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Scottish Parliament

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

General Question Time

The Presiding Officer (Ken Macintosh): Good morning. Our first item of business will be general question time. I remind members that, if questions and answers are as brief as possible, we will get through more questions.

River Pollution (Support for Communities)

1. **Colin Beattie (Midlothian North and Musselburgh) (SNP):** To ask the Scottish Government what support it provides to local communities where nearby rivers have been polluted by waste overflows from detritus flushed down toilets. (S5O-02449)

The Cabinet Secretary for Environment, Climate Change and Land Reform (Roseanna Cunningham): Scottish Water carries out regular proactive inspections in areas that have had previous pollution incidents. Whenever pollution is found, clean-ups take place. Further to that, Scottish Water will be working closely with communities to help educate customers about what should and should not be flushed down the toilet.

Colin Beattie: The cabinet secretary may be aware that the issue has occurred recently at the Mary Burn in my constituency. Can she outline what support the Scottish Government will provide to the Scottish Environment Protection Agency, Scottish Water and my constituents to ensure that the issue will not reoccur?

Roseanna Cunningham: I am indeed aware of the situation with the Mary Burn. Scottish Water has attended to clean up the immediate debris on a number of occasions. There is also a commitment to spend a prolonged period doing a much wider clean-up where there has been a more significant impact, and that work is nearing completion.

In addition to undertaking cleaning, Scottish Water has completed some adjustments to the network, including constructing a higher weir plate at the storm screen to prevent the overflow from triggering when it should not. The Scottish Government will provide £210 million to support Scottish Water's £3.6 billion capital investment programme in 2018-19. We ensure that SEPA is adequately funded to perform its regulatory role to protect our environment.

Officials stand ready to provide any additional support that may be required. However, I need to reiterate that people need to stop putting the wrong things down the toilet in the first place.

Stuart McMillan (Greenock and Inverclyde) (SNP): I was recently contacted by a constituent who informed me about the issue of caravan and mobile home users dumping the contents of their chemical toilets by roadsides instead of paying to dispose of the waste in the designated areas. Will the cabinet secretary join me in condemning that behaviour? Will she also provide some response as to which agency or agencies people should deal with in tackling the issue? Could some type of public information campaign be launched on the matter?

Roseanna Cunningham: That is disgusting behaviour, and I am sure that everybody in the chamber will feel the same about it. I share the member's concern. It is the responsibility of everyone living in or visiting Scotland to dispose of their waste in the appropriate manner at designated facilities. Any evidence of this type of behaviour should be reported directly to the Scottish Environment Protection Agency.

Misogyny (Criminalisation)

2. **Gillian Martin (Aberdeenshire East) (SNP):** To ask the Scottish Government what work it is undertaking to make misogyny a crime. (S5O-02450)

The Minister for Older People and Equalities (Christina McKelvie): We will shortly be launching a public consultation in response to recommendations made by Lord Bracadale on hate crime legislation in Scotland. It will consider how the criminal law might be strengthened to tackle misogynistic behaviour and whether crimes motivated by hostility based on gender should be a hate crime. We are committed to taking action to tackle gender-based prejudice and misogyny in Scotland, and we are open to any views on what effective action we should be taking.

Gillian Martin: Crime that is motivated by hatred of women can take many forms. There has already been a debate on what kind of evidence would be required for misogyny to be proven as a motivator. Can the minister give an indication of the work that is being done to ensure that a definition of misogynistic hate crime is workable, that it can provide a sound basis for something that could be argued in court by a prosecutor and that it can make a clear and functional distinction between misogynistic hate crime and any other crime?

Christina McKelvie: As we know, there is a clear need to take action to tackle gender-based prejudice and misogyny in Scotland, and we are

keeping a very open mind on the best way to address those types of behaviours.

As part of efforts to tackle misogynistic behaviour, we have committed to consulting on how the criminal law might be strengthened. We will launch a consultation next month that will seek views on a range of options, including new criminal law measures. I encourage any interested party to share their views through the consultation exercise, because that will inform the best way forward for tackling misogynistic behaviour and putting new measures into legislation.

Land-use Changes (Engagement by Landowners)

3. Joan McAlpine (South Scotland) (SNP): To ask the Scottish Government what its position is on legally obliging landowners to formally engage with communities affected by major changes in land use. (S5O-02451)

The Cabinet Secretary for Environment, Climate Change and Land Reform (Roseanna Cunningham): The Scottish Government's guidance on engaging communities in decisions relating to land sets expectations that all landowners across urban and rural Scotland will engage with their local communities about decisions relating to land that will have a significant impact on the local community.

Joan McAlpine: Does the Scottish Government share my concern about the Duke of Buccleuch advertising coal-bed methane deposits at Canonbie in the sale of the Evertown estate, despite the local community's continued objections to any extraction proposals?

Roseanna Cunningham: The Scottish Government does not support unconventional oil and gas development in Scotland, and that includes coal-bed methane. No local authority can grant planning permission for any proposed fracking or coal-bed methane project, and Scottish ministers would defer any decision on any planning application that came forward until the full policy-making process on our preferred position is completed. The practical effect of that is that no fracking or other unconventional oil or gas activity can take place in Scotland at this time.

In line with statutory requirements, earlier this week we published for consultation the strategic environmental assessment environmental report on our preferred policy position. That consultation, which will run for eight weeks from 23 October, is the next step and continues our dialogue with the public on this important issue. It is anticipated that ministers will inform Parliament of their finalised policy on unconventional oil and gas in Scotland in the first quarter of 2019. That is the backdrop against which people will be operating, regardless

of who they are. I am sure that the member knows that that is, strictly speaking, a policy for another portfolio.

Broadband Universal Service Obligation

4. Stewart Stevenson (Banff and Buchan) (SNP): To ask the Scottish Government whether it has discussed with the United Kingdom Government raising the UK's proposed 10-megabit universal service obligation for broadband to match Scotland's plans for universal availability of at least 30 megabits. (S5O-02452)

The Minister for Energy, Connectivity and the Islands (Paul Wheelhouse): The Scottish Government has repeatedly urged the UK Government to match Scotland's ambition and set the broadband universal service obligation at 30 megabits per second, which would help to deliver the superfast broadband connections that our rural communities need.

Scotland is the only part of the UK to have committed to extending superfast access to 100 per cent of premises, supported by an initial procurement of £600 million. Despite numerous requests, and despite the regulation and legislation of telecommunications being wholly reserved to the UK Parliament, the UK Government has contributed a mere 3.5 per cent of that investment, with the Scottish Government committing 96.5 per cent.

Stewart Stevenson: I thank the minister for that illuminating answer. Can he inform us whether the UK Government has given any assurances that the imposition of a 10-megabit universal service obligation on telecoms providers will not impede the Scottish Government's programme to deliver 30-plus megabits everywhere by 2021?

Paul Wheelhouse: The UK Government has not given any assurances. It has now formally handed over the implementation of the broadband USO to Ofcom, which is due to consult on the designated USO provider in the autumn. The Scottish Government has a very positive working relationship with Ofcom, and officials are working closely to achieve alignment between the two schemes to help minimise confusion for the public, as well as to ensure the most effective use of public funds. It would, however, be helpful if the UK Government would engage with us on the issue.

Finlay Carson (Galloway and West Dumfries) (Con): This Scottish National Party Government likes to talk up its record on broadband, but the reality for people and businesses in rural constituencies such as Galloway and West Dumfries is poor or no speeds. They do not care about speed obligations; they just want to know when they are going to get connected. Will the

minister give my constituents a commitment to publish a clear timescale for the reaching 100 per cent programme to reach 100 per cent by the summer of 2019?

Paul Wheelhouse: Mr Carson would do well to reflect on the fact that it is the UK Government's legal and regulatory responsibility to ensure delivery of broadband. The Scottish Government is intervening by using economic development powers to fix the mess that has been left by the UK Government.

We have a shared interest in ensuring that we help constituents in Dumfries and Galloway. I say that as a member who represents South Scotland, and I take that point seriously.

Our 100 per cent commitment is a huge statement of our ambition for Scotland's digital future, which, as I said, is unmatched elsewhere in the UK. We are providing £600 million of investment through the procurement contracts, and we are on track to award contracts in, I hope, the second half of 2019. Only when the bidders have submitted their bids will we know exactly which postcodes will be covered. I assure the member that we will communicate that information to his constituents and others as soon as we are able to do so.

Tavish Scott (Shetland Islands) (LD): In the design of the procurement exercise that the minister has described, can he ensure that areas that are most in need, such as the outer and northern isles of Shetland, are first in the queue to achieve the fibre that homes and businesses so badly require?

Paul Wheelhouse: I recognise that interest not just in my capacity as connectivity minister but with my island responsibilities. Those are key issues for island communities, and I take them very seriously.

We are taking an outside-in approach to the procurement contracts by focusing on remote, rural and island communities first. I do not want to overcommit to Mr Scott's constituency but, as soon as we have the information from the tenders to help us to give guarantees to communities about how early the delivery will be, I will be keen to talk to him and others who have an interest. I reiterate that, in the absence of the digital Scotland superfast broadband programme, the islands would have zero superfast broadband coverage, so we have achieved a lot to date.

Young People (Equality of Opportunity)

5. **Iain Gray (East Lothian) (Lab):** To ask the Scottish Government what it is doing to ensure equality of opportunity for young people across all local authorities. (S5O-02453)

The Deputy First Minister and Cabinet Secretary for Education and Skills (John Swinney): Our focus on raising attainment and achievement for all, and on ensuring that every child has the same opportunity to succeed, has resulted in positive progress towards closing the poverty-related attainment gap. The Scottish Government supports local authorities to work collaboratively with national agencies, including Skills Development Scotland, to ensure that all young people receive the support that is most appropriate for them to fulfil their potential.

Iain Gray: Data from Skills Development Scotland for 2016-17 shows that, although 62 per cent of school leavers in East Dunbartonshire and East Renfrewshire went on to higher education after leaving school, only 26 per cent of school leavers from Clackmannanshire did the same, which shows no improvement since 2010-11. That is a dramatic difference and does not look like progress. What action will be taken to end the postcode lottery in higher education?

John Swinney: If we look at the position across the country, we see that the Universities and Colleges Admissions Service figures show a 3 per cent increase in the number of placed applicants from deprived areas, which is a record high for the third year in a row. On the question of widening access to higher education, the data demonstrates that the Government is making progress on the objectives that it set out to Parliament.

We should also bear in mind—this is important when considering the question of fulfilling the commitment to opportunities for all young people throughout Scotland—that there is a range of positive destinations that young people can pursue, including modern apprenticeships and further and higher education opportunities. The most recent positive destination statistics for the whole country demonstrate the improvements in performance that have been delivered as a result of that commitment.

Childcare (Expansion of Provision)

6. **Alison Harris (Central Scotland) (Con):** To ask the Scottish Government what its response is to reported warnings from nursery providers that its planned expansion of childcare to 1,140 hours by 2020 is "about to implode". (S5O-02454)

The Minister for Children and Young People (Maree Todd): Providers in the private and third sectors, including childminders, are vital to the expansion of early learning and childcare. We are supporting all providers in the transition to 2020, when parents will have greater flexibility to access their child's entitlement from high-quality partner settings. We introduced 100 per cent rates relief for day nurseries in April and established the ELC partnership forum, and we are significantly

increasing funding for providers to deliver our living wage commitment.

Alison Harris: I thank the minister for that response. However,

“Unless the Government steps in and sorts this out very quickly, then the whole project of 1,140 hours is going to collapse”.

Those are not my words, but the words of the childcare providers. Even the minister’s colleagues in the Scottish National Party have raised concerns from childcare providers in their constituencies. Will the minister agree to investigate those concerns urgently before it is too late for nurseries, children and parents?

Maree Todd: I take the opportunity to reiterate just how crucial partner providers will be to the success of the expansion. We are working hard, as I think the response to a freedom of information request from the member demonstrated, to tackle areas where there are partner concerns with local authorities. We are creating the mechanisms to strengthen meaningful partnership working between local authorities and ELC providers and to promote good practice. I work very closely on the matter with my colleague Councillor Stephen McCabe, who is my counterpart in the Convention of Scottish Local Authorities.

