eyes and ignore the facts of the cuts commission report.

As they do the navel gazing on independence, they turn away from the reality of what is going on in the country and ignore the core issues. Any MSP who is worth their salt knows that the main issue that is raised with MSPs is the national health service. Constituents are not able to get appointments in time and some are not able to get general practitioner appointments.

The Minister for Local Government and Housing (Kevin Stewart): Labour is budgeting for much less than we spend on the NHS. That is what its manifesto says.

The Deputy Presiding Officer: Mr Stewart, please be quiet.

James Kelly: Although the Scottish Government makes assertions on housing, the reality is that there are 150,000 people on council house waiting lists. There are people not far from this Parliament sleeping homeless on the street. What a scandal! Yet the people on the SNP benches would rather discuss independence.

Derek Mackay: Will the member take an intervention?

The Deputy Presiding Officer: Mr Kelly is coming to a close.

James Kelly: I can tell Mr Mackay that what is needed is a real debate and a real plan to transform the fundamental issues and to grow the wages that are stagnating in Scotland, but we did not hear any mention of the living wage in the cuts commission report. Perhaps that is because the Government did not even discuss it with the trade unions. There is no social justice at the heart of that report.

Scotland does not want another referendum. It is time to bin the cuts commission report and the idea of a second referendum. It is time for a radical rethink. Let us stop the cuts and invest in our communities.

I move amendment S5M-12708.2, to insert at end:

“; regrets that the growth commission did not seek the advice or opinion of trades unions on its plans, which it considers would mean a decade of unprecedented austerity with no control over the value of wages, rent and mortgages; notes that the economic and social transformation Scotland urgently needs will not come from another referendum on leaving the UK, and believes that this will only come from Labour's plans to tackle poverty and inequality, extend public ownership and redistribute power.”

The Deputy Presiding Officer: Can I have some quiet, please? I may as well warn you all right now that speakers will probably have to have time taken from them because of all the unintended interventions. I call Patrick Harvie to speak to and move amendment S5M-12708.3.

16:16

Patrick Harvie (Glasgow) (Green): I am sorry, Presiding Officer. I did not realise that we were playing today's debate for laughs. I came here to debate and to challenge the SNP's growth commission. We do so even in the context of a warning from the Liberal Democrats about an extended period of economic pain—from the political party that put the Conservatives into power and helped begin the austerity project.

My reaction to the growth commission has to begin with the long-standing Green critique of growth economics itself—the idea of everlasting growth in a finite world and a fragile ecosystem that is already under extreme pressure. Even while it lasts, growth alone tells us nothing about how fairly wealth is being shared in our economy or how unfairly the social and environmental burdens fall.

I contrast that with some of the words in the national performance framework, launched this week, as Derek Mackay mentioned. The First Minister, in launching it, quoted the famous words of Bobby Kennedy, that growth alone

"measures everything ... except that which makes life worthwhile."

The performance framework places emphasis on wellbeing, equality, health, human rights and the quality of our environment, but it still places economic growth at the core, and the growth commission fails to go even as far as the NPF. There is a clear mismatch between those two ideas of the economy—a contradiction that lies at the heart of SNP economic policy.

Even aside from the absence of Green economics in the growth commission report, other serious concerns remain. During 2014, we set out our reasons why we thought that a currency union was an unconvincing proposal for an independent Scotland. It would have left a complete lack of monetary and macroeconomic control. To say that sterlingisation gives rise to the same concerns would be an understatement. It is even possible that sterlingisation itself would prevent the kind of economic agenda that would allow Scotland to meet the commission's own tests for beginning the move toward an independent currency.

For anyone supporting independence out of a fetish for flags, that kind of issue might be of little concern. I have never been one of those people. For the Greens, if independence meant a version of conventional economic policy decided here instead of in London, we would have little interest. No, independence must, if it is to be a compelling proposition, be a project of economic transformation to a more equal, more ecological and more humane economy as we embrace the post-oil age. That is the agenda that the Greens

have set out, and it contrasts with what the growth commission has published.

John Mason (Glasgow Shettleston) (SNP): Will the member give way?

Patrick Harvie: I do not have time; I have only four minutes.

We will continue to set out that agenda, even before independence. The demand for a specific net-zero carbon target in the Climate Change (Emissions Reduction Targets) (Scotland) Bill is one current example of the determination to achieve transformation that Scotland must show, right now, to assure our future direction of travel.

I welcome the publication of the growth commission report, not as a proposition to fall in line behind, but as an invitation to contest the ideas that it contains—ideas that need to be contested.

Finally, I was surprised and disappointed to see a motion from the Liberal Democrats that is headed "Finance and the Constitution" but which says nothing—not a single word—about the most immediate and urgent financial and constitutional threat to Scotland. The Liberal Democrats say that they want to oppose Brexit and all the self-destructive chaos that it is bringing—but there is not one word about it. That is why my amendment ends with a recognition of the positive economic, social and environmental policies that Scotland could be putting into practice as a full, independent member of the international community and the European Union.

I move amendment S5M-12708.3, to leave out from "Sustainable Growth Commission" to end and insert,

"SNP's Sustainable Growth Commission; further notes concerns that the commission's report relies heavily on a flawed economic model that places GDP growth ahead of broader measures to increase Scotland's prosperity; further notes the Scottish Green Party's publication, *Jobs in Scotland's New Economy*, which argued that, by focussing on delivering low-carbon improvements across the energy, land-use and industrial sectors, Scotland could create over 200,000 new green jobs, and recognises that similarly-sized small countries are successfully implementing progressive economic, social and environmental policies that Scotland could match as a full independent member of the international community and the EU."

16:20

Alex Cole-Hamilton (Edinburgh Western) (LD): Throughout the debate, sedentary members have suggested that it is only ever the unionist parties that reference independence. I want to take that suggestion head on because, to be frank, I am not having it.

The governing party's calculations of the appropriate time to push the button on a second

independence referendum starve the oxygen from nearly every other public policy issue. That is why Opposition parties have to have debates like the one that we have just had on mental health, on the treatment and waiting time guarantees, on farm payments and on the attainment gap. Independence and the calculations around indyref 2 are the centre of gravity of, and suck all the oxygen from, every other debate in this Parliament. Yes, we will keep raising the issue and insist that the Government takes it off the table once and for all and gets on with the business of service delivery.

Derek Mackay: Will the member give way?

Alex Cole-Hamilton: I do not have time.

I will say a word about the tone of those on the Government benches. The laughter and derisory comments may give the Government and SNP members some comfort, but it absolutely repels people on the margins of this debate around the country. SNP members will lose as a result, and I am glad of that. I am glad of the growth commission; I never thought that I would say that.

Fulton MacGregor (Coatbridge and Chryston) (SNP): Will the member take an intervention?

Alex Cole-Hamilton: I am not going to take an intervention; I do not have time.

I am glad of the growth commission report because, after all the years in which it has been talked about and mythologised in hushed, reverential tones, when it was finally published, it was revealed within hours as the unforced tactical error that it has been shown to be. It has fundamentally holed any economic case for independence below the water line—so I thank God for it.

The yes campaign mythologised the growth commission; it was there to win over us pesky no voters who were still clinging to our facts. There we were, getting it right. We were worried about the commission and we thought, “What have they got up their sleeves?” However, when the report was finally published, I thought, “Goodness. Wow. It is not ‘What have they got up their sleeves?’ but ‘Is that it?’”

It took a little while for incisive analysis to come forward. Some usually ardently pro-UK journalists talked about interesting comparisons with Hong Kong and New Zealand and that must have lit the touchpaper, because guns were suddenly drawn in the yes camp. One reason is that the left in the indy camp did not like the report, and we have just heard some reasons why from Patrick Harvie; it represents austerity on steroids. The highly respected think tank the Institute for Fiscal Studies

pointed rightly to the fact that austerity is classified—

Ash Denham (Edinburgh Eastern) (SNP): Will the member give way?

Alex Cole-Hamilton: I will not take an intervention.

Austerity is classified as when public spending gets 1 per cent below GDP. By the growth commission's own assumptions, it would by necessity have to dip 3 per cent below GDP, such is the admission of the economic case—or lack thereof—for an independent Scotland.

It is no wonder that there was no mention of it at the SNP conference. It is astonishing that the Government, with its amendment, seeks to delete the motion, including that the Parliament “notes the ... Growth Commission”. If the Government wins the day this afternoon, we will not even know from the parliamentary records that the growth commission existed, such is its embarrassment at what the commission has revealed.

Last week, a social attitudes survey revealed that 59 per cent of our fellow countrymen feel strongly British. That warms my pro-UK heart because, finally, that might loosen the constitutional knot that has stifled debate on any public policy. Keith Brown may believe that he has a mandate from his election for indyref 2. We will fight that every step of the way; Liberal Democrats will oppose it at every stage of the constitutional process. I am an internationalist, and I believe in political unions when we are geographically close to people and when we share their values. The best days of the United Kingdom still lie ahead of us.

The Presiding Officer (Ken Macintosh): Thank you. I encourage members to keep it down a little bit. You were chatting incessantly over the member.

I can see members who are to contribute asking how long they will have. I am afraid that the tail-end speakers will probably get less than their four minutes, just because of the length of time that it is taking to get through the contributions.

Neil Findlay (Lothian) (Lab): Because of that lot.

The Presiding Officer: That is enough, Mr Findlay.

16:25

Ivan McKee (Glasgow Provan) (SNP): Before I came into this Parliament, I worked in business and travelled the world, and I spent a lot of time living in small, independent countries. I always used to ask myself why it was that those countries had it so much better than we do. They had a

higher standard of living and less inequality. They had far fewer natural resources and far fewer qualified people than we have, with five of the top 200 universities in the world being in Scotland.

The growth commission report provides the answer. It explains empirically that, over the last 25 years, those small countries have had growth rates of 0.7 per cent on average per year higher than larger equivalents. It also explains the reasons for that. It explains the global trends that drive the advantage in trade terms towards countries of that size.

Neil Findlay: Will the member take an intervention?

Ivan McKee: No, I am too busy.

It explains why countries of that size are more efficient and more effective at managing themselves, growing their economies and providing efficient public services. [*Interruption.*] That is absolutely true.

The growth commission also shows the path forward—how Scotland can get from where we are now, suffering under the union, towards the situation that those small countries enjoy. It lays out the 50 recommendations that we need to follow. It shows the path for growth through the increase in population, in participation and inclusion in the workforce, and in productivity.

It shows what we can do now, what we can do with more powers under devolution and what we can do with the full powers of independence. It shows that path forward, from where we are now to where we need to be to realise the full potential of this country of ours.

Let us be very clear: the growth commission report rejects austerity. It talks about plans to grow public spending by 0.5 per cent, growing public spending by 5 per cent in real terms over 10 years. Compare and contrast 5 per cent growth in real-terms public sector spending with what we have seen over the last 10 years of true Tory austerity—a cut of 9 per cent. Minus 9 per cent is austerity; plus 5 per cent is the opposite of austerity. Let us get that clear right from the start.

The report is also very clear that it calls for cross-partisan working—across parties, society, industry and everybody who is involved—to ensure that we realise the potential of this country. It is very important that all the parties here realise that and understand what it means.

The reality is that we have seen no alternatives coming forward from anybody else on how to deal with Scotland's situation and move it forward—nothing at all. On the one side, we have Tory austerity and more of the same—a power grab that takes powers away from Scotland, limiting our

ability to do what we need to do. We have that wrapped in the union flag. No, thank you.

On the Labour side, very few of whom have bothered to stay to talk about the future of Scotland and its economy, we have “Waiting for Corbyn”. I will tell you something: I have been waiting 40 years for a Labour Party that is going to do something to fix the economy and move us forward, and I am not going to wait another 40 years, because in 40 years I will be dead and so will you, and we are not going to see anything.

I realised a number of years ago that the only way forward was through independence for Scotland and that is why I am standing here today. Where we are going with the growth commission report is the future. The debate is happening here, it is happening on the yes side, it is happening with people who are undecided and it is happening across civic society in Scotland. That will continue because the reality is that we know where we are going. The growth commission report is the future. It is how we are going to take Scotland forward. We know it.

The people of Scotland are increasingly coming to realise that—[*Interruption.*] Murdo Fraser is laughing, but what is scaring him witless as he sits there is that, for the first time ever, polls show that the majority of people in Scotland realise that they would be better off under independence than they are under the union. That is the fact and that is where we are going. We know that it is coming. The people of Scotland know that it is coming. That is the future. Get yourself on the right side of history for once.

The Presiding Officer: Thank you very much. Before I call Alexander Burnett, I will say that Neil Bibby and Stuart Macmillan will have three rather than four minutes. Mr Burnett, you have four minutes.