As part of the “funding follows the child” approach, local authorities and ELC providers will be working together meaningfully and in genuine partnership to deliver the funded entitlement, and the ELC partnership forum, which met for the first time this week, will drive action, enable the sharing of good practice and partnership working and enable authorities and providers to work together constructively to identify solutions to challenges.

Richard Lyle (Uddingston and Bellshill) (SNP): Will the Government set out how it is ensuring that, where there are good examples of partnership working across Scotland between local authorities and ELC providers, the lessons can be applied to areas where partnership working needs to be improved?

Maree Todd: As I said, we have established the partnership forum, where we bring together partners from all over the country, and we not only identify the challenging areas where relationships are not great, but look at the areas where partnerships are really strong—for example, Moray and Angus.

Economic Action Plan

7. Dean Lockhart (Mid Scotland and Fife) (Con): To ask the Scottish Government when it will publish its new economic action plan and whether it will include specific targets for improving the economy. (S5O-02455)

The Cabinet Secretary for Finance, Economy and Fair Work (Derek Mackay): I published the economic action plan yesterday and our targets are very well known.

Dean Lockhart: As the cabinet secretary will be aware, his Government has failed to meet every single one of his economic targets over the past 11 years, including all seven national performance targets on the economy. Can he confirm that that is the real reason why the new economic action plan fails to include any future national performance targets?

Derek Mackay: The economic action plan, which has been very warmly welcomed by Scottish businesses, is about getting on with the job. It sets out a range of actions that support our economy and Scottish business; it also sets out a host of areas and stimulus in relation to innovation, infrastructure and investment. It follows on from the enterprise and skills review.

We know the targets that we want to deliver on, but I will mention just a few economic indicators for Mr Lockhart. Our gross domestic product is outperforming the United Kingdom’s. With our near record-low unemployment, we are outperforming the United Kingdom. On foreign direct investment, we are second only to London and the south-east of England. That is why businesses and representative organisations such as the Federation of Small Businesses have welcomed the economic action plan. The FSB has said:

“There’s much to be applauded in this manifesto for Scotland’s economy”.

I will get on with the action plan while the Tories give us distractions and disaster.

Fish Landings (North-east Ports)

8. Peter Chapman (North East Scotland) (Con): To ask the Scottish Government what percentage of fish landed in Scotland in 2017 was in the north-east. (S5O-02456)

The Cabinet Secretary for the Rural Economy (Fergus Ewing): The latest national statistics show that, in 2017, 56 per cent of the weight and 46 per cent of the value of all fish landed into Scotland were landed into the north-east, covering the three port districts of Fraserburgh, Peterhead and Aberdeen.

Peter Chapman: I thank the cabinet secretary for acknowledging the importance of the north-east to Scotland’s fishing industry. With that in mind, can he tell me why Aberdeenshire, which is the site of the biggest fishing port, Peterhead, and the third biggest, Fraserburgh, had 100 of 146 applications for European maritime and fisheries

funding rejected and received only 13.7 per cent of the available EMFF funding?

Fergus Ewing: I can assure the member that the ports in the north-east have benefited considerably and are due to benefit further from EMFF funding. I am happy to share the information with Mr Chapman, as he seems to be unaware of it. I also point out ever so gently to Mr Chapman and his colleagues that the European maritime and fisheries fund is part of European Union funding.

Despite having asked his colleagues Mr Gove and Mr Eustice, with whom I have a good working relationship, on numerous occasions, face to face and eyeball to eyeball, “Will you replace this fund post-Brexit?”, answer has there come absolutely none. Without wishing to be unkind, that leads me to conclude that the United Kingdom Government’s handling of Brexit can best be described by a Gaelic word—a bùrach.

First Minister’s Question Time

12:00

Transvaginal Mesh Implants

1. **Jackson Carlaw (Eastwood) (Con):** I thank colleagues from across the chamber for their well-intentioned advice, freely given, on what I should do now, and for the anecdotes that many have offered—with the caveat that they were never quite brave enough to speak them themselves but thought that I might like to have a try. I think that I will probably pass on that.

I begin by stating what a privilege and a delight it is to stand here as the first man in 13 years to face the First Minister at First Minister’s question time on behalf of the Scottish Conservatives. I hope that in communities all across Scotland everybody will see that there is indeed no glass ceiling for ambition in the Scottish Conservatives and that they, too, can aspire to lead—if only temporarily.

I say to the First Minister that I look forward to our weekly exchange of pleasantries over the next few months. I do so because—and this is a failure of character on my part, which my party can scarcely forgive let alone understand—as well as fully respecting the office of First Minister, I actually quite like the First Minister. However, I am sure that neither of us will allow that weakness on my part to stand in the way of robust exchange.

And so to business. Just how badly let down have the thousands of Scottish women fitted with a mesh device been?

The First Minister (Nicola Sturgeon): I welcome Jackson Carlaw to his temporary place asking these questions. Let me say at the outset that I am very proud to be the last woman standing at First Minister’s questions. I am not sure whether I am expected to reciprocate all the nice things that Jackson Carlaw said to me at this stage, so I will just gloss over that for the moment.

I turn to the substance of Jackson Carlaw’s question, because it is an important one. I know that he has taken a close interest in the subject over a period of time. I have deep and profound sympathy for what the women affected have gone through and the position that they have found themselves in. I cannot begin to imagine the pain and suffering that many of them have experienced.

That is why the Scottish Government has acted, through the review that we set up and the further work that has flowed from it. In her first few weeks as health secretary, Jeane Freeman announced what is effectively a ban—a temporary halt for all

mesh procedures—which will be lifted only when a new restricted use protocol is put in place. That will ensure that procedures are carried out in future only in the most exceptional of circumstances and, of course, subject to a very robust process of approval and fully informed consent. I was not in the chamber for the health secretary's statement on that, but I heard some of it and, on that occasion, I think that I heard Jackson Carlaw welcome the action that the health secretary had taken and I hope that he will do so again today.

Jackson Carlaw: This has surely been the greatest self-inflicted health scandal since the thalidomide scandal in the 1960s. Across this chamber sit MSPs who have led with determination to expose it as such, particularly Alex Neil, Neil Findlay, Rona Mackay, Angus MacDonald and Johann Lamont. In the gallery today are women who many regard as outstanding examples of leadership and courage: Elaine Holmes, who led the public petitions process on mesh, and Marion Scott, the journalist who led and campaigned so successfully on the issue—and many other mesh survivors are watching today's exchanges at home. To me, they are heroes and are recognised as such across Scotland, the United Kingdom and internationally, given all that they have achieved. They deserve the congratulations and appreciation of every one of us for everything that they have done.

During our October recess, the Australian Government issued a full and formal apology to all those whose lives have been compromised by mesh. Here is part of what that apology said:

“On behalf of the Australian government, I say sorry to all of those women with the historic agony and pain that has come from mesh implantation which have led to horrific outcomes.”

Will the First Minister now follow suit and, on behalf of the Scottish Government, today match that and give an apology to all the women in Scotland who have suffered?

The First Minister: First, I have previously expressed an apology to the women who have suffered, and I know that Shona Robison, the previous health secretary, and Jeane Freeman have done so, too. However, for the avoidance of any doubt and without any equivocation, I say today on behalf of the Scottish Government that I apologise unreservedly to any woman who has suffered because of mesh procedures.

The Scottish Government has acted here. I know that, because of his interest, Jackson Carlaw will be aware of this, but medical devices across the UK are regulated by the Medicines and Healthcare products Regulatory Agency, which is a reserved body. As a result, the Scottish Government cannot totally ban mesh, but we have

taken action. For example, suspending the use of mesh in 2014 led to a significant reduction in the use of mesh implants, and the further action that Jeane Freeman announced some weeks ago to temporarily halt procedures until we put in place a new restricted use protocol was the right one to take. Again, I hope that members who have campaigned on this across the chamber will welcome that today.

Jackson Carlaw: I thank the First Minister for that. On the MHRA, I have indicated that the Scottish Conservatives will support a representation to the UK Government on the issue. After all, it is not really a question about whether a process is devolved or reserved; it is about a process that has failed, and we have to ensure that such an incident does not happen again.

Exposing mesh has not been a party-political initiative but, that said, the singular serious misstep in the Scottish Government's record on this issue was its response to the now widely discredited review on mesh, which was regarded by women affected and key clinicians such as Wael Agur as a whitewash. Indeed, nearly 100 MSPs signed a charter to that effect in Parliament. At the time, the First Minister and the health secretary invited Professor Alison Britton to report on the process but not the findings of that review, which they said would stand; however, in the event, the new health secretary has, as the First Minister has indicated, abandoned that position with last month's robust and welcome intervention.

Professor Britton's report is now complete. There is no first or second draft amended by any self-interested third party; there is just her unvarnished report, which is or will imminently be in the hands of ministers. Will the First Minister agree to publish Professor Britton's report without delay, and will she say now that she at least expects to accept its findings and implement its recommendations in full?

The First Minister: Those comments are in order, and I will come to all of them.

I welcome Jackson Carlaw's offer to help put pressure on the MHRA. The Scottish Government has, of course, already raised these concerns, and I certainly look forward to hearing what the Scottish Conservatives will do to add their voice to the calls that we have already made.

I agree with Jackson Carlaw that the most important issue here is that this is a procedure that has failed, but the question whether it is a devolved or reserved matter is relevant with regard to what the Scottish Government is able to do. That is why it is legitimate to point to the fact that the MHRA is a reserved body.

With regard to the review, it is important to say that its findings were similar to those of recent reviews carried out in Northern Ireland, Wales, England and some countries across the European Union. However, Professor Alison Britton was asked to review the process of the independent review. I understand that ministers have only just received the report. It is our intention to publish it and, of course, to accept and implement the recommendations—or, where we think that they are not appropriate, to set out very clearly to Parliament why that is the case and allow Parliament to form its own conclusions on that.

We are determined to do everything that we can to recognise the suffering that has been experienced by women but, more important, to ensure that that suffering is not repeated for other women in the future. This has been a cross-party campaign, and I hope that it will continue in that vein.

Jackson Carlaw: I thank the First Minister for everything that she has said.

For the women concerned, an apology such as the one offered by the First Minister is a necessary cathartic act, but small and practical actions can make a significant change to their lives, too. For example, responsibility for the blue badge scheme rests with the Scottish Government, but many of the women whose mobility has been impaired by mesh are simply not eligible at the moment. To them, access to the blue badge scheme for those in wheelchairs and on crutches would be a hugely welcome and practical advantage.

This might not be the biggest political ask of the day, but it is an important issue to the women involved, and we could resolve to do something about it now. Will the First Minister agree today to instruct ministers and officials to review access to the blue badge scheme and offer those who have had their mobility severely impaired by mesh this singular and practical improvement to their future lives and wellbeing?

The First Minister: I have a lot of sympathy with the points that Jackson Carlaw has made. I will ask the Cabinet Secretary for Social Security and Older People to work with her officials to look at what action can be taken. I do not want at this stage to give Parliament assurances that I do not know we can deliver on quickly, but I think that it is not necessarily a particularly complicated issue. When it comes to blue badges, local authorities will be relevant in the discussions as well, but I am sure that the cabinet secretary will be happy to talk to Jackson Carlaw about how we can take this forward, once officials have had an opportunity to look at it in more detail.

“NHS in Scotland 2018”

2. Richard Leonard (Central Scotland) (Lab): Today’s Audit Scotland report is a damning indictment of this Government’s mismanagement of our national health service. It says that

“the NHS is not in a financially sustainable position and performance against national targets is declining”.

It is not the only report that has raised alarming concerns about Scottish Government health spending. A paper by Professor John McLaren of the University of Glasgow points to a future £400 million gap between what the Scottish Government plans to spend on the NHS each year and what it needs to spend. Are the Auditor General for Scotland and Professor John McLaren wrong?

The First Minister (Nicola Sturgeon): I will respond on John McLaren later. First, I will deal with Audit Scotland and take each of Richard Leonard’s points in turn.

The Audit Scotland report published this morning is, rightly, blunt. It sets out the challenges that the NHS is facing. In that sense, of course, it does not tell us what we do not already know or are not already working to address.

The challenges that our national health service is facing are the same challenges that the national health service is facing in England, Wales and Northern Ireland and, indeed, that health services are facing across much of the world. The Auditor General recognises that those challenges come from demands on the service from the increase in the ageing population. The task for us is not just to describe the challenge; it is to come up with the solutions, and that is exactly what the Scottish Government is doing. We have plans in place, both for the investment that the health service needs and for the reform that it needs.

In terms of the comment about financial sustainability, the Audit Scotland report recognises—and this is not a criticism of Audit Scotland, because the medium-term financial—*[Interruption.]* Perhaps the Labour members would like to listen to this; it is important. The medium-term financial plan that the health secretary published in this chamber, just before the October recess, is not taken account of in the Audit Scotland report. That plan sets out a proposal to see the health budget increase by £3.3 billion over the period until 2023. That would be annual growth of 2.9 per cent in real terms and, as Audit Scotland’s report says, the Fraser of Allander institute predicts that the health resource budget is likely to have to increase by around 2 per cent per year to stand still, so we are providing resources over and above that and I think that significantly changes the comment about financial sustainability. My last point on that is that the

Auditor General is clear in the report that it is current models of delivery that are not sustainable. That is why the reforms that we are carrying out are so important, as well.

Finally, and briefly, I will turn to John McLaren's comments last week. There are two criticisms and we dispute the basis on which they are made. The first is that our estimate of the increased demand for health services is too low. Actually, our estimate is in line with many of the independent estimates. We estimate a total rise in demand of 4 per cent. That is in line with Fraser of Allander—in fact, it is slightly higher than what the Fraser of Allander institute has recommended. It is also in line with the Institute for Fiscal Studies, and with the King's Fund, the Nuffield Trust and the Health Foundation letter to the Prime Minister, so I take issue with that claim.

Secondly, John McLaren suggests that our estimate for the savings that the health service can make is too high, but it is consistent with past performance and lower than the savings requirements that are being expected in England. Those are my views on the John McLaren report. In summary, our health service does face challenges, but we are the only Administration anywhere in the UK that has clear and robust plans in place to address and overcome those challenges.

Richard Leonard:

"The NHS in Scotland is not in a financially sustainable position."

That is in today's Audit Scotland report. The First Minister can talk about her Government's budget choices, but her budget choices forced health boards across Scotland to make £449 million-worth of cuts in the last financial year alone. The Government calls those efficiency savings, but let us be clear, those are cuts, and those cuts have increased year on year since Nicola Sturgeon became First Minister. Can the First Minister tell the Parliament how much local health boards have had to cut since she took office?

The First Minister: Health boards are not facing cuts. Health spending has increased year on year. If Richard Leonard wants to talk, as he is right to do, about the Audit Scotland report, he has to recognise that the Audit Scotland report today says that over the past 10 years, the health budget has increased in real terms over and above inflation by 7.7 per cent. That is not cuts—that is rising health budgets.

On the point about financial sustainability, I know that Audit Scotland corrected its online version of the report this morning. However, more substantively—this is just a statement of fact—because of the recent publication of the medium-term financial plan, it was not taken into account in

the report. That plan sets out increases to health spending by £3.3 billion between now and 2023. That is over and above what the Fraser of Allander institute says is needed to deal with the inflationary pressures that Audit Scotland commented on.

We have put in place plans to build on the current record funding in the health service to ensure that it is financially sustainable in the future. If we had followed Labour's spending plans from the previous Scottish election and what it said in its manifesto, our NHS today would be—Labour should listen to this—£360 million worse off than it is. That is the equivalent of the NHS losing 9,000 nurses.

We have the plans to ensure that our NHS is fit for the future, and we will get on with delivering them.

Richard Leonard: The answer to the question that I put to the First Minister—which she refused to give because she either did not know it or she did not want to admit it—is £1.1 billion. That is £1.1 billion-worth of cuts that health boards have had to make since Nicola Sturgeon became First Minister.

Today's Audit Scotland report exposes the mismanagement of the NHS under the Scottish National Party. Too many staff are under too much pressure, too many patients are waiting far too long, and too many health boards are having to make swingeing cuts. The SNP has been in office for 11 years, and the Auditor General for Scotland has concluded today that the NHS in Scotland is not financially sustainable. That represents nothing less than an abject failure of Government, does it not?

The First Minister: In his first question, Richard Leonard asked whether I thought that Audit Scotland was wrong. I do not think that Audit Scotland is wrong. I have made the point that it has not taken full account of our latest financial plan, which was published just before the October recess. However, I could equally posit that question to Richard Leonard. Page 10 of the Audit Scotland report says that there has been a 7.7 per cent real-terms increase in total health spending in the past decade. If Richard Leonard is saying that that is not true and that there have been cuts to the health budget, is he saying that Audit Scotland is wrong? Frankly, he must be. He should try to have a bit of consistency in his questioning.

Let me set out the Government's record. Yes, the NHS is under pressure. Rising demand is putting pressure on waiting times, but the vast majority of people are seen within the waiting times targets. Just earlier this week, the Cabinet Secretary for Health and Sport set out a plan that

showed how we will deliver significant improvements to performance on waiting times.

Interestingly, if we look at the number of people waiting more than 12 weeks for treatment in the last full year for which we have figures—it is too high, I hasten to add; it is just over 80,000—and we go back to the last year before we came into power and Labour was in office, 104,867 people were waiting more than 12 weeks for treatment.

We have the plans in place to protect our health service, record numbers of staff, record funding and even more funding planned. We have the solutions while Richard Leonard only wants to talk about the problems.

The Presiding Officer (Ken Macintosh): There is a lot of interest in asking supplementaries. The first is from Gillian Martin.

Immigration Policy (Deportation)

Gillian Martin (Aberdeenshire East) (SNP): The First Minister is aware of the horrific situation in which my constituents David and Carin Connolly find themselves, with Mrs Connolly's application to become a British citizen rejected by the Home Office, despite her husband of 32 years being a British citizen. The couple moved from Zimbabwe via Botswana to be with their son Marcus, who is also a British citizen, and they have lived for 10 years in Inverurie. Mrs Connolly is also the carer of her engineer husband, who is quadriplegic and requires 24-hour care. I have written in support of their case ahead of their appeal tribunal and to the First Minister. What more can we do to support the family and make the case for Mrs Connolly being allowed to remain in Scotland with her family?

The First Minister (Nicola Sturgeon): I thank Gillian Martin for raising the case. I read the details of Mr and Mrs Connolly's case in the *Daily Record* this morning, and I commend Gillian Martin for taking up the case and for arguing it so strongly.

My heart goes out to Mr and Mrs Connolly, and I hope that they get the opportunity to stay as a family in Scotland. I have complete sympathy for anybody attempting to navigate the increasingly complex and restrictive United Kingdom immigration system. The one-size-fits-all approach imposed by Westminster is arbitrary, and it is very often inhuman, particularly in cases that threaten to rip apart families.

Every day, we literally hear more and more stories of lives across the country being disrupted by those disastrous policies. We want to welcome people to come and live here and contribute to our communities, not to threaten to force them to leave once they settle.

If there is more that the Scottish Government can do to help Gillian Martin argue the case, I am more than happy to look at that and see that we do that. I take the opportunity to wish Mr and Mrs Connolly well, and give them the message that the vast majority of people in Scotland welcome them here and want them to stay in our country.

National Health Service (Discharge and Care Plans)

Peter Chapman (North East Scotland) (Con): How many patients does NHS Grampian discharge before a necessary care plan is put in place?

The First Minister (Nicola Sturgeon): I am happy to have the health secretary write to the member with the detail that he is looking for, as I do not have that detail to hand.

Nobody should be discharged before it is safe for them to be discharged and before the necessary care plans are in place. I know that all health boards and increasingly, of course, integration joint boards work very hard to make sure that that is the case. As we have seen over the past few years, the number of delayed discharges is coming down overall and we have health and social care services working more closely together to make sure that people have the clear plans that they need.

I will make sure that the specific detail is provided to the member.

Recreational Use of Firearms (Regulation)

Daniel Johnson (Edinburgh Southern) (Lab): In recent days, the recreational use of firearms has been in the press, from the shooting of goats to an issue of concern in my constituency about the opening of a gun shop mere yards from South Morningside primary school. The school has been in touch with the police, but it can take no action because the police's locus is over who can be a firearms dealer and not where those businesses locate. The council has no locus, because the police regulate firearms. Indeed, on that basis, the council would have more interest if someone was seeking to open a fast-food joint rather than a gun shop. Does the First Minister believe that a gun shop is just another shop? Does she believe, as I do, that this apparent loophole should be closed, and that we should regulate not just who can operate firearms businesses but where such businesses operate? Does she believe that it is right to have a gun shop next to a primary school? I know that I do not.

The First Minister (Nicola Sturgeon): I thank the member for raising the issue. I do not know the details about the shop that he has raised but, in general terms, I agree that that issue is not

something that I feel instinctively comfortable with, so I understand his concerns. I also agree that we should not see gun shops as just the same as all other shops, for very obvious reasons.

As Daniel Johnson will be aware, the power to make most firearms legislation is reserved to Westminster, with the exception of that on air weapons—we are the only part of Great Britain to license those—and firearms licences are issued by Police Scotland. I am more than happy to look into the particular case that he raises, and to come back to him if I think that there is more action that the Scottish Government, or any of our agencies, should be taking. If he has not already done so, I also encourage him to raise his concerns with Police Scotland. I understand the reasons for what he has described today causing deep disquiet, and I am sure that many other people will, too.

Air Services (Western Isles)

Dr Alasdair Allan (Na h-Eileanan an Iar) (SNP): The First Minister will be aware that Eastern Airways recently cancelled its Stornoway to Aberdeen service, with effect from tomorrow. What more can the Scottish Government and its agencies do to ensure the economic viability of air services to and from the Western Isles, particularly for those of my constituents who work in the oil and gas sectors?

The First Minister (Nicola Sturgeon): I can understand Alasdair Allan's concerns about that. We have to ensure that connectivity between all our islands—including those in Alasdair Allan's constituency—and the mainland encourages sustainability, both economically and in a range of other ways. I am happy to ask the Cabinet Secretary for Transport, Infrastructure and Connectivity to engage with him and with the airline to see whether there is more that the Scottish Government can and should do to address his concerns.

Teachers' Pay

3. Patrick Harvie (Glasgow) (Green): Next Saturday, thousands of teachers will take to the streets of Glasgow to make clear their demand for a fair pay settlement. They have already told the Government that they will not have their members divided against one another, with some being given a decent rise and others being left behind. The loss of 3,500 teachers since 2007 and the reliance on temporary contracts for so many newly recruited teachers are having a direct impact on the quality of education. It means more stress in classrooms and staff rooms, more teachers who do not have the permanence that lets them build strong relationships with their pupils, music lessons being axed, and children going without their additional needs being identified or met. Will

the First Minister promise the teachers who will be marching on Saturday that the Government will give them the fair pay rise that is due, so that we can attract and retain the teachers our children need?

The First Minister (Nicola Sturgeon): First, we are committed to fair pay rises for all our public sector workers. Where we have already agreed deals, we have demonstrated that—both for agenda for change workers in our national health service, for whom we have awarded the best pay rise of any country in the United Kingdom, as far as I am aware, and for our police officers, for whom the pay rise goes beyond that which is being offered south of the border.