16:29

Alexander Burnett (Aberdeenshire West) (Con): Thank you, Presiding Officer, and I also thank Willie Rennie for bringing this important topic to the chamber today.

As much as the SNP likes to think that the growth commission's report is an optimistic case for independence, the only thing that it is good for is for giving us a blueprint of why the SNP is out of touch with Scotland.

Where to begin? I have only four minutes in which to make a dent in the ridiculousness of the report, so let us get into it. As an MSP from the north-east of Scotland, I was interested to see what the commission had to say on the oil and gas industry. I was surprised that it had something to

say, considering that the Government has failed to support the industry over the past four years.

The UK Government has provided more than £1 billion of support, but the SNP's token of the transitional training fund has provided little relief to the people who have been affected by the oil crash. I note that the growth commission says that its projections are not based on reliance on the oil and gas industry, so I worry about how the commission expects to support the sector, if we were to leave the UK. There is much discussion of tax revenues and projections, but no specifics on how the commission would support the industry.

That is not the only thing on which the commission has provided little detail. In fact, there is no mention of the minimum wage, the living wage, the benefits cap, food banks, fuel poverty, the earnings limit and inheritance tax bands, and there is absolutely no mention of any policy on the national health service. It will come as no surprise, particularly to constituents of mine in Aberdeenshire West, that the SNP has given no thought to the NHS.

My constituents will also not be surprised to hear that the SNP will offer tax incentives to people who choose to come and live in an independent Scotland, but that there is no mention of what the people who are already living and working here will pay.

A Government should be able to attract individuals to our country and to project an image that is favourable to investors, and separation is not the answer.

Derek Mackay: Will Alexander Burnett take an intervention on that point?

Alexander Burnett: I will not be taking any interventions. If the SNP wanted to debate the issue, it could do so in its own time, rather than force the Liberal Democrats to bring the matter to the chamber.

I am disappointed that, instead of answering questions on how to improve investment and productivity and boost our economy, the SNP has responded by setting up three new commissions, six new strategies, four new reviews, one new strategy review and one new standing council—15 in total—which only add to an already cluttered landscape. As the Fraser of Allander institute has said, that leads to

“confusion, a lack of alignment, duplication and weakened accountability.”

If the SNP were to focus more on the issues at hand, perhaps it would not be trying to use leaving the UK as the answer to all its problems, because it is not, and even the Government's statistics show that. We trade nearly four times as much with the rest of the UK as we do with the European

Union. With more people coming to Scotland from the rest of the UK than come from overseas, it would be irresponsible to separate from our own nation. I ask this of the SNP Government: focus on Scotland, now.

16:32

Neil Bibby (West Scotland) (Lab): As others have said, it is interesting that the Scottish Liberal Democrats have chosen to use their debating time in the chamber to discuss the report. It is not only interesting but deeply telling. When a report is put on the back burner for months and, when it is finally put into the public domain, it is published over a bank holiday weekend, we have to ask why. That is not because the SNP has reacquainted itself with the day job; it is because the SNP's growth commission has left the party's case for independence exposed.

It is no wonder that there are concerns about the report. As the Institute for Fiscal Studies has made perfectly clear, it marks a “continuation of austerity”—not an escape or an alternative, but a “continuation”. Let us look at why.

First, on currency, the report states:

“The Commission recommends that the currency of an independent Scotland should remain the pound sterling for a possibly extended transition period.”

That means an independent Scotland using what would become the currency of a foreign country for an extended period. That would mean having no control over money supply or interest rates, and no power to issue debts to finance investment or growth. The move would come with severe costs. For instance, according to Professor MacDonald of the Adam Smith business school, pegging a new currency to the pound would require currency reserves of anything between £30 billion and £300 billion.

On public spending, the commission proposes a decade of cuts. It also proposes that an independent Scotland would pay an annual solidarity payment to the UK that is bigger than Scotland's education and justice budgets combined.

As the Labour amendment states, the SNP has not engaged with Scotland's trade unions on the report. That is evident from reading the document and seeing the scale of the cuts.

Derek Mackay: Will the member take an intervention on that point?

Neil Bibby: Mr Mackay did not take any interventions.

The growth commission has much to say about the costs of Brexit. Brexit comes with costs for Scotland and the UK—of that there is no doubt—

but the report has precious little to say about the costs to Scotland of leaving the UK. Leaving a 40-year-old union is a big challenge, but so is leaving the 300-year-old union of which Scotland has been an integral part for generations, and it is time that the SNP was up front about that.

The alternative to Tory austerity is not more austerity; it is an end to austerity altogether and a radical shift to a new kind of economy that mobilises the talents and resources of our whole country. We want an investment-led economy in which we stop neglecting our infrastructure, our people and our industries, and prioritise sustainable and inclusive growth; in which businesses play by the rules, and the rights of workers and trade unions are respected; and in which public services are run in the public interest; and in which we reassert the importance of public ownership and co-operative ownership so that there is democratic control of the Royal Mail and our railways. We want an economy that works for the many and not the few.

The change that this country needs is a UK Labour Government that is committed to ending austerity and to the economic and social transformation of Scotland and the UK. That is why I will vote for the Labour amendment today and for our vision of a better and fairer future for our country.

16:35

Stuart McMillan (Greenock and Inverclyde) (SNP): I thank the Lib Dems for bringing this important debate to the chamber today. Their timing is impeccable.

I will never demur from my belief that the only way that our nation can even begin to reach its potential is by being an independent country.

The Lib Dems, in their various guises, have for many years campaigned for federalism, which has been rejected repeatedly at the ballot box. However, they did not go away and change their policy. Why should they, if they believe so strongly in it?

On devolution, perhaps Willie Rennie in his summing up can explain why members of his party abstained—or, in Wera Hobhouse's case, voted both ways—in the House of Commons last night when they had a chance to try to protect the powers of the Scottish Parliament in the face of the hard Brexit that might be coming our way. Perhaps he can explain why his federal colleagues, some of whom are Scottish MPs, decided to sidle up to the Brexit legislation that will limit this Parliament's powers for up to seven years, even though Mr Rennie and three of his colleagues in the Scottish Parliament voted to protect those powers very recently.

We have James Kelly's amendment from the parallel universe in which he lives. We have the weakest Tory Prime Minister on record, but Labour is still behind the Tories in the opinion polls. People attacked Michael Foot when he was leader of the Labour Party. I am sorry to break it to James Kelly, but Jeremy Corbyn is not even a poor man's Michael Foot.

We saw Labour's capitulation last night in the House of Commons, when they effectively gave the Tories free rein to do what they want to this Parliament and to Scotland. They are leaving Scotland to the excesses of even more people going to food banks, even more people struggling because of universal credit and the discredited personal independence payments, even more people being affected by the rape clause, and even more skilled migrants being blocked from coming here to work in our health service and in the farming, fish processing and tourism sectors. James Kelly and his colleagues will therefore have a lot of explaining to do now and in the future when our unemployment rate starts to go up, when the cost of living starts to increase and when the demands on the Scottish Government start to increase despite the cuts from Westminster being ever present. Perhaps James Kelly can answer how his amendment will be delivered when he sums up.

We also have Murdo Fraser's amendment, which is from the party that did not want devolution in the first place. If ever an example were needed, the events that we have seen under the Tory Administration in Westminster since 2010 have shown that the nasty party is well and truly back. They have the so-called cuddly Scottish Tories to provide the human shield for the vindictive policies that emanate from Downing Street, and the extreme right wingers Johnson, Gove and Rees-Mogg are dangling a weak Prime Minister like a marionette dancing to the hard Brexit tune.

This should be a wake-up call to the people of Scotland that Westminster does not respect Scotland. It never has and it never will. The fact that a Tory MP shouted that suicide should be an option when Ian Blackford MP asked the House of Commons' Speaker what options were available, should tell Scotland everything that we need to know about the nasty and vindictive Tory elite that is based in Westminster and which, unfortunately, is available across the UK.

That is why I will back the finance secretary's amendment tonight. Anything less would be doing Scotland a disservice, and would fail to recognise that when Scotland becomes independent we—the people of this nation—will make it the country that we want it to be.

The Presiding Officer: I thank Neil Bibby and Stuart McMillan for getting us back on time.

16:39

Ross Greer (West Scotland) (Green): I am grateful to the Liberal Democrats for bringing the SNP's growth commission report to Parliament for debate. It is right that we debate Scotland's constitutional and economic future.

However, I have been absolutely bowled over by the brass neck of Willie Rennie in lodging his motion. It talks about

"the extended period of financial pain".

That is something that the Lib Dems know a great deal about, as other speakers have mentioned. The Lib Dems are the junior architects of the round of "financial pain" that we have endured since 2010. Their ideologically driven austerity has seen child poverty in Scotland and the rest of the UK rise, and their Westminster coalition Government implemented an agenda of cuts to public services of which about 80 per cent of the damage was felt by women, so I am in no mood to take seriously Mr Rennie's lectures on austerity.

Although much of Mr Rennie's criticism of the growth commission is not incorrect, his conclusion is wrong, and the Greens will not support his motion or, as a result, the Conservatives' amendment.

I will touch on the Labour amendment, which I find interesting. Labour is right to criticise the fact that the list of contributors to the commission, which is allegedly on sustainable growth, did not include a single trade union. One could say that the client list of Charlotte Street Partners would be delighted with the result of the document.

Derek Mackay: The Scottish Trades Union Congress was in the commission's engagement strategy. I was a member of the commission, and much of the work that the trade unions would, I am sure, want to see on productivity and participation are in the growth commission. The thoughts of trade unionism can be seen in the growth commission.

Ross Greer: No, they cannot. The fact is that not a single trade union was invited to contribute to the document on the same terms as the Confederation of British Industry Scotland or the Institute of Directors. That is a failing on the SNP's part.

Labour's criticism of the reheated neoliberal economics at the heart of the growth commission mirrors much of what the Greens have said, but the amendment in James Kelly's name is wrong to say that economic and social transformation cannot be achieved through a referendum on independence. It is certainly wrong to say that only Labour's plans would bring about that transformation. We heard the same in 2014—that we should vote no because a Labour Government

was just over the horizon and would undo the damage that the Tories had inflicted on Scotland. That failed to materialise in 2015 and 2017; it does not look likely to materialise any time soon.

The situation is even worse with Brexit. The economic analysis that was commissioned by a committee of this Parliament found that we are set to lose 80,000 jobs and that average wages will drop by £2,000 as a result of a hard Brexit. That makes Labour's capitulation to the Tories' hard Brexit utterly shameful.

The Labour amendment also fails to understand why independence is so necessary for Scotland. We do not want to put our future in our own hands simply because of Tory Governments since 2010. We believe in independence because of the UK's structural long-term failure to act in Scotland's interests, and because of the potential that independence has to bring about the social and economic transformation that the Greens—and many Labour people—want.

It is precisely because of the potential for transformation through independence that the Greens consider that the SNP's growth commission has failed to offer either a compelling case for independence or an economic plan that meets Scotland's needs. Scotland needs independence to break with the failed GDP-growth-obsessed crisis capitalism of the UK; to break with its dependence on and subservience to the financial sector in the City of London; to recognise the urgency of climate science and transition rapidly from an oil and gas industry that is bringing the world to its knees, while it sheds jobs here in Scotland; and to build an economy that supports a renewed social contract that will transform our society into one that our communities deserve.

The Green amendment mentions "Jobs in Scotland's New Economy: A report commissioned by the Scottish Green MSPs", which presents a vision for a jobs-rich future for Scotland, if we invest rapidly in the transition from fossil fuels to sustainable industries.

We do not consider that we—or any other party—have all the answers, but the vision that we contribute to the debate is one in which a Scotland that has all the powers of an independent nation is fully committed to an economy of quality jobs, underpinned by strong workers' rights and vibrant trade unions. We consider that Scotland's interests will be best served if we take a different path and are brave enough to do things differently, beyond simply settling for independence. However, the very first step is to put our future in our hands, and the Greens will proudly vote for that today.

16:43

Neil Findlay (Lothian) (Lab): Andrew Wilson, the author of the SNP's cuts commission, is a former RBS banker and now a corporate lobbyist with Charlotte Street Partners, which is one of the most powerful and well-connected lobbying companies in Scotland. It is important to know that because we can then begin to understand the philosophy behind his report.

Wilson and his fellow commissioners, who unanimously signed off the growth commission report, have penned a blueprint for independence that has a commitment—fully endorsed by Derek Mackay and Shirley-Anne Somerville—to ultra-free market neoliberalism engrained in it.