The teaching unions have formally rejected the latest offer from the Convention of Scottish Local Authorities, but we are all committed to continuing discussions. Of course, the Scottish Government is actively involved in the negotiations, and urges everyone around the table to take a constructive approach. We had worked with COSLA to put in place a fair pay offer for 2018-19, which would see the Scottish Government contributing an additional £35 million of funding for teachers' pay. That would result in all teachers on the main grade scale receiving at least a 5 per cent increase, with some receiving up to 11 per cent in one year. I believe that that is a generous and fair offer, and I hope that it will be considered as such. However, we are committed to continuing negotiations in good faith.

Lastly, I absolutely understand and sympathise with Patrick Harvie's point about parity. We value the whole education workforce and recognise the aspiration for parity between teachers and non-teachers. I simply point out that two different negotiating arrangements are involved: the Scottish Government is party to the teachers' pay negotiating mechanism, whereas pay for non-teachers is negotiated between COSLA and the trade unions, and we are not part of that process. However, that should not take away from the fact that we have sympathy with the overall point that has been made. We want to have in place pay and other arrangements that attract people into teaching and give them rewarding careers once they are in it.

Patrick Harvie: Parity—even within the teaching workforce—does not seem to have been acknowledged yet. The teachers who will be marching on Saturday say that all teachers deserve a 10 per cent rise: it is necessary in order to make up for the years of below-inflation, real-terms pay cuts. The consequence of getting this wrong will not be just unhappy teachers, who will perhaps even feel forced to take industrial action: holding back teachers' pay and squeezing the budgets of our local councils will prevent the

educational improvements that I believe the First Minister wants to see. The issue is not only about our teachers and schools: the councils that fund them need the resources to do the job properly and to do everything else that we expect of them, from social care to environmental services.

If we want the excellent public services that this country deserves, we need to make the resources available. When will the Government finally give councils both the funding and the powers that they need and deserve?

The First Minister: In our last budget we agreed with the Green Party a deal for councils that delivered real-terms increases in the budget that they have to spend. Of course, we were also the first Government anywhere in the United Kingdom to lift the 1 per cent public sector pay cap.

On the point about parity within the teaching profession, I am not going to comment specifically on teachers as the negotiations are on-going, but generally, within our public sector pay policy—I think that this has been backed by the Greens and others—we have recognised the need to give bigger pay increases to those at the lower end of the scale than to those at the higher end of the scale. I believe in that progressive principle and I thought that Patrick Harvie agreed with it, too.

In terms of pay deals, we absolutely recognise that public sector workers have taken a lot of pain, through pay restraint, in recent years. We are committed—I have made this very clear, as has the Cabinet Secretary for Finance, Economy and Fair Work—to redressing that as quickly as we can. We have to do that in a way that is fair, but it stands to reason that we also have to do it in a way that is affordable.

We have demonstrated our commitment on the issue. The 9 per cent rise over three years that has been agreed for nurses and other agenda for change workers and the 6.5 per cent over 30 months for our police officers strike a balance between fairness and recognising that we have ground to make up for public sector workers, and recognising that we must have deals that are affordable. I hope that we can reach the same fair outcome for teachers, because we all want them to be properly rewarded for the excellent job that they do, for their sake and so that we can continue to attract new people into the profession in the years to come.

National Health Service (Waiting Times)

4. Willie Rennie (North East Fife) (LD): I will take the First Minister back to the national health service. Earlier, she talked about her plan to meet the waiting time targets that she has so far failed to meet. Page 4 of that plan shows that

performance will continue to decline. The next quarter's figures will be worse than those for the last quarter, which were worse than the ones before that and the ones before that, too. Why is it that, in year 12 of a Scottish National Party Government, we still have to expect waiting times to get worse before there is any sign of them getting better?

The First Minister (Nicola Sturgeon): The answer to that is pretty well known to Willie Rennie and others. I repeat what I said to Richard Leonard: the vast majority of patients are seen within our waiting time targets. One observation in the Audit Scotland report on the NHS that was published today is that 90 per cent of patients rate their care as good or excellent. That is a tribute to the NHS and to all of the staff across the country who work in it. However, demand on our NHS is rising, largely because of the ageing profile of our population, and that is putting enormous pressure on waiting times.

This week, the Cabinet Secretary for Health and Sport was utterly transparent about those challenges, the impact that they are having right now and the funded plans that we have in place to address those challenges and substantially and sustainably reduce waiting times. I think that that is the right way to go. Although it gives Willie Rennie the opportunity to come and ask his questions today, it is important and right for us to be fully frank, honest and transparent with Parliament about the nature and scale of the challenge that we face, so that Parliament can hold us to account as we work through the plan in the years ahead. I will continue to work with the health secretary to ensure that we have in place the funding, the staff resources and the reform plans to ensure that our NHS is fit for the future. That is my responsibility, and I will continue to live up to it.

Willie Rennie: But the law states that patients will be guaranteed NHS treatment within 12 weeks—it is the First Minister's law from when she was health secretary. It was an SNP flagship law, which helped the party to take power in 2007, and it is a law that the SNP Government has broken more than 100,000 times.

On Tuesday, the Government said that it would keep on breaking the law for another three years. If a member of the public were to break the law that many times, they would serve time in Barlinnie, so why is it that when the SNP Government breaks the law, it thinks that it can get away scot-free? Will the First Minister tell the people of Scotland what exactly the penalties are for breaking the law that she has flouted so many times?

The First Minister: Willie Rennie always manages to let himself down on serious issues. I will return to the serious point.

Mike Rumbles (North East Scotland) (LD): You are not answering the serious point.

The First Minister: I am trying to answer it. It is true that the 12-week treatment time guarantee has not been adhered to more than 100,000 times, but 1.6 million patients have been treated within the time—patients who might have waited more than 12 weeks without that guarantee. As I have just said, there are now fewer people waiting more than 12 weeks for treatment than was the case when the SNP Government came into office.

The sanctions and steps that are taken when health boards do not meet the treatment time guarantee are laid down in the law. Like anyone else, Willie Rennie can go and look at what they are. The health secretary engages with health boards. Health boards have obligations to advise and inform patients of what they will do to deliver the treatment as quickly as possible, and the health secretary monitors health boards on that.

Standing here today, I do not shy away from the challenges that our health service—in common with health services across the United Kingdom and further afield—faces. We have put in place plans around both investment and reform to ensure that we meet the targets and that the quality of care is what patients expect.

Finally, I go back to the Audit Scotland report. On radio this morning, the Auditor General repeated the point that the report is very clear about the high quality of care delivered by staff in our NHS. That is something that we should thank them for.

The Presiding Officer: There is a lot of interest in asking supplementary questions, so I will take several questions.

Climate Change (Targets)

Mark Ruskell (Mid Scotland and Fife) (Green): The science is clear: we have just 12 years, which is three parliamentary sessions, left to avoid dangerous climate breakdown. This week, the Environment, Climate Change and Land Reform Committee heard directly from the Intergovernmental Panel on Climate Change that all climate change targets need to be reconsidered.

Can the First Minister explain why the Scottish Government, alongside the UK Tory Government, has asked its advisors to consider only whether changes are required to the long-term climate target, and not also to consider the need to increase ambition between now and 2032?

The First Minister (Nicola Sturgeon): We have specifically asked the advisors about the shorter-term targets, too. The Cabinet Secretary for Environment, Climate Change and Land Reform has told me that that is the case, but I will be corrected if I have got that wrong.

The shorter-term targets for 2020 and 2030 that are set out in the Climate Change (Emissions Reduction Targets) (Scotland) Bill that is currently going through Parliament are already the most stretching targets anywhere in the world. We take the IPCC report extremely seriously. The report's central recommendation is that the world should reach carbon neutrality by 2050. The bill will deliver that for Scotland. We are already well past peak emissions; the other point that the IPCC report makes is that the world needs to get to peak emissions imminently.

Many people have the aspiration, which I share, to go to net zero for all emissions as quickly as possible. We have asked the Committee on Climate Change to give us updated advice on that, because its current advice is that the target in the bill of 90 per cent by 2050 is already at the limit of feasibility. The bill puts obligations on ministers to review the targets to get to net zero as quickly as possible.

We are recognised internationally as a world leader in tackling climate change; I am determined that we should stay at the leading edge of world action to tackle climate change for the benefit of this generation and, more important, future generations.

Social Security (Children)

Tom Arthur (Renfrewshire South) (SNP): What is the First Minister's response to comments that were made in Parliament yesterday that people who are reliant on social security, including those receiving in-work benefits, have no right to have more than two children?

The First Minister (Nicola Sturgeon): The comments that were made by Michelle Ballantyne in the chamber yesterday were both appalling and ignorant of the reality that is faced by many families. [*Applause.*]

The comments were appalling because the idea that being poor should be a barrier to having a family is Dickensian, and shows the Scottish Conservatives in their true colours. The comments were ignorant because the rape clause will not apply only when children are first born: from next year it will apply to children of any age when a family's circumstances change such that they need to claim benefits. To defend the rape clause misses the point, which is that any of us can experience a change in circumstances at any time.

Michelle Ballantyne seemed to suggest that if a family who had three children while the parents were in work were suddenly to fall into different circumstances, those children should be penalised as a result, which is absolutely shameful. The social security safety net is there for all of us, should we need it in times of distress or in changed circumstances. Shame on the Conservatives for dismantling that social security safety net.

Migrant Workers' Pay

Jackie Baillie (Dumbarton) (Lab): The First Minister will be aware that the workers who have been hired to build the flagship £2.6 billion Beatrice offshore wind farm have included migrants without immigration documents who have been paid a fraction of the minimum wage—some of them have been paid less than £5 an hour.

The Scottish Government believes that green energy is a priority. Will the First Minister act to ensure that green jobs are not exploited jobs, and stop that happening on major infrastructure projects in Scotland?

The First Minister (Nicola Sturgeon): I unreservedly condemn any employer that exploits workers in that way. I am happy to ask the Cabinet Secretary for Finance, Economy and Fair Work and the Cabinet Secretary for Transport, Infrastructure and Connectivity to look into the specific case to which Jackie Baillie has referred, and to give her their findings once they have had the chance to do so.

It is my expectation as First Minister, and it is the expectation of the Scottish Government, that employers have fair work policies. Over the recess, we announced plans to toughen our approach to fair work as regards our expectations when Government grants are awarded, and in relation to the public procurement system. We will in due course set out more details of those plans to Parliament.

Influenza Vaccine (Over-75s)

Rachael Hamilton (Ettrick, Roxburgh and Berwickshire) (Con): Despite receiving an influenza vaccine, one of my constituents developed pneumonia and, as a result, required a four-day admission to Borders general hospital. The First Minister will be aware that, in Scotland, the new flu jab is available only to over-75s. Last year, influenza and pneumonia deaths hit an 18-year high. With a cold snap predicted, is the First Minister confident that under-75s are properly protected, and that the NHS has the correct resources that it needs to prevent more deaths?

The First Minister (Nicola Sturgeon): Yes, I am confident in our vaccination programme. As

responsible members of the Scottish Parliament, all of us should encourage the public to be confident in that vaccination programme. Supplies of the vaccine are already available to general practitioners and the programme is under way.

A number of different vaccines are in use for different groups of people. As far as over-75s are concerned, it was the recommendation of the United Kingdom Joint Committee on Vaccination and Immunisation that if use of vaccine had to be prioritised, over-75s should be in the priority group, so the Scottish Government has ensured that.

Supply issues that are beyond our control have meant that, this year, we cannot extend that to over-65s, but we will do so in future years. However, the vaccine that is being used for over-65s is effective. I take this opportunity to encourage all those who have not yet had the vaccine and who are eligible to receive it to do so as quickly as possible, because as well as protecting them, that helps to protect the population as a whole.

Daylight Saving Time

5. Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (SNP): To ask the First Minister what the Scottish Government's position is on the use of daylight saving time. (S5F-02693)

The First Minister (Nicola Sturgeon): I am aware of the European Commission's proposal to end the current daylight saving arrangements. The Scottish Government does not believe that there is a substantive economic or social case for any change to the arrangements. This week, the Cabinet Secretary for the Rural Economy has written to the United Kingdom Government to stress that the effect of the proposal, if it is implemented, would be more pronounced on Scotland, given the greater extremes in the extent of our daylight hours. It is likely that the impact would be particularly strongly felt by the farming community and other outdoor workers.

We are engaging with stakeholders to understand better the potential impact of the proposal, and we will ensure that any concerns that are raised are reflected in our on-going discussions with the UK Government.

Christine Grahame: I thank the First Minister for her answer, and the Scottish Government for its support for putting the clocks back by one hour this weekend. I must remember to do that; I did not do it one year.

I welcome the Cabinet Secretary for the Rural Economy's letter to the UK Government which, being located so far south, sometimes fails to recognise how long our winter mornings can be.

Will the Cabinet Secretary for Transport, Infrastructure and Connectivity also contact the UK Government on the issue of road traffic accidents and the effect of the dark mornings on the safety of our schoolchildren who walk to school and, in particular, those who do so in rural areas where there are no pavements and no street lighting, such as in my constituency in the Borders and Midlothian?

The First Minister: I am tempted to say that the fact that Christine Grahame, due to a lapse of memory years ago, is one hour out of sync with the rest of us might explain an awful lot; I am sure that I will pay dearly for that comment in the weeks and months to come.

The issue that Christine Grahame raises is a serious one. We will be happy to make available to Parliament the letter from the Cabinet Secretary for the Rural Economy and, likewise, any response that we receive.

As I said in my answer, we are currently gathering views on the impacts of the proposed change, which will include the impacts on transport and other areas that were highlighted by Christine Grahame. The European Commission has stated in its proposals that the evidence is currently inconclusive in terms of road safety.

This is a reserved matter, so we will continue to liaise with the UK Government, and with the transport sector and rural communities, on this important issue. If there are issues that the Cabinet Secretary for Transport, Infrastructure and Connectivity also needs to raise, he will certainly do so.

Support for Patients

6. Alexander Stewart (Mid Scotland and Fife) (Con): To ask the First Minister what the Scottish Government's position is on the report from Chest, Heart & Stroke Scotland, which suggests that one in five patients is not receiving the support that they require. (S5F-02709)

The First Minister (Nicola Sturgeon): We welcome Chest, Heart & Stroke Scotland's report and will continue to work alongside the charity to support people living with and affected by those conditions.

Our plans to improve rehabilitation are set out in our stroke and heart disease improvement plans. We are working in partnership with national health service boards, the voluntary sector and a range of providers across health and social care, to ensure that people who have heart disease or who have had a stroke get access to the care and support that they need to help them to return to independent living.

Our strategy for tackling strokes and heart disease is delivering improvements, with mortality rates having reduced by about 40 per cent for both stroke and coronary heart disease over the past 10 years.

Pulmonary rehabilitation is already a key recommendation in our national clinical guidelines.

Alexander Stewart: What assurances can the Scottish Government give that it will do all that it can to end variations in access to NHS rehabilitation services and allied health professionals, given that although pulmonary rehabilitation is in the clinical guidelines, an estimated 60,000 people who should be receiving it are not currently doing so?

The First Minister: As I said, we welcome the report by Chest Heart & Stroke Scotland and I take the opportunity today to commend the charity for the work that it does. The Cabinet Secretary for Health and Sport recently met CHSS to begin discussions on the campaign, and she has given the charity a commitment, which I repeat today, to continue the discussions in order to see how we can move towards a right to rehab, which is the end result that CHSS is looking for.

As I said, we have plans in place to improve rehabilitation: the stroke and heart disease improvement plans, which include priorities on rehab, transition to the community and supported self-management to support people to live longer, healthier lives in their communities. Our stroke improvement team and the cardiac rehabilitation champion are working across health and social care and with the third sector to help us to deliver on those priorities.

We will continue to take forward our existing proposals and any enhanced proposals that are required as a result of our discussions with Chest Heart & Stroke Scotland.

The Presiding Officer: That concludes First Minister's question time. Before we move to the members' business debate, we will have a short suspension to allow the gallery to clear and our guests for the next debate to arrive.

12:47

Meeting suspended.

12:50

On resuming—

Electricians (Regulation)

The Deputy Presiding Officer (Christine Grahame): The next item of business is a members' business debate on motion S5M-14162, in the name of Jamie Halcro Johnston, on the regulation of electricians as a profession. The debate will be concluded without any question being put.

Motion debated,

That the Parliament notes the calls supporting the principle of the regulation of electricians as a profession; understands that, while over 100 regulated professions exist in the UK, including gas engineers, there is no protection afforded to electricians; appreciates that improperly-installed electrical work creates a significant risk of fire as well as other harm to householders in the Highlands and Islands and across Scotland; believes that the installation of electrical work by unqualified or only partly qualified individuals carries the risk of defects and safety issues arising; acknowledges the survey conducted by SELECT, which is the trade association for the electrical contracting industry in Scotland, which suggests that 93% of householders would expect someone claiming to be an electrician to be properly qualified and that 89% were not aware of how to check the qualifications of someone, and acknowledges the calls for the Scottish Government to consider how the Parliament's powers over protection of title can be utilised to reassure the public of the safety of electrical work that is carried out in domestic and non-domestic premises.

12:50

Jamie Halcro Johnston (Highlands and Islands) (Con): I am grateful to have the opportunity today to raise an issue that is of importance to every home and business in Scotland. Virtually all premises across the length and breadth of the country, whether on or off-grid, have some form of electrical installation. It is ultimately that body of consumers that I ask members to consider today.

First, I extend my thanks to all members from across all the political parties in Parliament who have signed my motion, and to the organisations that have taken time to meet me in recent months. I also thank all the people in the industry who have been in touch and the many who are in the gallery today.

Electricity, and the installation and maintenance of its supply, must be handled with extreme caution. In many cases, it seems that electrical products are more regulated than the electrical installation work that they utilise.

The consequences of poor work can be severe: damage to property, injury and, occasionally, even death. I was staggered, as have been many

colleagues across the chamber, to learn that the people who enter our homes and businesses to install and maintain our wiring, fuse boxes and appliances need to have no qualifications at all and yet they can still call themselves electricians. That simply should not be the case.

The United Kingdom national contact point for professional qualifications shows 102 different professions that have protection of title, the most notable of which is the gas industry. We recognise that appropriately certified tradesmen are able to undertake work on gas installations. Parliament has extended protection to other roles, such as door supervisors at bars, nightclubs and events.

That is not to say that protection of title will immediately solve every problem. Gas boilers are still fitted in homes and business premises by people who are not appropriately qualified. However, it must surely be at the core of the measures that we can take to create a safe and well-regulated industry.

For many years, organisations such as SELECT—the former Electrical Contractors Association of Scotland—and the Scottish joint industry board, which includes representation from Unite the union, the successor to the former electricians' union, have been campaigning for the electrical profession to be recognised and protected. In more recent years, a number of organisations have co-operated with the Scottish Government as part of its working group to bring about changes to the industry to improve the safety of electrical work and better enable consumers to make the right choices when it comes to choosing contractors and tradespeople.

It is, however, almost three years since the issue was first raised. Not only has there been no action on it, the Scottish Government's position remains ambiguous. It is, of course, right that any approach is well considered before being taken forward. However, this work has already—in the main—been done.

Some have asked about the scale of the problem, and that point has been heard and discussed in some depth. SELECT and Unite have presented evidence to the working group that suggests that as many as 4,000 individuals might be operating in the grey market, undertaking unqualified or underqualified work on electrical installations. They fully recognise that that figure comes with caveats. The truth is that it is almost impossible to bring forward conclusive statistics. When faced with the question, few individuals will be willing to raise their heads and enthusiastically declare themselves as unqualified.

Neil Findlay (Lothian) (Lab): Does the member agree that, although he has just identified a huge

issue, there should not be any moves in the industry to downgrade the role of electricians?

Jamie Halcro Johnston: I certainly agree. As shown in the motion, many more conversations need to be had to make sure that all such areas are encompassed in any legislation that is introduced.

As the greatest prevalence of poor and unsafe work is found in the domestic market—in people’s homes—there are other challenges. For most people, commissioning electrical work is not a frequent exercise. We know that many are not familiar with the industry or the bodies that operate within it. Although most expect a qualified electrician to arrive, we know that that is not always what happens. Members of the public generally assume that the title “electrician” comes with protections. When presented with evidence that it is not, the majority—93 per cent in SELECT’s survey—backed regulation to ensure that only people who have relevant qualifications can advertise their services as an electrician. A further 89 per cent wanted more information on how to check that an electrician is qualified.

Safety is, of course, central to the debate. What are the consequences of poor electrical work? In 2016, there were 619 casualties and 10 people were killed in electrical-fault related incidents across the United Kingdom. The figures for Scotland may be proportionately lower, but that seems to be little excuse when we are faced with calls for action to avoid such harm.

Many faults are latent: they can lie in wait for months or even years before a combination of circumstances cause injury to a person or damage to property. There are a number of possible approaches to protection of title, with which, I have no doubt, ministers will be familiar. Some people have proposed an extension to the Scottish joint industry board, with its membership opened up further to co-ordinate that. Others have suggested that the existing certification register of construction, which has operated for some time on a voluntary basis, could be modified and could have its remit expanded.

All the organisations whose members I have spoken with have emphasised that keeping costs minimal, keeping the solution simple and maintaining a light touch with business and electricians are key in their considerations. Enforcement will also be a concern. We should not introduce a regulatory framework and then allow it to be ignored.

A further concern is the need to ensure that continuing qualifications are recognised. Electrical work is evolving, and we must avoid the suggestion that protected title is a substitute for ensuring that qualifications are up to date or

indeed that specialist work should be undertaken only by those with specialist qualifications. The existing professional bodies already demonstrate good practice and promote high standards of training among their member firms. That model should be embraced as part of any recognition and certification programme.

The issues are not beyond the wit of this Parliament to thrash out. However, the question that remains is simple: whether there exists, within the Scottish Government, the political will to make that happen. As I mentioned previously, many of the issues have already been discussed within the Government’s working group. However, I am far from alone in thinking that the process has dragged on for far too long. There seems to have been a broad acceptance, after SELECT commissioned its own legal advice, that the Parliament has the powers to act. Unfortunately, the momentum to introduce measures to improve safety is sometimes only found after incidents make it clear that the issues can no longer be ignored. I hope that, collectively, we can begin to take action now.

I feel that protection of title is a necessary component of ensuring safety in the electrical industry, but I recognise that it will not be a silver bullet. The National Inspection Council for Electrical Installation Contracting—NICEIC—has emphasised the importance of raising awareness among domestic customers and has highlighted some of the ways in which it has been working with organisations to achieve that. I fully support that process. Today, I am seeking a sign that, after almost three years of discussion, protection of title is being seriously considered by ministers, in line with the wide support that such a move would have.

12:57

Clare Adamson (Motherwell and Wishaw) (SNP): I thank Jamie Halcro Johnston for securing this important debate. I have not signed the motion, however. From my work in this area as convener of the cross-party group on accident prevention and safety awareness and my discussions with the industry, I feel that there is not yet a consensus as to the best way forward to achieve consumer confidence. That is the most important thing here. When people contract out and engage someone who describes themselves as an electrician, the customer should be fully sure that they are qualified and safe to undertake that work. That said, I absolutely recognise the commitment to safety of both SELECT and Mr Halcro Johnston, and I recognise how important that is.

We have discussed some of the issues around what can go wrong with electrical safety. That is

really important, and not just for people in their own homes and for social landlords. One only has to look at some of the testimonies on the families against corporate killers website to see examples of people who have been killed or seriously injured at work as a result of electrical installations or working practice not being safe.

Many of us take it for granted that our electricity is there on demand. When something goes wrong with it, we all feel the issues that that causes. Sometimes, as consumers, we do not understand how important it is to ensure safety.

Neil Findlay: I ask this in all sincerity: could the member help us by telling us who is not on board with the proposal to regulate the industry?