The report is a committed to current economic orthodoxy. There is no attempt to address external ownership of the Scottish economy. There is nothing on tax reform and nothing on challenging or controlling the hoarding of wealth by the few at the expense of the many. The report was written precisely to lure in the people who are on Charlotte Street Partners' corporate client list—that is who it is aimed at. It contains a pick and mix of policies from other countries, and plagiarised reports are presented as a blueprint for a Conservative economy.

The report advocates a Scotland of fiscal restraint: a country of reduced and reducing public spending, whose interest rates and monetary policy are set by another state. It sells us a view of the world that countries with low public expenditure are doing better than Scotland is doing as part of the UK, but it is talking about a Scotland that would no longer benefit from the Barnett formula, a Scotland where public investment would reduce year on year and a Scotland which, if it was accepted back into the EU, would be subjected to a 3 per cent deficit limit as well as a solidarity payment. All the while, it would have no control over interest rates or monetary policy, and the currency would be controlled by the chancellor of a foreign state in whose Parliament we would have no political representation or influence.

That is not what motivated many people to pound the streets for the yes campaign in 2014, who are rightly infuriated by the report's adherence to a failed economic model that inevitably and purposely increases inequality. That is a betrayal of many of the people who supported the yes movement in 2014. As *The Herald* columnist Iain Macwhirter said,

"Nicola Sturgeon, who was always thought of as a dedicated left-winger"—

mebbes aye, mebbes naw—

"has found herself defending a document that reads in places like one of George Osborne's Budget speeches."

Robin McAlpine of the Common Weal said:

"the commitment to a deficit reduction programme, an incredibly low public debt ceiling and a commitment to peg public spending below the rate of GDP growth already has a name—it's called Austerity."

Those are not my words; they are the words of commentators who believed that the SNP was a party of the progressive left. The report lays bare the fact that it is not.

The cuts commission seeks to emulate countries such as Finland, New Zealand and Sweden, but it completely fails to acknowledge the social, economic and political history and culture of those states, which have higher trade union densities and higher taxes on the wealthy, and where unions are active partners in the economy. The SNP ignores all that. Instead, it wants to recreate a low-tax, low-spend model. It is not interested in advancing serious economic change. The only change that the SNP wants to see is a change in the colour of a passport or in a line on a map.

How on earth could we maintain a strong welfare state, afford pensions and the NHS and fund modern public services if public spending grew at 1 per cent less than growth in GDP? In recent years, the SNP has sought to attract working-class voters by offering them a vision of independence that is very different from what is offered by the current UK Tory Government. The report suggests that the SNP has completely abandoned them in favour of the Sir Angus Grossarts of this world.

The choice in Scottish politics is now between more cuts and austerity with the SNP or the Tories, and a Labour Scotland that will deliver progressive policies; invest £20 billion in a Scottish investment bank worthy of the name; encourage domestic ownership of industry; crack down on corporate tax avoidance; and deliver progressive taxation and a living wage of £10 per hour. Socialism and nationalism are very different political philosophies; the commission's report makes that even clearer.

16:48

Adam Tomkins (Glasgow) (Con): I was going to thank the Liberal Democrats for making their time available to hold this afternoon's enlightening debate, which I think has shown Holyrood in its best light, but I will allow the *Official Report* to speak for itself.

Amid the noise, I have been able to pick out three themes in the debate. The first is that the core recommendation of the growth commission is fatally flawed. The use by an independent Scotland of the currency of what would be a foreign power would be ruinous for the economy

and would be dangerous for political stability. Sterlingisation, which is the commission's core idea, is a terrible idea. It is implausible, it is unworkable and it is dangerously naive. It was rejected in 2013 by the SNP's own fiscal commission. More recently, it was condemned by former SNP MP George Kerevan. It has been busted as a credible option by economists as diverse as Anton Muscatelli, Paul Krugman, Richard Murphy and Ronald MacDonald. It would not be a recipe for independence; it would make Scotland more dependent on a monetary policy that would be set elsewhere—not elsewhere in the same state but elsewhere in what would become the capital city of a foreign power. That is the core idea of the growth commission. No wonder Alex Bell described it as a "political suicide note".

That is the first theme, which is flawed and holed below the waterline.

The second theme that has come from the growth commission is more valuable, and I thank it for that. The principal purpose of the growth commission has been to expose and reconfirm just how threadbare the 2013 independence white paper was. As Murdo Fraser described, it was a "compendium of inventions"—not just on the currency but on oil. Alex Salmond talked of "a second oil boom"; Nicola Sturgeon talked of "a second energy bonanza" and the "boom years ahead"; and John Swinney talked of a "massive oil boom". Only now—four years on—does the growth commission finally concede how desperately misleading all those comments were. It says that windfalls

"should be treated as windfalls and not depended upon for recurring annual commitments."

Yes—indeed.

On pensions, all the uncosted fairytale promises of the white paper have been torn up, jettisoned and dumped. The same is true for welfare, with U-turn after U-turn after U-turn.

The same is true for transition costs. *[Interruption.]* SNP members do not want to listen to this. On transition costs, the white paper was silent and Nicola Sturgeon was hopeless on Channel 4 just the other day. The growth commission is risible on the matter. It says that it will cost £450 million to set up a new state. We are to believe that the information technology to deliver common agricultural policy payments in Scotland and the creation of a new Scottish social security agency will somehow be more expensive than setting up a new state from scratch. We needed not a fresh blueprint for independence but an apology from Derek Mackay and the troops who are assembled behind him for hoodwinking the Scottish people with a risible white paper in 2013.

The third and final theme that has emerged from the high-quality debate that we have all so much enjoyed is perhaps the most important. Independence would make everyone in Scotland poorer. Independence would mean austerity on steroids. Debt would take 96 years to pay off. There would be £27 billion-worth of cuts in the first decade alone. Business would flee. The economy would tank. Independence would mean even slower growth that we have under Derek Mackay's economy, and even higher taxes than we have under Nicola Sturgeon's SNP Government now. Independence would be a disaster for Scotland. We said no; we were right, and we meant it.

16:52

The Cabinet Secretary for Economy, Jobs and Fair Work (Keith Brown): First, I will respond to some of the points that have been made during the debate and make the case that the best future for Scotland is an independent one. It is always a pleasure to make the case for Scottish independence, even though it is talked about much more often by Opposition parties than it is by the SNP.

Why are we having the debate now? The cat has been let out the bag. In an article in *The Scotsman* yesterday, Alex Cole-Hamilton admitted that the prospect of the growth commission's conclusions caused

"shudders of ... anxiety and nervous glances"

among the unionist parties. In short, they are scared stiff of a debate about the positive and inclusive vision for Scotland. So they should be, because let us look at things as they stand: foreign direct investment is at a record level and supporting 6,400 jobs; exports are increasing much faster than they are in the rest of the UK; RBS projects that growth in Scotland will outpace growth in the UK; employment in Scotland is at record levels; and apprentice targets are being met. As Ivan McKee said, there is record confidence in the prospects of the economy of an independent Scotland. That is what the unionists are so scared of.

It was telling that none of the main spokespersons for the Opposition parties wanted to take any interventions. Alex Cole-Hamilton, like Jo Swinson, now takes an ultra-unionist position. Jo Swinson has said that she has pleaded with the Tory Prime Minister not to take any cognisance of the democratic mandate of the Scottish Parliament. A Lib Dem saying that the UK Government should take no cognisance of the Scottish Parliament's decisions is shocking.

There was not a word about Brexit during the Liberal Democrat contributions. Members should look at the *Daily Record* today. Everybody knows

that withdrawal from the EU is the number 1 risk to the economy. There was not a word from the supposedly EU-supporting Lib Dems about the prospects of Brexit.

Murdo Fraser's contribution was a back-to-the-future one. Some people might remember "The New Statesman" programme from the 1980s. A certain character called Alan B'Stard, who was, of course, an ultra-right-wing Conservative, was the star of that programme. I just wonder whether we have a whole bunch of B'Stards here today in the chamber.

On the issue of engagement, we had a discussion about city deals in the Parliament's Local Government and Communities Committee today, which the UK Government did not turn up to. I have just heard that David Mundell has once again been in touch with the Scottish Parliament to say that he will not appear before the Justice Committee tomorrow. So much for engagement from the Conservatives.

I am sorry to have to say this about him, but James Kelly took no interventions, made no suggestions and had nothing positive to say.

Neil Findlay: Will the cabinet secretary give way?

Keith Brown: No, I will not.

It is worth remembering that the Labour Party ushered in austerity for Scotland. We all know that the last words of the Labour Government were that there was no money left.

There was, of course, much to support in what Patrick Harvie and Ross Greer of the Greens said about the sustainable growth commission. We have different ideas on that, and we are perfectly willing to engage in a proper debate. I have said that I am more than happy to discuss with other parts of the yes movement, including the Green Party, their proposals for continued growth in Scotland. That seeks to elevate the debate from the depressing Brexit-dominated nightmare that we face under the Conservative Party, especially after the votes in the House of Commons in the past couple of days.

It is quite clear that the unionist parties are, as Alex Cole-Hamilton said, riven by

"shudders of ... anxiety and nervous glances".

Well they might be, because the Scottish Government, the Scottish National Party and this country are united. It might interest members to know that, just this afternoon, the SNP has attracted 1,000 new members. That says to me that people in Scotland have seen the way that Westminster fails to take into account, and can never properly take into account, the views of the people of Scotland. The country and the SNP are

united behind trying to get a better future for Scotland, and it is increasingly evident that the support for that is widespread. I am perfectly happy to take on debates. We are ready and Scotland is increasingly ready for independence for Scotland.

16:57

Willie Rennie: The debate has been constructive, with many considered and thoughtful contributions, including from that great SNP thinker, Keith Brown. However, he must learn to read the whole of Alex Cole-Hamilton's sentences rather than just the first half of them.

There have been many great contributions, including from Derek Mackay, who rejected UK austerity. Apparently, it is not enough for him: the SNP wants even more austerity.

Murdo Fraser quite rightly said that the growth commission's report is a "repudiation" of the 2014 white paper, which was "a compendium of inventions".

I thought that Tom Arthur was rather unfair. In the middle of the debate, he bellowed, "We're doomed." Even I did not describe the growth commission like that.

I seriously, genuinely and in a heartfelt way say that I am grateful that SNP members have stayed for the whole of the debate. I am really touched that they wanted to listen to my contribution at the end of it.

The SNP's amendment is fascinating. It would delete references to many things in our motion. I can accept that the SNP might not agree with everything in the motion, but it would even delete the reference to its own growth commission, such is the embarrassment about what the growth commission has said.

The Greens' amendment highlights many of the divisions in the nationalist movement. If the Greens really believe what they say—I do not doubt that they do—they will vote against the SNP's amendment because if it is agreed to, the Green amendment will fall. If they have the courage of their convictions, they need to vote against the Government amendment, otherwise their words will mean absolutely nothing.

Ivan McKee was not comparing like with like when he looked back at public spending. Under SNP rule, there would have been a 2 per cent real-terms cut in public spending over the past period. There would have been an increase in cuts under the SNP—he needs to be more accurate about that.

People at the heart of the yes campaign are furious that the growth commission has confessed.

They are upset that they will not be able to get away with what they told people the last time. It is not about principle for them; it is about votes. Former senior MP George Kerevan warned that the commission risked “robbing” the next independence campaign of working-class support. Jonathon Shafi said that it would be a “very hard sell” to voters. Colin Fox was alarmed and said that the commission

“risked driving hundreds of thousands of former Yes voters into the hands of Jeremy Corbyn.”

They are right to be concerned that the yes campaign will haemorrhage votes, because we now have the truth about independence from the growth commission.

Several members mentioned Brexit, and others cannot criticise the Liberal Democrats on Brexit. We are forthright about our opposition to Brexit. If only SNP members would have the courage to back the people’s vote so that we could reverse the damage to our economy. Perhaps there is some common ground with the nationalists on that, but I cannot understand why those very same nationalists believe that there will be no economic shock from withdrawing from the United Kingdom economic and political union, especially when our integration with the UK economy is even greater than that with the EU economy. To complain about the economic shock from EU withdrawal while denying that there would be an economic shock from UK withdrawal defies logic. The growth commission report would have been stronger if it had admitted that.

We used to be told repeatedly that we would be better off under independence, but now we find that we would be stumping up billions of pounds for the UK for years after independence. It is just like Nigel Farage promised. We will end up in the same situation with the SNP: the future of the NHS would be undermined by the weakness of the Scottish finances in an independent Scotland. To be clear: to save the NHS, we need to remain in the United Kingdom. That is the best future for our country.

Business Motions

17:02

The Presiding Officer (Ken Macintosh): The next item of business is consideration of three business motions: motion S5M-12737, setting out a business programme; and motions S5M-12738 and S5M-12739, on timetables for two bills at stage 1. I call on Joe FitzPatrick to move the motions on behalf of the Parliamentary Bureau.