Clare Adamson: It is not so much about whether to regulate the industry as achieving consensus about the best way to do it. That is why I did not sign the motion. I acknowledge the mechanism that Mr Halcro Johnston has called for, but I do not feel that the consensus is there.

I welcome the work of the Government's electrical working group and I am sure that the minister will have much to say about the work that has been completed over the past three years.

One of the barriers to achieving accreditation can be the perception that an administrative burden of paperwork and red tape will be placed on small electrical companies and individual electricians. Having said that, earlier this year I was invited to open and participate in the Institution of Gas Engineers and Managers conference in Edinburgh, where I saw a presentation from Stewart Davison of Gas Tag, who worked with the gas safety register that applies to all gas engineers.

Gas Tag is another mechanism that could be considered in order to achieve the consumer confidence that is so important. Gas Tag uses an online app. A gas appliance is tagged and the tag can be read with a QR—quick response—reader by a gas engineer undertaking any work. A lot of the paperwork normally associated with such work, for example the address, the time and what was done, can be recorded on the app at the time, and photographs can be taken to prove that the engineer has completed the work to a satisfactory level. The scheme is being rolled out to social landlords. I thought that it was an interesting example of how technology can help us to increase safety—which is what we all want—thereby increasing consumer confidence.

We are moving into the internet of things. The world is changing, with sensor technology and the ability for an installation or a fuse box to tell an engineer that something has gone wrong and that it needs to be serviced. All those things are of the future and could be used to improve this situation.

I welcome the opportunity to speak about that today and look forward to the minister's update.

13:02

Alexander Burnett (Aberdeenshire West) (Con): I, too, thank Jamie Halcro Johnston for bringing this important topic to the chamber. I also thank members from across the chamber who were able to support the motion.

At a time when consumers are always researching products and services before purchasing, regulation is welcome to many across Scotland. I have previously told the chamber about my support for apprenticeships. I believe that the regulation of electricians as a profession would improve opportunities for apprentices, as it would offer wider and more comprehensive learning than some of the more specific electrical roles that had been proposed. We all recognise the benefit that apprentices bring to business. I refer members to my entry in the register of interests, as I am an employer of apprentices in the construction industry.

SELECT and the SJIB have noted that the status quo of having unqualified electricians is undermining individuals and companies who invest in innovation and apprentice and staff training. Therefore, accreditation for people entering the profession would not only be a huge benefit to them as individuals but help businesses to encourage fresh talent.

Everything is moving towards electrification as part of our push to prevent climate change, including many things from our transport and in our homes. Given that increased use of electrical products, we will require more electricians, and we need to do all that we can to encourage people into the profession.

As members have noted, unions, businesses and charities alike all support the principle of regulating electricians as a profession. I note Electrical Safety First's point that more research is required on the potential benefits of protection of title, in consultation with all parts of the electrical industry. Unite mentioned that its members raised their concerns and frustration that

"people who have not met the established national and industry standards are able to use with impunity the title of 'Electrician'",

and it would therefore welcome protection of that title.

The privilege of calling oneself an electrician should be limited to those who are qualified in that highly skilled profession. That would not only prevent rogue traders from carrying out electrical work that could be unsafe but help to reduce costs to the consumer by preventing the further repairs

to shoddy work that are required. The overall cost of faulty electrical work in Scotland is around £120 million a year—and that does not even include the cost of major incidents.

Consumer confidence is important, and I am keen that regulation should not become a weak form of accreditation. I therefore back calls that there should be continuous assessment of the competence of a registered electrician. I am also keen to see a campaign to raise awareness among residents throughout Scotland of the importance of identifying and using registered electricians. That would be an important step in improving consumer confidence and helping the industry to reduce the numbers of rogue traders that are used.

Regulation should protect consumers but, most important, we must support electricians who are already carrying out work safely and properly. I therefore support the motion, with the added caveat that we must work with the industry to develop a robust system of regulation. [*Applause.*]

The Deputy Presiding Officer: I am sorry. I understand why people in the gallery want to clap, but that is not allowed in the Scottish Parliament.

13:05

Monica Lennon (Central Scotland) (Lab): I thank Jamie Halcro Johnston for securing this important debate, which follows a determined campaign by organisations representing employers and employees, including SELECT, Unite, the National Inspection Council for Electrical Installation Contracting and Electrical Safety First, to secure official legal recognition of qualified and competent electricians, in the interest of public safety. As the convener of the cross-party group on construction, I have come to learn and feel passionately about the issue, so I am glad to take part in the debate.

Whether in the home or in the workplace, people deserve to be safe. Like 93 per cent of the Scottish householders who were surveyed by SELECT, I expected that any person who claimed to be an electrician would have had training and achieved qualifications. It is staggering that, in effect, anyone can call themselves an electrician and undertake work that they are not qualified to do. That puts everyone at risk.

Badly installed or maintained electrical work creates a significant risk of fire; there are also other risks, such as electrical shocks. Government statistics show that 69 per cent of all accidental fires in Scottish homes are caused by electricity. Safety risks might lie dormant for months, or even years, but those silent killers can strike at any time—it needs only a set of circumstances to combine to trigger them. An unregulated

electricians sector makes it more difficult to hold rogue traders to account, and people are left to foot the bill for correcting unsafe electrical works.

I am the daughter of a health and safety officer, so I do not need to be convinced of the health and safety case for regulating electricians as a profession. I listened to Clare Adamson's remarks about the concerns of some people in industry about the burden of bureaucracy. I am reminded of the saying, "We are here to remember the dead and to fight for the living". Good employers who work with trade unions to improve health and safety do not see regulation as a burden—it is about people's human rights. Too many people have died in workplaces for us to be complacent and allow the conversation to drift on.

Clare Adamson: To be absolutely clear, it is not that I think that any of the paperwork would be unnecessary. I was pointing out that there are now cheaper and easier ways of recording and achieving things. I was not at all suggesting that there should be any diminution of health and safety. Indeed, the cross-party group on accident prevention and safety awareness has discussed the issue on many occasions, and I invite Monica Lennon and Neil Findlay to come along and hear some of the testimony regarding the issue.

Monica Lennon: I would be happy to do so. People should feel reassured because the regulation of professionals is commonplace in the United Kingdom. For example, I am a chartered town planner, which is a protected title. There are already more than 100 regulated professions, yet no protection is afforded to electricians.

Regulation can spread best practice and facilitate on-going training, which are good things. That will become critically important when the new edition of the wiring regulations—it will be the 18th—come into force in January next year. They will raise standards markedly and introduce new and more complex technical requirements to ensure safety. Regulation will ensure that electricians are properly qualified to meet those higher standards and assist with training.

I join many organisations in the sector in calling on the Scottish Government to not delay and to use its powers to impose protection of title for electricians. There is a clear case for that. Scotland can lead the way on the issue in the UK and, in doing so, help to ensure that people in Scotland are kept safe and skilled workers are properly recognised for the vital job that they do.

13:10

Tom Arthur (Renfrewshire South) (SNP): I congratulate Jamie Halcro Johnston on securing this important debate. My sentiments are similar to those of my colleague Clare Adamson. I am

absolutely behind the sentiments on the motivation for regulation and I hope that the debate will contribute to work towards a consensus on the best model. I absolutely agree with Alexander Burnett that that has to be developed with industry so that we ensure that, while no corners are cut and every aspect of health and safety is given proper attention and enforced, we find the most efficient method, particularly for the many electricians in small businesses and those who are self-employed.

Monica Lennon: I hope that the member will indulge me, as my intervention is meant in the best possible spirit. I am quite surprised to hear the arguments about bureaucracy and concerns about regulation. Traditionally, we would get those from members on the Tory benches. Is there a bit of role reversal going on, Mr—*[Interruption.]* I have forgotten his name. Sorry. It is Tom Arthur.

The Deputy Presiding Officer: I was about to help you, but you gracefully recalled it at the right moment.

Tom Arthur: I assure the member that there is absolutely no role reversal. I am simply stating, as my colleague Clare Adamson did, that we must ensure that we get the best possible method and model. I completely agree with the principles that have been set out, which are long overdue. I will come to why I think that in a moment. I want to be absolutely clear that we need to find the best possible method, but that cannot come at the price of compromise with regard to the robustness and integrity that are required to inspire confidence among consumers. I hope that that clears up any misunderstanding that Monica Lennon may have had on the matter.

I should declare an interest. I have had opportunities to engage in conversations with SELECT over a number of years and I am looking forward to meeting it again next month. I also declare an interest as the son of an electrician. My father started his career as an electrician in the late 1960s before going on to become an electrical engineer and then an operational manager. It was a very different era for health and safety back in the 1960s. Being the solitary operator on a cherry picker while working on district lighting in high winds is not necessarily something that would be tolerated today. However, from a very young age I learned from my father to have a great respect for and understanding of electricity and the dangers that it presents. I was always shocked when I engaged with friends or colleagues who were not aware of how dangerous it can be.

Mr Burnett's point about the increasing proliferation of electrical goods was well made, and Jamie Halcro Johnston also made a key point about electrical goods being more regulated than electrical installations.

I turn to some other key points that are highlighted in the motion. We already have more than 100 regulated professions. Members of the public and consumers have a clear understanding of the dangers that are posed by gas and they would not want their property or premises to be the subject of work that was carried out by someone who was not a regulated gas engineer. That is quite understandable. On the point that our aims and objectives should be not just about the regulation of the profession but about inspiring greater consumer confidence and understanding, I, too, was shocked to see the statistics and to read that the overwhelming majority of people would not be able to discern whether someone was a qualified electrical installer.

I will give an example from my experience. A decade ago, my parents had a new bathroom installed, and the work that the electrician carried out was absolutely appalling. It was not just a case of cables not being tidily ordered; the cable to the shower, which is one of the highest-drawing appliances in the house, was completely the wrong type, which posed a grave fire hazard. Fortunately, my father was able to identify that and go through the installer like a dose of salts, but not every household has that opportunity.

The publication that SELECT has produced contains many photos that illustrate some appalling installations that have been carried out throughout Scotland. That is a clear and grave concern.

I am conscious that I have gone over time and I do not want to try your patience, Presiding Officer; I will conclude. I welcome the debate and I am glad that Jamie Halcro Johnston brought it forward. Although it is an area that we have to consider carefully, I am fully supportive of the principles and motivations behind the motion. I look forward to hearing what the minister has to say in closing.

The Deputy Presiding Officer: Thank you, Mr Arthur. I have to say that I am quite relaxed today, so you were not really trying my patience at all—a rare moment.

13:15

Neil Findlay (Lothian) (Lab): Is this the new you, Presiding Officer? We will see how long that lasts.

The Deputy Presiding Officer: It has just ended. *[Laughter.]*

Neil Findlay: I declare an interest as a member of Unite the union. A few years—or it might have been just a few months—after I entered Parliament, I campaigned extensively against the proposals of the big electrical companies that were

trying to rip up national agreements for electricians and other trades such as ventilation engineers. Those companies were attempting to deskill the role of an electrician; they wanted to bring in new grades, which would have downgraded that role. I worked extensively with Unite the union, SELECT and rank and file members of Unite who were working on building sites across the UK on an effective UK-wide campaign that defeated the proposals that large and powerful construction companies had brought forward. It was a good example of parliamentary and extraparliamentary campaigning delivering success. The big companies were sent off to think again with their tails between their legs—the same big companies that were behind the blacklisting scandal that targeted health and safety reps on building sites.

I am a bricklayer to trade. Bricklayers are of course the cream of the construction industry, but we always support the other trades in the sector, because each trade relies on the others—that is part of the ethos of the team working in construction.

Electricians are a very important trade. If someone hammers a nail in the wrong way or lays a brick upside down, they generally will not kill or injure anyone or cause a fire or electrical shock, but poor wiring, insulation or earthing can do those things. That is the huge difference. Indeed, I know that an electrician was recently caused harm by a shock in this building, which should be of concern to us.