Motions moved,

That the Parliament agrees—

(a) the following programme of business—

Tuesday 19 June 2018

2.00 pm Time for Reflection

followed by Parliamentary Bureau Motions

followed by Topical Questions (if selected)

followed by Ministerial Statement: Progress in EU Exit Negotiations

followed by Stage 1 Debate: Scottish Crown Estate Bill

followed by Financial Resolution: Scottish Crown Estate Bill

followed by Business Motions

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

followed by Members’ Business

Wednesday 20 June 2018

2.00 pm Parliamentary Bureau Motions

2.00 pm Portfolio Questions: Health and Sport

followed by Scottish Labour Party Business

followed by Business Motions

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

followed by Members’ Business

Thursday 21 June 2018

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 Ministerial Statement: Provisional Outturn 2017-18

followed by Scottish Government Debate: World Refugee Day: Supporting People to Settle in Scotland

followed by Business Motions

followed by Parliamentary Bureau Motions

5.00 pm Decision Time
 Tuesday 26 June 2018
 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 27 June 2018
 2.00 pm Parliamentary Bureau Motions
 2.00 pm Portfolio Questions:
 Communities, Social Security and
 Equalities
followed by Scottish Government Business
followed by Business Motions
followed by Parliamentary Bureau Motions
 5.00 pm Decision Time
followed by Members' Business
 Thursday 28 June 2018
 11.40 am Parliamentary Bureau Motions
 11.40 am General Questions
 12.00 pm First Minister's Questions
 12.45 pm Decision Time

and (b) that, in relation to First Minister's Questions on 21 June 2018, in rule 13.6.2, insert at end "and may provide an opportunity for Party Leaders or their representatives to question the First Minister".

That the Parliament agrees that consideration of the Climate Change (Emissions Reduction Targets) (Scotland) Bill at stage 1 be completed by 8 February 2019.

That the Parliament agrees that consideration of the Health and Care (Staffing) (Scotland) Bill at stage 1 be completed by 7 December 2018.—[*Joe FitzPatrick*]

Motions agreed to.

Parliamentary Bureau Motions

17:03

The Presiding Officer (Ken Macintosh): The next item of business is consideration of four Parliamentary Bureau motions. I ask Joe FitzPatrick to move, on behalf of the Parliamentary Bureau, motions S5M-12742 to S5M-12745, on approval of Scottish statutory instruments.

Motions moved,

That the Parliament agrees that the Equality Act 2010 (Specific Duties) (Scotland) Amendment Regulations 2018 [draft] be approved.

That the Parliament agrees that the Scottish Fiscal Commission (Modification of Functions) Regulations 2018 [draft] be approved.

That the Parliament agrees that the ILF Scotland (Miscellaneous Listings) Order 2018 [draft] be approved.

That the Parliament agrees that the Community Care (Personal Care and Nursing Care) (Scotland) Amendment (No. 2) Regulations 2018 [draft] be approved.—[*Joe FitzPatrick*]

The Presiding Officer: The next item of business is consideration of a Parliamentary Bureau motion. I ask Joe FitzPatrick to move motion S5M-12741, on the draft Community Right to Buy (Abandoned, Neglected or Detrimental Land) (Eligible Land, Regulators and Restrictions on Transfers and Dealing) (Scotland) Regulations 2018.

Motion moved,

That the Parliament agrees that the Community Right to Buy (Abandoned, Neglected or Detrimental Land) (Eligible Land, Regulators and Restrictions on Transfers and Dealing) (Scotland) Regulations 2018 [draft] be approved.—[*Joe FitzPatrick*]

The Presiding Officer: I ask any member who wishes to speak against the motion to press their request-to-speak button now, and I call Claudia Beamish.

17:03

Claudia Beamish (South Scotland) (Lab): Regulations 3 to 5 of the draft regulations set out matters to which ministers must have regard in relation to the physical condition, designation or classification and use or management of the land. However, it is regulation 6 that Scottish Labour has concerns about. Alex Rowley and I raised those concerns in the Environment, Climate Change and Land Reform Committee.

Regulation 6 sets out the matters to which ministers must have regard in relation to harm to environmental wellbeing, which include whether the use of the land has caused a statutory nuisance or whether the land has been subject to

a closure order or an antisocial behaviour notice. Regulation 6 considers—and this is the rub for us—whether harm is being caused to environmental wellbeing. Regulation 6, as drafted, is the key to our opposition to the regulations.

Having listened to the cabinet secretary with care when the matter came before us in committee, and having been involved in the taking of evidence on the Land Reform (Scotland) Bill in the previous session of Parliament, I still have concerns. At stage 3 of that bill, Dr Aileen McLeod made a commitment, saying:

“I reassure members that the definition of environmental wellbeing has a wide meaning and encompasses some social considerations.”—[*Official Report*, 17 June 2015; c 118.]

It would have been helpful if the cabinet secretary could have clarified in committee the definition in law of “harm to environmental wellbeing”, which I understand made the Scottish Government decide to back away from the wide meaning in the draft regulations that were under discussion, which have now been withdrawn. They mentioned

“the amenity and prospects of the relevant community”,

“the preservation of the relevant community or its development”

and

“the social development of the relevant community”.

Those are important issues for the future of our communities in Scotland. I absolutely take the point that effective regulation is important, but so is regulation that reflects commitments that were made by a minister at stage 3 of a bill. That is why I have concerns that those three aspects now rest only on possibilities.

The cabinet secretary indicated to our committee that her officials are looking at the Land Reform (Scotland) Act 2003 and part 5 of the Land Reform (Scotland) Act 2016 in relation to sustainable development. These are complex issues and I am concerned that, if the investigations do not come up with an answer that protects communities that are in such circumstances, the regulations will not be the effective legislation that Dr McLeod and those of us who were involved in the legislative process, including several stakeholders, expected. That would be to the detriment of community empowerment and it would risk curtailing the opportunities for communities—both rural and urban—to own more land for their future sustainable development.

We need to get the regulation right, and a broader definition of environmental harm is needed. Therefore, with regret, and although I understand that we risk delaying the regulations, Labour members will vote against them tonight.

The Presiding Officer: Cabinet secretary, do you wish to respond?

17:07

The Cabinet Secretary for Environment, Climate Change and Land Reform (Roseanna Cunningham): Yes. Thank you, Presiding Officer.

The regulations introduce important new right-to-buy powers that will provide far-reaching options for communities. Communities will have the right to buy land that is wholly or mainly abandoned or neglected, or the management or use of which is causing harm to the environmental wellbeing of the relevant community. Those are powerful options that are not currently available to communities.

Before the draft regulations were laid, we had to remove some matters from ministerial consideration in determining whether the use or management of land results in or causes harm directly or indirectly to the environmental wellbeing of a relevant community. Those elements were not considered to be related closely enough to the concept of environmental wellbeing.

Environmental wellbeing remains an important component of the regulations and it includes some social considerations where they lead to harm to a community’s environmental wellbeing. However, environmental wellbeing has a particular meaning and we cannot stretch that meaning to breaking point. Some stakeholders—particularly Community Land Scotland—were keen that such issues could be taken into account in determining whether land is eligible. However, rather than trying to fit such concepts into the definition of environmental wellbeing, it is better to explore other options for how we might achieve that. I have asked my officials to look at ways in which that can be done effectively, and that will be done during the next year.

Additionally, we will continue to monitor the effectiveness of the regulations that we are discussing, and a report on their effectiveness will be submitted to the Environment, Climate Change and Land Reform Committee by June 2019.

I met Community Land Scotland recently to discuss the regulations. Although it considers the definition of “harm to environmental wellbeing” to be narrowly drawn, it has given its qualified support to the regulations being agreed to in their current form, given the commitments that I have made to explore other ways in which we can allow issues such as social amenity and social wellbeing to be taken into account.

Those issues will also be relevant in the context of part 5 of the Land Reform (Scotland) Act 2016, which provides a right to buy for sustainable

development, and they will be taken into account in developing those regulations.

It is important to emphasise that, as drafted, the regulations will bring into force valuable new rights to buy. They will provide communities with a powerful new tool to take ownership of land that is wholly or mainly abandoned or neglected or where the management or use of land is causing harm to the community's environmental wellbeing. If the regulations are not agreed to today, communities will lose that opportunity, so I ask Parliament to support them.

The Presiding Officer: I thank Ms Cunningham for responding on behalf of the Government.

Decision Time

17:09

The Presiding Officer (Ken Macintosh): I remind members that, if the amendment in Maureen Watt's name is agreed to, the amendment in Annie Wells's name will fall.

The question is, that amendment S5M-12706.4, in the name of Maureen Watt, which seeks to amend motion S5M-12706, in the name of Alex Cole-Hamilton, on health, 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, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Campbell, Aileen (Clydesdale) (SNP)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Constance, Angela (Almond Valley) (SNP)
 Crawford, Bruce (Stirling) (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)
 Dornan, James (Glasgow Cathcart) (SNP)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fabiani, Linda (East Kilbride) (SNP)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Freeman, Jeane (Carrick, Cumnock and Doon Valley) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Harper, Emma (South Scotland) (SNP)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lochhead, Richard (Moray) (SNP)
 Lyle, Richard (Uddingston and Bellshill) (SNP)
 MacDonald, Angus (Falkirk East) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Derek (Renfrewshire North and West) (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) (Ind)
 McKee, Ivan (Glasgow Provan) (SNP)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)

McMillan, Stuart (Greenock and Inverclyde) (SNP)
 Neil, Alex (Airdrie and Shotts) (SNP)
 Paterson, Gil (Clydebank and Milngavie) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Ross, Gail (Caithness, Sutherland and Ross) (SNP)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Todd, Maree (Highlands and Islands) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
 Wheelhouse, Paul (South Scotland) (SNP)
 White, Sandra (Glasgow Kelvin) (SNP)
 Yousaf, Humza (Glasgow Pollok) (SNP)

Against

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Balfour, Jeremy (Lothian) (Con)
 Ballantyne, Michelle (South Scotland) (Con)
 Beamish, Claudia (South Scotland) (Lab)
 Bibby, Neil (West Scotland) (Lab)
 Bowman, Bill (North East Scotland) (Con)
 Briggs, Miles (Lothian) (Con)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Cameron, Donald (Highlands and Islands) (Con)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Chapman, Peter (North East Scotland) (Con)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Corry, Maurice (West Scotland) (Con)
 Dugdale, Kezia (Lothian) (Lab)
 Fee, Mary (West Scotland) (Lab)
 Findlay, Neil (Lothian) (Lab)
 Finnie, John (Highlands and Islands) (Green)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Golden, Maurice (West Scotland) (Con)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (East Lothian) (Lab)
 Greene, Jamie (West Scotland) (Con)
 Greer, Ross (West Scotland) (Green)
 Griffin, Mark (Central Scotland) (Lab)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Harris, Alison (Central Scotland) (Con)
 Harvie, Patrick (Glasgow) (Green)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Johnstone, Alison (Lothian) (Green)
 Kelly, James (Glasgow) (Lab)
 Kerr, Liam (North East Scotland) (Con)
 Lamont, Johann (Glasgow) (Lab)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lindhurst, Gordon (Lothian) (Con)
 Lockhart, Dean (Mid Scotland and Fife) (Con)
 Macdonald, Lewis (North East Scotland) (Lab)
 Marra, Jenny (North East Scotland) (Lab)
 Mason, Tom (North East Scotland) (Con)
 McArthur, Liam (Orkney Islands) (LD)
 Mitchell, Margaret (Central Scotland) (Con)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Rennie, Willie (North East Fife) (LD)
 Rumbles, Mike (North East Scotland) (LD)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Sarwar, Anas (Glasgow) (Lab)
 Scott, John (Ayr) (Con)
 Scott, Tavish (Shetland Islands) (LD)

Simpson, Graham (Central Scotland) (Con)
 Smith, Elaine (Central Scotland) (Lab)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Smyth, Colin (South Scotland) (Lab)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Stewart, David (Highlands and Islands) (Lab)
 Tomkins, Adam (Glasgow) (Con)
 Wells, Annie (Glasgow) (Con)
 Whittle, Brian (South Scotland) (Con)
 Wightman, Andy (Lothian) (Green)

The Presiding Officer: The result of the division is: For 62, Against 62, Abstentions 0. As members will know, I have cast my vote against amendments in such situations before, so I will vote against the amendment.

Amendment disagreed to.

The Presiding Officer: The next question is, that amendment S5M-12706.1, in the name of Annie Wells, which seeks to amend motion S5M-12706, in the name of Alex Cole-Hamilton, on health, be agreed to.