The proposal in Mr Halcro Johnston's excellent motion is absolutely sensible. It suggests a normal way forward. The question that we should be asking is, "Why have we not done this before?", because this is about safety, consumer protection, building standards and professional regulation and protection of title. Others have mentioned the remarkable list of 100 other trades or professions, including art therapists, taxi drivers and street sweepers, that are all licensed in some way while electricians are not—it just does not add up.

There is not a political point to be made on this—not at all. What is suggested is a practical and sensible step that fits in with the preventative agenda that Governments are supposed to be all about. There is nothing to stop us doing it here. It is not anybody else's responsibility—it is not the responsibility of the UK Government, the council or somebody in Wales, or whoever is on the usual list. We can do it here, so we should act.

It is about protecting people and consumers, our buildings and the integrity of the trades. I have to say that the best way for safety to become the default position in the industry is for there to be regulation, protection of title and trade union collective agreements, and for that to become the norm in the industry. Unionised workplaces are

safer workplaces. Workplaces where there is more direct employment are safer workplaces. We have seen what deregulation and the overreliance on subcontracted labour brings—more deaths and more injury in the workplace.

Let us bring forward the necessary legislation. I think that it would have widespread community support, industry support and trade union support and I hope that it would have the support of the majority in the Parliament.

13:20

The Minister for Business, Fair Work and Skills (Jamie Hepburn): I join others in thanking Jamie Halcro Johnston for securing what I recognise is an important debate. It is right that we bring this issue to the chamber, and we should all welcome the fact that we are able to contribute to this important matter.

Everyone in the chamber and most people in Scotland will have had to hire someone to carry out electrical work, and I think that we will all agree that we should be able to do so with confidence that we are not going to be put at risk. At the outset, it is important to re-emphasise Alexander Burnett's point about the quality of the training provision in our modern apprenticeship scheme, which has come about as a result of industry involvement, colleges and the Scottish joint industry board for the electrical contracting industry. We should therefore recognise that the electricians out there come, in the main, from a background of high-quality professional training.

However, we have heard both today and previously of concerns that sometimes people can be put in danger as a result of electrical shocks or fire, simply because anyone can call themselves an electrician without having the relevant qualifications or competence. Those concerns are serious, and they have to be considered fully and acted on where necessary.

Mr Halcro Johnston has said that he might be considering introducing legislation on this issue, but I should make it clear at the outset of my speech that I am open minded on the matter and have made no clear or firm decision on the best way forward. I have not ruled anything out. I came into this post in June, and I was very happy to meet SELECT a matter of weeks later to discuss this very issue. It has made a serious proposal about the protection of title, and we will give that full and proper consideration in the process that we are taking forward and which I will lay out in a few moments' time.

Neil Findlay: Can the minister advise us of his reservations or tell us why he might not support such a move?

Jamie Hepburn: I will come to that, but I suppose that it comes back to a point that Tom Arthur made. There is perhaps a misunderstanding that there is some concern about overregulation; the concern here is about the need to look at this matter fully and thoroughly and ensure that all interested parties are involved in the process so that any action that we take is correct and proportionate. That is why we have engaged with the industry. SELECT has made certain calls, but alternative views have been set out by others working in the industry, so we need to bring everyone together so that we can take things forward in a full and thorough way. Indeed, when he was Cabinet Secretary for Economy, Jobs and Fair Work, Keith Brown established a Scottish Government electricians working group to bring together industry and representatives from Unite, those with responsibility for trading standards and so on so that the matter could be discussed fully and thoroughly.

Alexander Burnett: Will the minister give way?

Jamie Hepburn: I will use today's debate as an ideal opportunity to update Parliament on the group's discussions, but before I do so, I will give way to Mr Burnett.

Alexander Burnett: As the minister's colleague Tom Arthur has pointed out, consideration of this matter has long been overdue. Can the minister indicate a timescale for when he would like that conversation to happen?

Jamie Hepburn: Again, I hear the idea that action on this issue is long overdue. Because protection of title has not been put in place before now, it could be argued that it is long overdue. However, I go back to the point that the working group was established less than a year ago and it has been meeting and undertaking discussions, I took on this role in June and met SELECT only a few weeks later and we are having this debate today. The idea that we are resting on our laurels and that the issue has been kicking around and punted into the long grass cannot be held to be true. I make very clear that I think that it is a serious matter and we are not trying to hold anything up. I emphasise again that it is important to engage fully and thoroughly in considering what the implications of any proposition might be and what the best way forward is. I can see that Mr Halcro Johnston is itching to intervene, so I will pre-empt that and give way.

The Deputy Presiding Officer: I saw that too; he was preparing himself.

Jamie Halcro Johnston: I am grateful that the minister was ahead of me on that. Does he support the principle of protection of title in this case?

Jamie Hepburn: I hope that it has been clear that I am not unsympathetic to the concept. There is merit in looking at that proposition and considering it thoroughly. I have already said that it is very firmly on the table and I am happy to meet any member who wants to advance that proposition. Let me say this as gently as I can: I have had two written questions from Mr Halcro Johnston on the matter and he lodged the motion on it that we are debating today; Mr Findlay has lodged a motion on the matter before Parliament; and I have had letters from two elected representatives. I have not been inundated with members coming to talk about the issue. I can see that that is causing some disconcertion. The reason why I made that point, which I hope will be accepted, is that I am a pretty approachable guy and, if people want to come and speak to me about the issue, I am happy for them to do so. My door is open and, having opened the door, I will give way to Mr Findlay, who will, I am sure, be happy to walk through.

Neil Findlay: I was not aware that the way government works is by weight of emails and mailbag responses to ministers' parliamentary questions. I could put down 500 parliamentary questions tomorrow, but that shouldnae be how we decide whether we do things that are right or wrong. The point that the minister makes is, frankly, nonsense.

Jamie Hepburn: I was not trying to make a nonsensical point; I was trying to make the point that I have not had an overwhelming sense of people coming forward with this as a priority issue. If it is, my door is open and I am willing to consider it and discuss it with people. Mr Findlay would be very welcome to come and speak to me about it.

Jamie Halcro Johnston: Will the member take an intervention?

The Deputy Presiding Officer: You did say that you had an open door.

Jamie Halcro Johnston: The minister has made a rod for his own back. Obviously, both Neil Findlay and I have lodged motions on the matter, but the minister and his predecessor in the role have had representations about it from industry bodies. It is not just a question of what MSPs have been doing; there has been contact about the matter from representatives of the industry for a long time.

Jamie Hepburn: That is right, and the point is that industry is not speaking with one voice. We know, for example, that the National Inspection Council for Electrical Installation Contracting takes a different view. The point that I am trying to make is that when different views are expressed it is incumbent on the Government to sit down, hear those different voices and work out the best way

through. That is the only point that I am making and if members of this Parliament want to be part of that process, the door is open.

We have probably got a little sidetracked on the subject of me opening the door, which remains open. I had hoped to update Parliament a little more about where the working group has got to, but let me just say that the group is in place, it is continuing to discuss the matter, there is no delay, work continues and we will come back with a final proposition. It will then be for Parliament to determine whether it agrees with that. Mr Halcro Johnston has suggested that he may introduce legislation, which it is his prerogative to do, as it is for any member of the Parliament. I will be happy to consider it, if he determines that it is necessary to do that. I take the issue seriously and I am actively exploring it with an open mind.

13:29

Meeting suspended.

14:30

On resuming—

Education (Primary 1 National Standardised Assessments)

The Presiding Officer (Ken Macintosh): The next item of business is a statement by John Swinney to give an update on primary 1 national standardised assessments. The cabinet secretary will take questions at the end of his statement.

14:30

The Deputy First Minister and Cabinet Secretary for Education and Skills (John Swinney): In the period since the debate on P1 assessments, I have considered the arguments that were made and have taken time to discuss ways forward with colleagues in local government and education. I am keen to address the intent of the parliamentary motion, take account of the evidence and recognise the duty that we all carry to ensure that our education system enables pupils to achieve their potential.

There is a great deal of agreement on several points within the terms of the motion that Parliament supported. It highlighted that

“good-quality pupil assessment is an essential component of the drive to raise educational standards in Scotland’s schools”.

I agree with that point, which was a key element of the joint statement that the Scottish Government issued with the Association of the Directors of Education—ADES—in September. It is vital that we have the appropriate approach to assessment, as we would be failing children and their families if we did not.

The motion also highlighted the need to ensure that the P1 assessments

“are in line with the play-based learning philosophy of early years provision in the Curriculum for Excellence”.

I also agree with that. The early level of CFE explicitly provides for play-based learning and any assessment mechanism must reflect that approach. An assessment that lasts less than an hour in a year and is deployed in the correct environment is entirely compatible with that play-based approach. However, I fully recognise that that view is not shared by all and accept the importance of ensuring that the specific design of the assessments is aligned with a play-based approach.

I have reflected on the concerns raised by colleagues in the Parliament. I have read the feedback from teachers provided by the Educational Institute of Scotland, from parents and

others and I acknowledge the concerns that have been raised. However, it is also important to acknowledge that others had a positive experience. The view of one school was:

“Overall, primary 1 children responded positively to the SNSAs in both literacy and numeracy”.

That feedback is included in case studies on the P1 assessment experience, which will be published shortly as part of our user review of the assessments.

Although I am aware of the concerns that some parents have, ADES has confirmed that no directors of education have raised any significant concerns from parents in relation to the P1 assessments. That mixed picture must give us all cause to reflect and consider the best way forward.

It strikes me that I am yet to hear a compelling argument on how and why Scotland has undertaken standardised assessments for P1 pupils for so many years—sometimes twice a year—without any concerns being raised by teachers, parents or, indeed, politicians until now. No concerns were raised about the previous assessments—many of which were similar to the Scottish national standardised assessments—not being compatible with play-based learning. I can conclude only that the education system found the assessments that have been in place for some time to be helpful and informative—and a useful part of the overall assessment of children’s learning.

Another conclusion might be that some oppose the assessments because they are national assessments, which they believe to be high-stakes tests that we want to use for accountability purposes. They are not that. The key measure that the Scottish Government will use to assess the standards of Scottish education is teacher professional judgment and not the outcomes of the standardised assessments. The standardised assessments are just one part of the range of evidence that a teacher will call on when assessing whether a child or young person has achieved the appropriate CFE level.

The primary purpose of the SNSAs is to support teachers in planning learning and teaching, whether in P1, P4, P7 or secondary 3. Indeed, because they are diagnostic and, in this case, specifically aligned to the early level of CFE, they should be a better and more effective tool for teachers than were the variety of previous assessments.

I have also considered the advice from those who are charged with delivering education in Scotland. In our debate last month, I quoted the ADES president, Maureen McKenna, who said:

“We suffer too much in education from decisions being made too quickly—my ask is for politicians to pause and allow us the time to evaluate”.

Earlier this month, ADES wrote to all local authority directors of education, emphasising that assessment is a key part of learning and that it is too soon to pass judgment on whether SNSAs are a useful tool for teachers; that ADES is committed to working to improve and enhance assessments; and that it is important that the educational arguments are kept central—specifically, it said that the

“use of assessments to inform learning are decisions for the profession to make”.

Given that the vast majority of local authorities have been running P1 standardised assessments for years, I believe that we must give due consideration to the established approach of authorities and practitioners. The motion that Parliament agreed to gives no clarity to local authorities on what should be done with their standardised assessment programmes if we drop SNSAs. That could result in a return to P1s being assessed twice while removing the elements of national consistency and alignment with curriculum for excellence that are key benefits of the SNSAs. That is the type of unintended consequence that can be created by such a decision by Parliament. I ask Parliament to recognise that that cannot be a beneficial outcome of this debate.

Ultimately, I acknowledge that Parliament has formally taken the position that P1 assessments should be halted, but I contend that we must give due consideration to the established practice of the overwhelming majority of local authorities that carried out a form of P1 assessment in the belief that that was in the best interests of pupils.

We face two competing considerations. Therefore, I have decided to commission an independent review of the approach to P1 assessments within the context of the national improvement framework. The objective of the review will be to “reconsider the evidence”, as the parliamentary motion asked me to do. I have asked Her Majesty’s chief inspector of education to provide me with advice on who should carry out the independent review.