Amendment agreed to.

The Presiding Officer: The next question is, that amendment S5M-12706.2, in the name of Anas Sarwar, which seeks to amend motion S5M-12706, in the name of Alex Cole-Hamilton, on health, be agreed to.

Amendment agreed to.

The Presiding Officer: The next question is, that motion S5M-12706, in the name of Alex Cole-Hamilton, on health, as amended, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: We are not agreed—*[Interruption.]* I will ask the question one more time. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Balfour, Jeremy (Lothian) (Con)
 Ballantyne, Michelle (South Scotland) (Con)
 Beamish, Claudia (South Scotland) (Lab)
 Bibby, Neil (West Scotland) (Lab)
 Bowman, Bill (North East Scotland) (Con)
 Briggs, Miles (Lothian) (Con)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Cameron, Donald (Highlands and Islands) (Con)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Chapman, Peter (North East Scotland) (Con)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Corry, Maurice (West Scotland) (Con)
 Dugdale, Kezia (Lothian) (Lab)
 Fee, Mary (West Scotland) (Lab)
 Findlay, Neil (Lothian) (Lab)
 Finnie, John (Highlands and Islands) (Green)
 Fraser, Murdo (Mid Scotland and Fife) (Con)

Golden, Maurice (West Scotland) (Con)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (East Lothian) (Lab)
 Greene, Jamie (West Scotland) (Con)
 Greer, Ross (West Scotland) (Green)
 Griffin, Mark (Central Scotland) (Lab)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Harris, Alison (Central Scotland) (Con)
 Harvie, Patrick (Glasgow) (Green)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Johnstone, Alison (Lothian) (Green)
 Kelly, James (Glasgow) (Lab)
 Kerr, Liam (North East Scotland) (Con)
 Lamont, Johann (Glasgow) (Lab)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lindhurst, Gordon (Lothian) (Con)
 Lockhart, Dean (Mid Scotland and Fife) (Con)
 Macdonald, Lewis (North East Scotland) (Lab)
 Marra, Jenny (North East Scotland) (Lab)
 Mason, Tom (North East Scotland) (Con)
 McArthur, Liam (Orkney Islands) (LD)
 Mitchell, Margaret (Central Scotland) (Con)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Rennie, Willie (North East Fife) (LD)
 Rumbles, Mike (North East Scotland) (LD)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Sarwar, Anas (Glasgow) (Lab)
 Scott, John (Ayr) (Con)
 Scott, Tavish (Shetland Islands) (LD)
 Simpson, Graham (Central Scotland) (Con)
 Smith, Elaine (Central Scotland) (Lab)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Smyth, Colin (South Scotland) (Lab)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Stewart, David (Highlands and Islands) (Lab)
 Tomkins, Adam (Glasgow) (Con)
 Wells, Annie (Glasgow) (Con)
 Whittle, Brian (South Scotland) (Con)
 Wightman, Andy (Lothian) (Green)

Abstentions

Adam, George (Paisley) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Campbell, Aileen (Clydesdale) (SNP)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Constance, Angela (Almond Valley) (SNP)
 Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perthshire South and Kinrossshire) (SNP)
 Denham, Ash (Edinburgh Eastern) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fabiani, Linda (East Kilbride) (SNP)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Freeman, Jeane (Carrick, Cumnock and Doon Valley) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and

Lauderdale) (SNP)
 Harper, Emma (South Scotland) (SNP)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lochhead, Richard (Moray) (SNP)
 Lyle, Richard (Uddingston and Bellshill) (SNP)
 MacDonald, Angus (Falkirk East) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Derek (Renfrewshire North and West) (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) (Ind)
 McKee, Ivan (Glasgow Provan) (SNP)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 Neil, Alex (Airdrie and Shotts) (SNP)
 Paterson, Gil (Clydebank and Milngavie) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Ross, Gail (Caithness, Sutherland and Ross) (SNP)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Todd, Maree (Highlands and Islands) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
 Wheelhouse, Paul (South Scotland) (SNP)
 White, Sandra (Glasgow Kelvin) (SNP)
 Yousaf, Humza (Glasgow Pollok) (SNP)

The Presiding Officer: The result of the division is: For 62, Against 0, Abstentions 62.

Motion, as amended, agreed to,

That the Parliament believes that there is currently a mental health crisis in Scotland; deeply regrets that, in the two years since the appointment of the first dedicated mental health minister, published measures of services have shown a serious and sustained decline, including worsening waits for children, adolescents and adults requiring treatment; calls on the Scottish Government to refocus on prevention and early intervention through improved front-line support, including the roll-out of national mental health teacher-training, improved secondary school counselling provision and the placement of specialist mental health support in every GP practice and hub; recognises that there is still no new suicide strategy, despite it being over 500 days since the last one expired, and that the mental health strategy that will set the tone for services for a decade was published 15 months late and was widely criticised for its lack of ambition; considers that hard-working staff do not have the resources and support that they require to deliver the service that they would wish; demands that the Scottish Government publish plans detailing how it will improve performance against key targets and that the next Programme for Government delivers a step change in both ambition for and investment in mental health; notes the results of the Scottish Social Attitudes Survey, which suggest that at least half of people in Scotland feel that poorer health is a result of an 'unjust society' and believes that inequality and poverty have a

significant impact on mental health; believes that societal and economic reforms are needed to reduce many drivers of poor mental health; further believes that early intervention is vital if the country is to see a generational shift and that, as part of that, there should be access to a mental health counsellor in every school, and recognises that suicide prevention strategies should be implemented at a local level, with funding ring-fenced, and that any new framework on suicide prevention should have sufficient resources, workforce, governance and leadership.

The Presiding Officer: I remind members that, if the amendment in Derek Mackay's name is agreed to, the amendments in the names of Murdo Fraser, James Kelly and Patrick Harvie will fall.

The next question is, that amendment S5M-12708.4, in the name of Derek Mackay, which seeks to amend motion S5M-12708, in the name of Willie Rennie, on finance and the constitution, 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, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Campbell, Aileen (Clydesdale) (SNP)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Constance, Angela (Almond Valley) (SNP)
 Crawford, Bruce (Stirling) (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)
 Dornan, James (Glasgow Cathcart) (SNP)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fabiani, Linda (East Kilbride) (SNP)
 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)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 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)
 Lochhead, Richard (Moray) (SNP)
 Lyle, Richard (Uddingston and Bellshill) (SNP)
 MacDonald, Angus (Falkirk East) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Derek (Renfrewshire North and West) (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) (Ind)
 McKee, Ivan (Glasgow Provan) (SNP)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 Neil, Alex (Airdrie and Shotts) (SNP)
 Paterson, Gil (Clydebank and Milngavie) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Ross, Gail (Caithness, Sutherland and Ross) (SNP)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Todd, Maree (Highlands and Islands) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
 Wheelhouse, Paul (South Scotland) (SNP)
 White, Sandra (Glasgow Kelvin) (SNP)
 Wightman, Andy (Lothian) (Green)
 Yousaf, Humza (Glasgow Pollok) (SNP)

Against

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Balfour, Jeremy (Lothian) (Con)
 Ballantyne, Michelle (South Scotland) (Con)
 Beamish, Claudia (South Scotland) (Lab)
 Bibby, Neil (West Scotland) (Lab)
 Bowman, Bill (North East Scotland) (Con)
 Briggs, Miles (Lothian) (Con)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Cameron, Donald (Highlands and Islands) (Con)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Chapman, Peter (North East Scotland) (Con)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Corry, Maurice (West Scotland) (Con)
 Dugdale, Kezia (Lothian) (Lab)
 Fee, Mary (West Scotland) (Lab)
 Findlay, Neil (Lothian) (Lab)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Golden, Maurice (West Scotland) (Con)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (East Lothian) (Lab)
 Greene, Jamie (West Scotland) (Con)
 Griffin, Mark (Central Scotland) (Lab)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Harris, Alison (Central Scotland) (Con)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Kelly, James (Glasgow) (Lab)
 Kerr, Liam (North East Scotland) (Con)
 Lamont, Johann (Glasgow) (Lab)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lindhurst, Gordon (Lothian) (Con)
 Lockhart, Dean (Mid Scotland and Fife) (Con)
 Macdonald, Lewis (North East Scotland) (Lab)
 Marra, Jenny (North East Scotland) (Lab)
 Mason, Tom (North East Scotland) (Con)
 McArthur, Liam (Orkney Islands) (LD)
 Mitchell, Margaret (Central Scotland) (Con)
 Mountain, Edward (Highlands and Islands) (Con)

Mundell, Oliver (Dumfriesshire) (Con)
 Rennie, Willie (North East Fife) (LD)
 Rumbles, Mike (North East Scotland) (LD)
 Sarwar, Anas (Glasgow) (Lab)
 Scott, John (Ayr) (Con)
 Scott, Tavish (Shetland Islands) (LD)
 Simpson, Graham (Central Scotland) (Con)
 Smith, Elaine (Central Scotland) (Lab)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Smyth, Colin (South Scotland) (Lab)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Stewart, David (Highlands and Islands) (Lab)
 Tomkins, Adam (Glasgow) (Con)
 Wells, Annie (Glasgow) (Con)
 Whittle, Brian (South Scotland) (Con)

The Presiding Officer: The result of the division is: For 68, Against 56, Abstentions 0.

Amendment agreed to.

The Presiding Officer: The amendments in the names of Murdo Fraser, James Kelly and Patrick Harvie fall.

The next question is, that motion S5M-12708, in the name of Willie Rennie, on finance and the constitution, 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, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Campbell, Aileen (Clydesdale) (SNP)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Constance, Angela (Almond Valley) (SNP)
 Crawford, Bruce (Stirling) (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)
 Dornan, James (Glasgow Cathcart) (SNP)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fabiani, Linda (East Kilbride) (SNP)
 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)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 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)

Lochhead, Richard (Moray) (SNP)
 Lyle, Richard (Uddingston and Bellshill) (SNP)
 MacDonald, Angus (Falkirk East) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Derek (Renfrewshire North and West) (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) (Ind)
 McKee, Ivan (Glasgow Provan) (SNP)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 Neil, Alex (Airdrie and Shotts) (SNP)
 Paterson, Gil (Clydebank and Milngavie) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Ross, Gail (Caithness, Sutherland and Ross) (SNP)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Todd, Maree (Highlands and Islands) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
 White, Sandra (Glasgow Kelvin) (SNP)
 Wightman, Andy (Lothian) (Green)
 Yousaf, Humza (Glasgow Pollok) (SNP)

Against

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Balfour, Jeremy (Lothian) (Con)
 Ballantyne, Michelle (South Scotland) (Con)
 Beamish, Claudia (South Scotland) (Lab)
 Bibby, Neil (West Scotland) (Lab)
 Bowman, Bill (North East Scotland) (Con)
 Briggs, Miles (Lothian) (Con)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Cameron, Donald (Highlands and Islands) (Con)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Chapman, Peter (North East Scotland) (Con)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Corry, Maurice (West Scotland) (Con)
 Dugdale, Kezia (Lothian) (Lab)
 Fee, Mary (West Scotland) (Lab)
 Findlay, Neil (Lothian) (Lab)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Golden, Maurice (West Scotland) (Con)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (East Lothian) (Lab)
 Greene, Jamie (West Scotland) (Con)
 Griffin, Mark (Central Scotland) (Lab)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Harris, Alison (Central Scotland) (Con)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Kelly, James (Glasgow) (Lab)
 Kerr, Liam (North East Scotland) (Con)
 Lamont, Johann (Glasgow) (Lab)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lindhurst, Gordon (Lothian) (Con)

Lockhart, Dean (Mid Scotland and Fife) (Con)
 Macdonald, Lewis (North East Scotland) (Lab)
 Marra, Jenny (North East Scotland) (Lab)
 McArthur, Liam (Orkney Islands) (LD)
 Mitchell, Margaret (Central Scotland) (Con)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Rennie, Willie (North East Fife) (LD)
 Rumbles, Mike (North East Scotland) (LD)
 Sarwar, Anas (Glasgow) (Lab)
 Scott, John (Ayr) (Con)
 Scott, Tavish (Shetland Islands) (LD)
 Simpson, Graham (Central Scotland) (Con)
 Smith, Elaine (Central Scotland) (Lab)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Smyth, Colin (South Scotland) (Lab)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Stewart, David (Highlands and Islands) (Lab)
 Tomkins, Adam (Glasgow) (Con)
 Wells, Annie (Glasgow) (Con)
 Wheelhouse, Paul (South Scotland) (SNP)
 Whittle, Brian (South Scotland) (Con)

The Presiding Officer: The result of the division is: For 67, Against 56, Abstentions 0.

Motion, as amended, agreed to.

That the Parliament agrees that independence is best for Scotland's future, and recognises that Brexit is a major threat to Scotland's economy, society and environment.

The Presiding Officer: I propose to ask a single question on four Parliamentary Bureau motions. As no members object, the question is, that motions S5M-12742 to S5M-12745, in the name of Joe FitzPatrick, on behalf of the Parliamentary Bureau, on approval of Scottish statutory instruments, be agreed to.

Motions agreed to,

That the Parliament agrees that the Equality Act 2010 (Specific Duties) (Scotland) Amendment Regulations 2018 [draft] be approved.

That the Parliament agrees that the Scottish Fiscal Commission (Modification of Functions) Regulations 2018 [draft] be approved.

That the Parliament agrees that the ILF Scotland (Miscellaneous Listings) Order 2018 [draft] be approved.

That the Parliament agrees that the Community Care (Personal Care and Nursing Care) (Scotland) Amendment (No. 2) Regulations 2018 [draft] be approved.

The Presiding Officer: The final question is, that motion S5M-12741, in the name of Joe FitzPatrick, on behalf of the Parliamentary Bureau, on approval of a Scottish statutory instrument, 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, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Balfour, Jeremy (Lothian) (Con)
 Ballantyne, Michelle (South Scotland) (Con)

Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Bowman, Bill (North East Scotland) (Con)
 Briggs, Miles (Lothian) (Con)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Cameron, Donald (Highlands and Islands) (Con)
 Campbell, Aileen (Clydesdale) (SNP)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Chapman, Peter (North East Scotland) (Con)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Constance, Angela (Almond Valley) (SNP)
 Corry, Maurice (West Scotland) (Con)
 Crawford, Bruce (Stirling) (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)
 Dornan, James (Glasgow Cathcart) (SNP)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fabiani, Linda (East Kilbride) (SNP)
 Finnie, John (Highlands and Islands) (Green)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Freeman, Jeane (Carrick, Cumnock and Doon Valley) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Golden, Maurice (West Scotland) (Con)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Greene, Jamie (West Scotland) (Con)
 Greer, Ross (West Scotland) (Green)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Harper, Emma (South Scotland) (SNP)
 Harris, Alison (Central Scotland) (Con)
 Harvie, Patrick (Glasgow) (Green)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Johnstone, Alison (Lothian) (Green)
 Kerr, Liam (North East Scotland) (Con)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lindhurst, Gordon (Lothian) (Con)
 Lochhead, Richard (Moray) (SNP)
 Lockhart, Dean (Mid Scotland and Fife) (Con)
 Lyle, Richard (Uddingston and Bellshill) (SNP)
 MacDonald, Angus (Falkirk East) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Derek (Renfrewshire North and West) (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)
 Mason, Tom (North East Scotland) (Con)
 Matheson, Michael (Falkirk West) (SNP)
 McAlpine, Joan (South Scotland) (SNP)
 McArthur, Liam (Orkney Islands) (LD)
 McDonald, Mark (Aberdeen Donside) (Ind)
 McKee, Ivan (Glasgow Provan) (SNP)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)

Mitchell, Margaret (Central Scotland) (Con)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Neil, Alex (Airdrie and Shotts) (SNP)
 Paterson, Gil (Clydebank and Milngavie) (SNP)
 Rennie, Willie (North East Fife) (LD)
 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)
 Scott, John (Ayr) (Con)
 Scott, Tavish (Shetland Islands) (LD)
 Simpson, Graham (Central Scotland) (Con)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Todd, Maree (Highlands and Islands) (SNP)
 Tomkins, Adam (Glasgow) (Con)
 Torrance, David (Kirkcaldy) (SNP)
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
 Wells, Annie (Glasgow) (Con)
 Wheelhouse, Paul (South Scotland) (SNP)
 White, Sandra (Glasgow Kelvin) (SNP)
 Whittle, Brian (South Scotland) (Con)
 Wightman, Andy (Lothian) (Green)
 Yousaf, Humza (Glasgow Pollok) (SNP)

Against

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Beamish, Claudia (South Scotland) (Lab)
 Bibby, Neil (West Scotland) (Lab)
 Dugdale, Kezia (Lothian) (Lab)
 Fee, Mary (West Scotland) (Lab)
 Findlay, Neil (Lothian) (Lab)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (East Lothian) (Lab)
 Griffin, Mark (Central Scotland) (Lab)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Kelly, James (Glasgow) (Lab)
 Lamont, Johann (Glasgow) (Lab)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Macdonald, Lewis (North East Scotland) (Lab)
 Marra, Jenny (North East Scotland) (Lab)
 Sarwar, Anas (Glasgow) (Lab)
 Smith, Elaine (Central Scotland) (Lab)
 Smyth, Colin (South Scotland) (Lab)
 Stewart, David (Highlands and Islands) (Lab)

The Presiding Officer: The result of the division is: For 103, Against 21, Abstentions 0.

Motion agreed to,

That the Parliament agrees that the Community Right to Buy (Abandoned, Neglected or Detrimental Land) (Eligible Land, Regulators and Restrictions on Transfers and Dealing) (Scotland) Regulations 2018 [draft] be approved.

The Presiding Officer: That concludes decision time.

Energy Drinks (Under-16s)

The Deputy Presiding Officer (Linda Fabiani): The final item of business is a members' business debate on motion S5M-11357, in the name of Graeme Dey, on banning the sale of energy drinks to under-16s. The debate will be concluded without any question being put.

Motion debated,

That the Parliament welcomes what it sees as the moves that have been taken by major supermarkets and the National Federation of Retail Newsagents in Angus South and across the country, to ban the sale of energy drinks to under-16s; believes that there is growing concern regarding the consumption of these products among children and young people; understands that a number of studies have indicated that the drinks might have a detrimental impact on health; considers that voluntary measures to restrict their sales are positive steps toward improving the nation's public health, and notes the view that all retailers should be encouraged to follow suit.

17:18

Graeme Dey (Angus South) (SNP): I begin by thanking colleagues from across the chamber for supporting my motion and allowing the debate to take place. That support reflects the genuine interest that there is in halting the sale of energy drinks to under-16s, and the recognition of the negative impact upon young people of consuming such liquids.

Like other members, for some years now, I have been aware of a desire—and a need—to restrict the sale of highly caffeinated energy drinks to minors. My own interest goes back to 2015, when the campaign group, responsible retailing of energy drinks, brought its concerns to Parliament. If memory serves, our former colleague Sarah Boyack facilitated an event for the group.

I had already heard anecdotal evidence about the impact of consumption on secondary school pupils in my constituency of Angus South. Although secondary schools in Angus operated in line with 2014 Scottish Government guidance to disallow the sale of energy drinks on school premises, I heard from teacher friends about pupils heading off campus during their lunch breaks, consuming energy drinks and returning to disrupt afternoon classes. Offering a perspective on the problem, one teacher told me that it was bad enough when one 15-year-old boy was playing up—imagine what it is like trying to control and teach a class when there are two or three.

Three years on, I am delighted to see the growing recognition of the problem that energy drinks pose when they are consumed by youngsters. That understanding has been assisted by *The Courier* newspaper's can it campaign, and Scotland's major supermarkets voluntarily

restricting the sale of energy drinks to those who are aged over 16.

This week, I heard from a headteacher about the significance of the problem that remains in our schools. He noted that the only way to describe one pupil he encountered recently after she had consumed some energy drinks was that she was like “a wild animal”.

A few months ago, following announcements from Asda, Sainsbury's, Morrisons, Aldi and Waitrose that they were voluntarily ceasing sales to under-16s, I wrote to the other large supermarkets and urged them to follow that lead. I was pleased to receive responses from all those business revealing that they would be doing so. Poundland, Boots and W H Smith have also embraced the approach. That is a positive step in the right direction and I hope that we can all welcome it tonight.

Supermarkets tend to attract a deal of criticism—it is often merited, it should be said. However, when they prove themselves capable of responsible retailing, we ought to give them credit where it is due.

Just as important as the restrictions that have been introduced by our larger stores was the decision of the National Federation of Retail Newsagents to encourage their members to follow suit. The Federation's 1,500 independent Scottish retailers are now strongly encouraged to introduce the voluntary restrictive measures. The measures that have been adopted by supermarkets and the NFRN should help to reduce the negative effects of energy drinks on our schools, not to mention on the health of our youngsters.

Growing public concern about the health perspective of the issue is well founded. In 2016, the *British Medical Journal* published a report that covers 400 studies of the consumption of energy drinks among 11 to 18-year-olds. The *BMJ*'s report found strong links between young people's consumption of energy drinks and a higher risk of the symptoms of poor health, such as headaches, stomachaches, hyperactivity and insomnia. Similarly, in 2014, researchers from the World Health Organization created a narrative on the current literature on the health risks of energy drink consumption. Their work agreed that there is

“a proven negative effect of caffeine on children”.

and that there is

“the potential for a significant public health problem”.

The WHO researchers also agreed that public concern was “broadly valid” and recommended the restriction of energy drinks sales to adolescents.

Following a further report that was published by the European Food Safety Authority in 2013,

which found that 68 per cent of adolescents regularly consumed energy drinks, with an average intake of 7 litres a month, the European Union's Commissioner for Health and Food Safety at the time made it clear that he would consider a move to ban sales to minors. That was the first time that data had been collected at the European level to track consumption among children and adolescents.

On the back of those findings, Lithuania became the first EU nation to ban the sale of energy drinks to minors, with Latvia imposing similar measures soon after. However, it should be recognised that successful legal challenges have been mounted elsewhere when bans were introduced, such as in France.

The celebrity chef, Jamie Oliver, is campaigning for such a move to be made UK-wide. A few weeks back, he wrote to me, having heard suggestions that I might be minded to introduce a member's bill to that effect in Scotland. Given the momentum behind retailers and other businesses taking voluntary measures—I understand that the Odeon cinema group and the petrol station chain Shell have also ceased selling energy drinks to under-16s—I am not inclined to do that at this time.

We should take time to consider the challenges that legal restrictions on the sale of energy drinks to under-16s could encounter, as well as the potential benefits—not to mention the extent to which voluntary action might actually get us where we need to go. Sitting alongside that action, we should all engage with other retailers and businesses that sell such liquids to the under-16s and seek to cajole, persuade and encourage them to follow where others have already chosen to go. Would it not be great if we could reach our destination without the need for legislation?

I believe that there is an accompanying role for Government in further raising awareness of the detrimental health impacts of under-16s consuming energy drinks and in targeting the youthful consumers, their parents and those selling the products who have not yet seen the light, as it were. The forthcoming obesity strategy might offer a platform for doing that and for providing guidance to retailers on the issue.

The consumption of energy drinks crosses a number of health areas. Today in Scotland, 29 per cent of children are obese or overweight and almost a third of our primary school children have obvious dental decay. Restricting the sale of energy drinks—which are not only high in caffeine but, in many cases, rammed full of sugar—to Scotland's young people can play a part in establishing a healthier diet for the future of our nation.

Given the substantial public and media interest in the issue—even if the co-operation of retailers means that the introduction of a ban is ultimately judged to be unnecessary—I do not believe that the problem will go away any time soon. As I said, I think that, away from any longer-term legislative solutions, there is a role for politicians in highlighting the issue and encouraging other retailers to self-restrain.

We can also engage with our local authorities and their arm's-length leisure organisations to ensure that they do not allow access to energy drinks. I know that some have taken appropriate action, but there is no harm in checking the extent to which that is the case. Further, we might need to encourage the supermarkets that have taken the right policy decision to ensure that that is filtering through to the store level. Just yesterday, I was told of a supermarket store in Edinburgh where sales to under-16s may still be going on.

That said, I am hopeful about the matter. Awareness and understanding of the issue is growing, and supermarkets and others have shown a welcome responsibility. Our takeaway from tonight should be that we should spread the word and find ways of encouraging others to follow suit.

17:26

Brian Whittle (South Scotland) (Con): I thank Graeme Dey for securing time for the debate. The topic is hugely important and has ramifications for many other subjects that we debate in Parliament.

The issue first came to my attention when I was, funnily enough, standing outside a polling station in Darvel opposite a bus stop where kids were waiting to catch a bus to school. Being the anorak that I am in this particular arena, I noted what the kids were eating. One of them was drinking an energy drink from a can and eating from a huge bag of fizzy sweets. I wondered what state he would be in when he sat down for his first class at 9 o'clock. I can tell members that not many of the others were eating a fruit salad.

We need to discuss the issue. There is a tension between restricting what our children eat and allowing them the freedom to choose. That is probably what the debate should be about, because I think that we would all agree that energy drinks are inherently bad, especially for children in the younger age groups.

I highlight the need for us to consider the issue in the round and to think about how we impact on Scotland's relationships with food and drink and physical activity. As Graham Dey noted, diet has an impact on people's physical and mental health. Today's debate on mental health was too short, so I did not have time to highlight a quotation by

Professor David Kingdon, who is a professor of mental healthcare delivery at the University of Southampton. He has said:

"Can we prevent mental health problems? Of course ... the evidence is incontrovertible. So why don't we? The problems often start in childhood but we spend most of our resources on dealing with the consequences—in hospitals and prisons."

We should consider the issue as a general health issue. The Mental Health Foundation's publication "Food for Thought: Mental health and nutrition briefing" said that

"One of the most obvious yet under recognised factors in the development of mental health is nutrition."

The foundation also said that

"There is a growing body of evidence indicating that nutrition may play an important role in the prevention, development and management of diagnosed mental health problems including depression, anxiety, schizophrenia, Attention Deficit Hyperactivity Disorder (ADHD) and dementia."

There is a growing recognition of the fact that there is something to tackle, but banning the products is not in and of itself the solution. I would like to see the matter being tackled as part of a much wider strategy. In the two short years for which I have been a member, I have seen the topic being focused on more and more. Our starting to change some things could lead us down a different pathway: the obesity strategy is coming out soon, there is the good food nation strategy and there is consideration of how we procure food, so many of the elements that can help us to deliver a healthier Scotland are already there. As you know, Presiding Officer, I could talk about this stuff forever. In fact, it is all I have to do.

We also need to be cognisant of planning and of the environment around our schools. One of the things that we should consider is the age at which we allow our children to leave their school at dinner time. I have never understood why, when I was teaching health in school, I had to open the gates and allow the children to walk across the road to buy energy drinks and other unhealthy things.

There are lots of moving parts in the debate. I thank Graeme Dey for bringing it to the chamber. Restriction of the sale of energy drinks is an element of a much wider strategy, and I support it.

17:31

Mairi Gougeon (Angus North and Mearns) (SNP): I echo what Brian Whittle said, and I start by thanking Graeme Dey for securing a debate on a very important subject that we must take a serious look at. As Brian Whittle said, it is not just a case of a ban being solution in itself: we must

also consider the wider environment around our schools. I completely agree with his arguments.

The debate is timely. I decided that I wanted to participate after listening to an interview on Radio 2 last week with Jan Halper-Hayes, whose son Matthew died aged only 19 after consuming a considerable volume of energy drinks mixed with alcohol. The drinks are believed to have caused a blood clot in the arteries of his lungs, which killed him instantly. I know that that is not directly related to the motion today, but it is because of the dangers that energy drinks pose and the effects that they have—particularly on young people—that I whole-heartedly support Graeme Dey's motion and welcome the actions that have been taken so far by the National Federation of Retail Newsagents and by major supermarkets. I encourage all retailers to ban the sale of energy drinks to under-16s.

According to research from 2016, the United Kingdom has the second-highest consumption per head of energy drinks in the world. It is second only to Austria, which is the home of Red Bull. Sales of energy drinks in the UK increased by 155 per cent between 2006 and 2014.

A number of studies have been undertaken to assess the impact of energy drinks on young people. One in particular, by Huhtinen et al in 2013, looked at data from more than 10,000 adolescents in Finland. It found that daily consumption of energy drinks was strongly associated with four caffeine-induced health complaints—headaches, sleeping problems, irritation, and tiredness and fatigue. A similar study in Iceland of more than 11,000 children aged between 10 and 12 found that instances of headaches, stomach pains and sleeping problems generally increased where reported consumption of energy drinks increased.

The symptoms that are caused by energy drinks have for quite some time now been clear to see for people who work in our schools. Forfar academy in my constituency was the first school in Angus—and one of the first in the country—to ban energy drinks in school grounds. That was instigated in 2016 by former headteacher Melvyn Lynch, who wrote to the parents stating:

"It is our opinion that these drinks are a danger to the health of our young people and that they contain no nutritional benefits. In addition to these health risks, we are also extremely concerned about the effect these drinks are having on the behaviour of our young people. They can cause conflict with staff when pupils are advised that they should not be consuming these drinks in classes. We have also had occasions where pupils who have consumed energy drinks have been involved in more serious incidents that have led to exclusion. Whilst energy drinks are not solely to blame for this indiscipline, we believe that they are a contributory factor."

That view has since been shared and implemented more widely by all schools in Angus and by other schools across Scotland that do not allow energy drinks in school grounds, as well as by small and large retailers alike.

Although all those issues are bad enough in and of themselves, there are also a number of serious health risks associated with excessively high caffeine consumption, including palpitations, hypertension, nausea, vomiting, metabolic acidosis, convulsions and even—in rare cases—death. A study that was published in *Journal of the American Heart Association* found in a controlled trial that energy drinks can cause potentially harmful changes to heart function and blood pressure.

Those are the dangers that are associated with the caffeine content alone of those drinks, before we consider the added impact of high sugar levels or of combining the drinks with physical activity or alcohol, such as in the tragic case of Matthew Halper-Hayes, whom I mentioned earlier.

The effects of energy drink consumption simply cannot be ignored. One of the UK's largest teaching unions has described energy drinks as "readily available legal highs". We have seen the devastating impact that legal highs have on people's lives; we have acted on that, and we have to do something about energy drinks. We need to act now to prevent the immediate impacts of energy drinks on our young people and others who consume them regularly in excessive amounts, and to prevent what could be a serious public health problem further down the line. I am happy to support Graeme Dey's motion.

17:35

Jackie Baillie (Dumbarton) (Lab): I join members in thanking Graeme Dey for bringing an important issue to the chamber, and for the content of his speech. Issues that surround possible health risks for young people in Scotland are not to be taken lightly, so I am very encouraged by the cross-party agreement on this issue.

In the past few years, the volume of energy drinks being consumed in the UK has increased enormously. I have different statistics from Mairi Gougeon's, but they tell the same story. The British Nutrition Foundation says that consumption has increased from 463 million litres in 2010 to a staggering 672 million litres in 2016, and that the figures continue to go the wrong way. The foundation also established that UK adolescents consume the highest amount of energy drinks of the 16 European Union countries that were surveyed, with teenagers drinking 3.1 litres a

month compared with the EU average of 2 litres—a staggering 50 per cent more.

If Scottish young people were leading the way in consumption of any other product that had such adverse effects on their health, there would be public outcry and robust legislative change. What is it about energy drinks that means that we are so willing to ignore the hazards?

I praise the actions of retailers. Graeme Dey listed many of them, and in my constituency Waitrose, Morrisons, Asda and Aldi have all taken it upon themselves to ban the sale of energy drinks to under-16s. Welcome though that is, it should not necessarily be voluntary. The EU Food Information Regulation (Regulation (EU) No 1169/2011) requires that drinks that contain caffeine at more than 150mg per litre state that they do on their label, and say

“High caffeine content. Not recommended for children ... or breast feeding women.”

Caffeine can have adverse effects on our mental health and on the behaviours of young people and others. Labelling is clear about the impact, but there is a case for going further, which I would be interested to explore.

The health risks of having too much caffeine for anyone at any age are widely known. We have had debates before about caffeinated alcohol creating “wired wide-awake drunks”; the mix of caffeine and alcohol is, to be frank, deadly. Why do we allow a child to walk into a shop and purchase a can of Monster, which comes in at a whopping 338.1mg per litre, or Red Bull, with its 319.8mg of caffeine per litre? That level of caffeine in a young and still developing body can have major neurological and cardiovascular side effects. Excessive caffeine consumption—which drinking just one energy drink can be classed as—can cause interrupted sleep, anxiety and behavioural changes. Speaking as a parent and a politician, those are not traits that any of us want to see in our young people as they are growing, learning and sitting exams that will have a huge impact on their futures.

It is vital that drinks that have had caffeine added to them for a physiological side effect be regulated in respect of who can buy them and how much caffeine is allowed. There may be ways round regulations, so we need to turn our attention to that.

Mairi Gougeon pointed out that the same worries exist about the quantities of sugar in energy drinks. The combination of sugar, caffeine and artificial additives creates a cocktail of short and long-term health risks. The British Nutrition Foundation found that a 16-year-old who consumes just one can of energy drink in a day has already exceeded the daily recommended

sugar intake. Let me illustrate. Just one can of the energy drink Rockstar has 20 teaspoons of sugar in it. We already have an epidemic of childhood obesity in the country, and it will only continue to rise. Drinking a can of Rockstar is the equivalent of sitting and eating three bars of chocolate in one go. We are complicit in the consumption of energy drinks.

In conclusion, I welcome the voluntary action by supermarkets and others, but I think that Government has a role in education and awareness-raising, in labelling, in setting age restrictions and in changing the recipes and limiting the amount of caffeine in the drinks.

In conclusion, I again thank Graeme Dey—I know that that was two conclusions, Presiding Officer—for raising awareness of this important issue in Parliament.

17:40

Mark Ruskell (Mid Scotland and Fife) (Green): I join other members in thanking Graeme Dey for bringing forward this topic for debate. It has become a touchstone issue. Many people have written to me about it, and in many ways the issue of energy drinks is an indicator of the health of our wider food culture as well. It also brings into sharp focus the responsibilities of food companies, public institutions and retailers and the kind of action that we need to take on the back of that.

I join members in congratulating *The Courier* on the can it campaign, which is aimed at getting energy drinks banned in schools. I was delighted about the campaign when it was launched in 2016. Since then, schools across *Courier* country, from Blairgowrie high school to Wade academy, have backed the ban. The campaign has brought about a much-needed debate about the health impacts of these drinks in classrooms. It has also become a welcome talking point about diet in many families, including my own.

It is clear that energy drinks are not recommended for children. In fact, as we have heard, every can states exactly that on its side. That is no wonder, because regular consumption of high-calorie, high-caffeine energy drinks has been linked to anxiety, behavioural disorders, nausea, tooth decay, obesity and even breathing difficulties.

It must be a nightmare to teach a class that is fuelled on energy drinks, and that cannot be a good environment to learn in either. Therefore I am pleased that the drive for a ban in schools has come not just from teachers but from pupils.

These drinks originated for use in extreme sports, long-distance driving and tiring working environments. They were designed as an artificial

fix for flagging concentration and fatigue. They obviously should not be daily breakfast on the way to school, yet we all see the empty cans and bottles that litter our communities. There was a time when a bowl of Ready Brek was the breakfast with magical energy-boosting properties, but that seems to be no more.

Food and drink is a complex issue for young people. It is not just about taste but about the social aspect of school lunch times, as well as the social aspect of the start and end of the school day. When visiting a high school recently during the lunch rush, I was amazed to learn that getting served quickly so that they could get a seat with their mates was the biggest factor in people deciding whether to join the fast-food queue. That choice was not about the food; it was about the social aspects of eating and the kinds of choices that young people make.

We need to listen to the experiences that young people have, understand that having food and drink is sociable and fun, and offer menus and eating experiences throughout the day that provide a healthy but exciting set of choices on a budget. It is perfectly possible to achieve that. Many schools across Scotland are getting the food culture and the sense of choice right. Programmes such as food for life, which is now being extended across Scotland to all 32 local authorities, are doing great work in helping local authorities to develop and evolve school menus over time.

I welcome the fact that, as many members have reflected, major retailers have now banned the sale of these high-caffeine, high-calorie drinks to young people under the age of 16. That is clearly the right thing to do. There is slower progress among convenience stores, with just over half voluntarily banning sales to under 16s. It takes only one local store near a school being prepared to retail energy drinks for it to become the main shop that local children will go to to buy energy drinks, and indeed other foodstuffs that might be unhealthy. The Association of Convenience Stores believes that a ban would be challenging to enforce, but it also acknowledges that the sector is already effective at enforcing age restrictions on a wide range of products, from tobacco to alcohol and fireworks to solvents.

The jury is out on whether a voluntary approach will be effective going forward, but if it is not, a legal ban should be on the cards to get energy drinks out of our school bags for good.

17:44

Bruce Crawford (Stirling) (SNP): As others have done, I sincerely thank my friend and colleague Graeme Dey for bringing the debate to the chamber. It is on an important issue, and I am

delighted that the motion gathered support from members of most of the parties that are represented in the Parliament.

I vividly remember a parliamentary by-election in Aberdeen a number of years ago during which a number of us fuelled ourselves with copious amounts of a particular energy drink. I will not be discourteous and mention its name but, despite the branding, nobody on the campaign team appeared to notice the wings that I had sprouted. Once the campaign was over, I and others who had fuelled themselves thoroughly with the stuff to get ourselves through some very long days found that we had experienced headaches and light-headedness.

That was when I truly became aware of the damaging impact that the stuff was having on my person, and goodness knows what it was doing to others. Therefore, it has long been my view that highly caffeinated food and drink products should not be consumed by children and young people. It is clear to me and to many other members that the artificial increase of a person's pulse rate through chemical induction cannot be good for anyone, never mind a person who is still in the stages of development.

Graeme Dey spoke of the experiences that teachers in his constituency have had with disruptive pupils who were sold energy drinks down the street at lunch time. I can confirm that that is not just a problem in Angus South. Teachers in my constituency in Stirling know all too well of the detrimental effect of energy drinks on the behaviour of children and young people.

What a potentially devastating prospect it is. The education experiences of children and young people are being impacted on by potentially dangerously high levels of caffeine and even taurine buzzing about in their systems. As we have heard, a report in the *BMJ* has cited links between the consumption of energy drinks and higher rates of headaches, stomachaches, hyperactivity and insomnia.

The physical damage that can be done through perpetual headaches and stomachaches alongside the altering of a person's heart rate are bad enough. However, it is now clear that induced hyperactivity and insomnia as a result of consumption of this stuff can pose a real risk to a person's mental health. Young people who are still developing through their teenage years are particularly vulnerable. Indeed, researchers at the World Health Organization agree that there is a

"proven negative effect of caffeine on children".

The same researchers recommend that the sale of energy drinks to children and adolescents ought to be restricted, as is rightly highlighted in Graeme Dey's motion.

How do we tackle the problem? All retailers, from supermarkets to corner shops, should take the lead, and I am delighted that some shops in my constituency have already done so. However, just last week, I passed a self-service checkout in a local supermarket and saw a gentleman who was purchasing energy drinks and who was rather irritated because he had to wait an additional few seconds while checks were carried out. I understand why he was irritated. Some consumers will oppose the moves, because they want their shopping experience to be as smooth as possible. That is understandable, but that inconvenience pales into insignificance when we consider the potential impact that energy drinks are having on the health and education of our children and young people.

The restriction is a necessary measure, and I encourage more retailers in my constituency to take the lead on the issue. That is a start but, for the good of our children and young people, let us do more. In the long term, that might include our legislating, albeit reluctantly, if supermarkets and stores cannot deliver through voluntary action.

I again thank Graeme Dey for bringing this important matter to the chamber for debate.

17:49

Alison Harris (Central Scotland) (Con): I, too, thank Graeme Dey for bringing this hugely important debate to the chamber. There is no doubt that energy drinks are a billion-dollar industry and that their popularity keeps growing, despite health concerns. We have heard from members across the chamber tonight about the effects of those energy drinks and the dangers that they pose, particularly for children and teens. In fact, we have probably already heard everything that I am about to say, but I will proceed in any case.

Energy drinks typically contain large amounts of caffeine, added sugar, other additives and legal stimulants, and it is the legal stimulants that can increase alertness, attention and energy, as well as increasing blood pressure, heart rate and breathing rate.

The drinks are often used by students to provide an extra boost in energy, but the stimulants in the drinks can have a harmful effect on the nervous system. The potential dangers of energy drinks include dehydration, heart complications such as an irregular heartbeat and heart failure, anxiety and insomnia. Studies have shown that children who consume moderate amounts of caffeine before physical activity can have elevated blood pressure and, in extreme cases involving adults, excessive consumption has led to death.

Children and teenagers are being deceived into drinking large cans of energy drinks, thinking that they will improve their performance at school or during a sports event. In reality, energy drinks are more likely to increase their risk of developing obesity, type 2 diabetes or dental cavities, which will have lifelong implications for their health. The results of a recent study revealed that energy drink consumers are unaware of the products' main ingredients, health implications or appropriate serving sizes, which I found very disturbing.

Children and teenagers are the main consumers of energy drinks and they are being subjected to unacceptably high levels of sugar and caffeine. The average sugar content of an energy drink is more than the entire recommended daily maximum for an adult in the UK. That is damning in itself, but what about the children who drink several such drinks through the course of a day?

Energy drinks are marketed for general consumption rather than for athletes, who are targeted with so-called sports drinks. Despite energy drinks with high caffeine levels having to carry a warning that they are not recommended for children or pregnant women—a recent study found that 43 products carrying such warnings each contained the caffeine equivalent of nearly two cups of coffee—a survey of 16 European countries including the UK found that 68 per cent of 11 to 18-year-olds and 18 per cent of children aged 10 and under consume energy drinks, with 11 per cent of adults and 12 per cent of children drinking at least 1 litre at a time. That is utter madness.

Teachers and health professionals have expressed concerns about youngsters relying on the drinks—some start their day with an energy drink as a substitute for breakfast and some have them in their packed lunch—and a survey that was carried out by the make mine milk campaign revealed that one in 20 teenage pupils regularly goes to school on a can of energy drink instead of tucking into a good breakfast.

Chef Jamie Oliver has campaigned for quite some time to see higher standards of meals, as well as scrutinizing packed lunches, and he has repeatedly criticised high-energy drinks. Famously, he said:

"I challenge you to go to any school and open 50 lunchboxes, and I guarantee you there will be one or two cans of Red Bull".

He has repeatedly voiced serious concern that the drinks are turning our kids into addicts and has referenced teachers having to plan lessons around students being high. Jamie Oliver summed up the selling of energy drinks to children very effectively when he claimed that children rely on an energy drink to give them the boost that they need to get up in the morning, and that they experience a low when the effects of their sugar and caffeine wear

off, so they have another in the afternoon before finishing off the day with a final can. That yo-yo of highs and lows makes youngsters feel lethargic the next morning, which prompts them to reach for another energy drink and the cycle begins again.

The facts about the content of energy drinks and the ease with which young people have access to them are alarming, and I congratulate all the major supermarkets that have been instrumental in supporting the ban on the sale of energy drinks to under-16s, as well as the independent retailers in Scotland that have also supported the ban. I acknowledge and thank everyone in the retail sector who has pledged to implement the ban.

17:54

The Minister for Public Health and Sport (Aileen Campbell): Like other members, I congratulate Graeme Dey on bringing this issue to the Parliament. Mr Dey has campaigned on the subject for many years in Angus and nationally and, in part, it is thanks to him that there has been a welcome shift in the approach of retailers to the sale of energy drinks. He has truly rolled up his sleeves and got on with helping to kick-start a shift in encouraging responsible retailing and improving our nation's health. I underline my thanks to Graeme Dey for bringing his motion to the chamber and giving us all an opportunity to talk about our concerns and, where possible, where solutions lie.

Many other members from across the chamber have also been involved in showing leadership, and I have thoroughly appreciated the constructive tone taken in the debate, as well as the views and ideas that members have shared with us.

Brian Whittle noted what he had seen at a polling station. We similarly heard about a political theme from Bruce Crawford, who suggested that he grew some wings in order to continue his canvassing. Maybe that explains why he is so fleet at getting up those closes when we are out canvassing. I hope that he sticks to good old-fashioned soup and a cup of coffee or tea at the next by-election, wherever that may be.

The topic is of significant concern to our society, especially to parents, teachers and young people. I am a parent. My wee boy has yet to hit those years where he is more susceptible to purchasing energy drinks. Although we want to and must do all that we can for children and young people in the here and now, the culture change that we want must include a large preventative element, to ensure that younger children grow up in an environment that is conducive to good health. In that way, the benefits would be long term and generational.

The health and wellbeing of our young people is a responsibility that we all share. It transcends party politics, which is probably why tonight's debate has been so constructive. Improving the Scottish diet is important. Our forthcoming diet and healthy weight delivery plan reflects the priority that we attach to the issue. As members know from the Deputy First Minister's launch of the consultation on school food last week, it is a top priority for Government more generally. The issue cuts across portfolios and dealing with it in that way reflects an attempt to encourage good health and wellbeing and requires us to use all the levers that we have across Government.

Our proposed amendments to the school food and drink regulations would move them closer to the Scottish dietary goals. They would see a tightening of the stringent standards by restricting sugar-free drinks containing more than 150mg of caffeine a litre in secondary schools. We also propose that primary schools should be allowed to serve only water and plain milk or milk alternatives.

The regulations do not allow any energy drinks to be made available at any time in school, and schools are encouraged to consider their health promotion duties when setting their own policies about what products they allow their pupils to bring into the school.

I welcome moves that have been taken by schools, such as St Ninian's high school in Kirkintilloch or Blairgowrie high school in Perthshire, to restrict energy drinks. Mairi Gougeon mentioned the measures that have been taken by Forfar academy, which I also welcome. We should support those schools, share that good practice and celebrate the priority that they place on good health.

I very much liked Mark Ruskell's contribution on the culture of eating food in school. It is important that we change the culture so that there is more enjoyment of food in the school setting. We could, for example, slow down the pace at which children and young people have their school dinners.

Although the European Food Safety Authority has confirmed that energy drinks are safe to consume, everyone, including the British Soft Drinks Association, acknowledges that they should not be marketed to those under 16. As Mairi Gougeon, Jackie Baillie and others have mentioned, aside from their caffeine content, many energy drinks contain extremely high levels of added sugar. Indeed, a 500ml bottle could contain about double the daily recommended maximum for an adult.

Many members have linked energy drinks more generally to wider health concerns. In Scotland, as others have pointed out, 29 per cent of children

are at risk of becoming overweight; that includes 14 per cent who are at risk of becoming obese. Evidence shows that obese children are likely to stay obese into adulthood and become more likely to suffer health problems, such as type 2 diabetes and cardiovascular diseases, at a younger age.

We have set a guiding ambition to halve child obesity in Scotland by 2030. In the new diet and healthy weight delivery plan, I will outline the necessary actions to achieve that and to help everybody make healthier choices about food and drink. We will also be cognisant of the call to weave in what we have heard this evening about energy drinks and ensuring that, as Brian Whittle and others have said, we use every platform that we have to ensure consistency across all that we do.

It is not just our children's health that should concern us, but their ability to learn. Teachers in particular have expressed concern through their trade unions about the potential impact on attainment.

Graeme Dey articulated the concern about not just the ability of children to learn but their behaviour more generally, which he picked up from the discussions that he has had with his local school, as did Bruce Crawford. A 2016 study that looked at more than 2,000 children found that energy drink consumption was consistently associated with low school performance, so we are right to be concerned. That shows that we must make sure that we consistently use the platforms that we have across Government to make the impact that we all agree needs to be made.

I am confident that schools up and down the country are taking appropriate steps to tackle the issue but, of course, the work that schools do is only one part of the solution. Retailers around schools must act responsibly, which is why I welcome the recent statement by the National Federation of Retail Newsagents. We will continue to work with the Scottish Grocers Federation on help that we can provide to convenience stores on how to restrict sales of energy drinks; Graeme Dey and Mark Ruskell raised that issue. Other retailers have taken voluntary action to ban the sale of energy drinks to young people under the age of 16. We sincerely thank all those that have done so and urge any that have not yet made that commitment to do so as soon as possible.

As members know, reshaping the food environment is a key programme for government commitment. Research that was commissioned by the Government that explores the relationship between the food environment and the planning system is drawing to a close. That research considers how the planning system can best support the creation of an improved food

environment in Scotland, including in the area around schools, and it identifies effective and less-effective approaches that have been taken elsewhere. As I have said many times, it is a case of using all the levers across Government to have a positive influence on good health in our communities.

Society is not just about school or the school environment, so we need to look beyond schools. My officials have started discussions with Sporta, which is the co-ordinating body for leisure trusts, on whether measures can be taken by its members to place age restrictions on the sale of energy drinks to under-16s. Such action has already been taken by Edinburgh Leisure and West Lothian Leisure, and I commend them for doing so. Sporta's members manage around 1,300 facilities in Scotland that include everything from gyms to museums, which a considerable number of young people visit, so that is an important development that we will continue to pursue.

I again thank Graeme Dey for giving us the opportunity to debate this important issue and the chance to demonstrate the Government's ongoing commitment to supporting young people in making healthier choices. What better year to do that than in the year of young people. Scotland is at its best when we work together, whether with our health boards, our schools, our local authorities or with retailers and manufacturers. If we work collectively on the issue, we can take the action that needs to be taken. That is why the work that Graeme Dey has been doing to apply pressure and to encourage voluntary action is good. We can consider what else we need to do in the future, but the success that we are having in the here and now can be built on as we seek to create the healthier Scotland that all of us agree needs to be achieved.

Meeting closed at 18:03.

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The deadline for corrections to this edition is:

Wednesday 11 July 2018

Published in Edinburgh by the Scottish Parliamentary Corporate Body, the Scottish Parliament, Edinburgh, EH99 1SP

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