The review will consider and provide recommendations on the compatibility of the assessments with the play-based approach in the early level of curriculum for excellence; the alignment of the assessments with the benchmarks for the early level; the effect on P1 children of taking an online assessment; the usefulness of the diagnostic information that is provided to teachers and how it supports their professional judgment; the implications of the review for the on-going development of the

national Gaelic-medium education standardised assessments; and the future of the assessments. Particular consideration will be given to whether the assessments should continue in line with the current continuous improvement model, whether they should be substantially modified or whether they should be stopped.

I would welcome the input of the other parties to the formulation of the review's remit and the appointment of its leadership.

An independent, evidence-based review could come to the same conclusion that I have reached—that P1 assessment should be reformed not abolished—but I make it clear to the chamber that the outcome of the review could be a recommendation to stop the assessments. The review will be led by the evidence and by what is best for pupils. I believe that that is the right way to resolve the competing considerations that we face following the vote of Parliament last month.

The review will be asked to provide conclusions and recommendations on each of the issues that I have identified by the end of May 2019. That will allow time for us to digest the findings and for Parliament to debate them prior to the summer recess. To properly inform it, the review will need to see the assessments in operation, so I reiterate my previous advice that schools should continue with their existing plans for the implementation of SNSAs in 2018-19. By proceeding with the assessments this year, we will generate a larger evidence base that will allow us to establish how the improvements that we have already introduced are working and what other changes could be made. To do otherwise would simply generate uncertainty and confusion during the school year.

The Scottish Government advice on the timing of assessments is clear: it should not involve all children being assessed in blocks or windows. Local authorities should work collaboratively with headteachers to agree plans for the assessments, taking account of the needs of the children and young people involved. That sits comfortably with the ADES advice that the timing of the assessments should be driven by educational arguments and its recent advice to directors, in which it made it clear that

“There is no need for a window to be identified when assessments must be carried out”.

Teachers' judgment is key here and the decision should be left to them to make, based on the interests of their pupils.

I ask colleagues across the chamber to move this discussion away from politics, to focus on the educational needs of our children and to support the independent review of P1 assessments that I have set out today.

The Presiding Officer: We will move now to questions.

Liz Smith (Mid Scotland and Fife) (Con): I thank the cabinet secretary for his statement. I draw his attention to a comment that he made on 15 March 2001, while criticising the then Scottish Executive, when he said:

“People expect Parliament to decide.”—[*Official Report*, 15 March 2001; c 591.]

Does the cabinet secretary still believe that the will of this Parliament is paramount? Does he believe that this Parliament voted to act on the evidence that had been provided by a large number of primary 1 teachers, who were telling the cabinet secretary that the tests do not add value to the assessments that are already in place and are not wholly in line with the play-based philosophy and early years of the curriculum for excellence?

In his speech to the Scottish National Party conference, the cabinet secretary called the Opposition parties a disgrace on the issue and asserted that we were resorting to “political opportunism” rather than engaging with the educational arguments about the whole issue. Does the cabinet secretary think that the primary 1 teachers, members of the public and parents who oppose the tests are also a disgrace? Does he think that they, too, are guilty of political opportunism?

Finally, if the cabinet secretary now agrees that there is a need for an independent review, I ask him again exactly what evidence convinced him that four and five-year-olds in Scotland needed to be tested in the way that he proposed, when many high-performing education systems do not consider such tests to be necessary or educationally beneficial.

John Swinney: Presiding Officer, there are a number of points in there and I will need to take time to deal with them.

First, I do believe that the will of the Parliament is important, and I am trying to address the will of the Parliament. In my statement today, I have set out how I intend to respect the will of the Parliament by addressing different components of the motion that Liz Smith herself lodged.

One element of that motion was a call to “reconsider the evidence”. I propose to reconsider the evidence by instituting an independent review—I am respecting the will of the Parliament to do that.

However, I must ensure—and I am the only person in this chamber who has this duty—that I do not act in a fashion that disrespects educational performance and the approaches that are put in place to support the needs of young people the

length and breadth of the country. That is my duty as education secretary.

Liz Smith asked what evidence compelled me to believe that assessments of four and five-year-olds should be undertaken. The custom and practice of the 27 out of 32 local authorities in Scotland who had done exactly that for many, many years, without a word of objection, was part of what I believed to be important. There was also an important enhancement in the assessments that we put in place, which was the ability to support teachers the length and breadth of the country by providing advice on the achievement of consistent standards across the country, which was missing from the independent schemes that were being taken forward by individual local authorities.

Liz Smith mentioned my comments at my party conference. I described the Opposition parties as being guilty of political opportunism—I specifically described the Conservatives in that way. In the parliamentary debate, I set out precisely why I feel that there has been political opportunism, when I said that the Conservatives had tried to create the impression that at no stage had they ever supported P1 assessments, when in fact they had done so. That is why I said those things.

What I am trying to do today is to move us on from the political debate and to concentrate on the educational arguments. It is the duty of all members of the Parliament to focus on those questions.

Iain Gray (East Lothian) (Lab): I thank the cabinet secretary for early sight of his statement.

The cabinet secretary says that he wishes to respect Parliament's will but that is just not true. The intent of the motion that was agreed to and the will of Parliament could not have been clearer: the national tests in primary 1 should stop. The whole statement was a justification for refusing to respect the motion and for defying Parliament.

The cabinet secretary demands that we focus on educational needs. That is exactly what we did in reaching the conclusion that we reached a month ago. Parliament listened to teachers, parents and the educational arguments and voted accordingly. Mr Swinney's problem is that he lost those educational arguments.

It is the politics of the cabinet secretary's denial, his stubbornness and his hubris that must be set aside here. What on earth gives him the right to defy this Parliament?

John Swinney: When Mr Gray uses the language that he has just used, he betrays what is at the heart of his agenda, which is the politics of all this. That is all that Mr Gray is interested in.

Mr Gray cannot marshal universal educational opinion to support the argument—

Iain Gray: Neither can you!

John Swinney: I acknowledge that and I have acknowledged it throughout the process.

Iain Gray: Stop it, then.

The Presiding Officer: This is not a conversation, Mr Gray.

John Swinney: That is why I am putting in place an independent review to consider the issues and, by reconsidering the evidence, to do what Mr Gray voted for in the parliamentary motion. If Mr Gray objected to that, he should not have put it in the motion.

Iain Gray: The whole motion was to stop and review.

Johann Lamont (Glasgow) (Lab): The whole motion.

The Presiding Officer: Mr Gray and Ms Lamont—please.

John Swinney: Mr Gray should not have authored the motion with Liz Smith. If he wanted to stop the tests and not raise the issue of reconsidering the evidence, he should have put a motion to Parliament to that effect. He did not do that; he was so interested in cobbling together a political deal with the Tories that that is what he signed up to. I am simply pursuing what Parliament put in place.

I am not prepared to do what Mr Gray appears to be prepared to do, which is to act in a footloose fashion with the educational wellbeing of children. I will not do that for political convenience, which is what Mr Gray signed up to during that parliamentary debate.

Ross Greer (West Scotland) (Green): I thank the Deputy First Minister for the advance copy of his statement and remind him that some of us have taken a consistent position against the testing of young children since before it was standardised nationally.

During the review, will all options, including continuous formative assessment rather than formalised assessment—whether standardised nationally or not—be put on the table?

What right does the Deputy First Minister think that he has to pick and choose when he respects the will of Parliament?

John Swinney: Mr Greer is absolutely correct to say that the Green Party has taken a consistent position of opposition to the assessments, and I acknowledge that, as I have done on previous occasions.

Mr Greer then goes on to engage in the issues that I have brought up in a constructive way in talking about what might be the content of the review that we are undertaking. I am perfectly willing to embrace his points because they are reasonable points to add to the remit of the review so that we can take a considered view of the questions. As I acknowledged in my statement, the independent review could end up saying that P1 assessments should continue with certain changes. Equally, it could say that it does not matter what we do and P1 assessments should stop. I have accepted that that might well be the outcome of the review.

I am simply saying that, as part of the motion that it agreed to, Parliament asked me to reconsider the evidence. I am putting in place a mechanism to enable Parliament to do that in a way that means that we can have a considered discussion, bearing in mind the issues that Mr Greer has raised, which will help us to advance the educational debate on all these points. That will be to the benefit of Scottish education.

Tavish Scott (Shetland Islands) (LD): I thank the Deputy First Minister for his statement.

The review that the Deputy First Minister has mentioned previously was steered by Education Scotland—by those who were the unequivocal backers of testing four and five-year-old boys and girls in primary 1. What will be different this time?

In the meantime, tens of thousands of four and five-year-old girls and boys in primary 1 will continue to be tested during 2019. What bit of “halt” does the Government not understand?

John Swinney: I may not have made this expressly clear, but the review will not be carried out by Education Scotland; it will be carried out independently of Government and Education Scotland. I will take advice from the chief inspector of education about who should conduct the review but, as I indicated in my statement, I am very much open to discussing those questions with other parties in the Parliament in order to secure broad agreement on how we might take these issues forward. Mr Greer has suggested elements of the remit that could be enhanced, and I welcome that. I welcome input from other members of the Parliament as to how we might take the approach forward so that we can command the broadest possible support and proceed on the basis of evidence to ensure that we come to the correct conclusions.

The second point that Mr Scott raised related to the involvement of P1 pupils in the assessments in this school year. I believe that there is justification for maintaining that position. That will give us further evidence to consider as part of the evidence review, and it acknowledges the fact that

the assessments have been going on in Scottish schools in 27 out of 32 local authority areas for many years. It helps to structure the assessment of young people’s performance and enhance the learning that they undertake. That is the whole purpose of assessment for learning, which is exactly what the approach that I am setting out is designed to address.

Gail Ross (Caithness, Sutherland and Ross) (SNP): Can the cabinet secretary outline what support the Scottish Government is giving the teachers who are currently administering the assessments?

John Swinney: A variety of training and briefing events have been made available to individual teachers. We have obviously taken into account some of the feedback from the first year of implementation, which has changed practice in the deployment of the standardised assessments in this school year. We will continue to offer that.

We are establishing the P1 practitioners forum, which will enable primary 1 practitioners to feed back directly to the Government and to the Scottish national standardised assessments team the various practical and operational issues that arise out of the administration of the assessments. The Government provides that support in schools, but we are also listening intently to the feedback from individual practitioners about their experience in taking forward the assessments.

Alison Harris (Central Scotland) (Con): The Parliament voted to scrap P1 tests and the Deputy First Minister was adamant that we in Parliament were wrong. He has now commissioned a lengthy review. In his statement, he says

“P1 assessment should be reformed not abolished.”

Alternatively, the outcome of the review might be that those assessments have to be stopped. Has the cabinet secretary already decided that parts of the assessments need to be reformed? Exactly how much will the review cost?

John Swinney: I have already introduced a number of changes to the second year of standardised assessments, for 2018-19, based on the feedback that we have had from practitioners in the previous year. I have remained open to addressing those issues. As the president of the Association of Directors of Education in Scotland stated, we need to allow time to be given to see what experiences there have been in taking such measures. As I said in my answer to Gail Ross a moment ago, the Government will remain very open to understanding that feedback from individuals.

On the cost of the review, we carefully consider the management of costs of an individual review. If we are going to take steps that will have an effect

on the learning of young people in our education system, we must be prepared to invest in the research processes to enable that to happen. That is what the Government does ordinarily, and that is what we will do in this case. I will of course report fully to Parliament on all costs involved.

Clare Adamson (Motherwell and Wishaw) (SNP): I thank the cabinet secretary for his statement. I particularly welcome the review that he is putting in place. The P1 assessments have no doubt given rise to competing considerations: those of the Parliament and those concerning the obligation on every Government to do what it thinks is in the best interests of young people and citizens. Does the cabinet secretary agree that his decision should be based on the most reliable information and the best examples from other countries to ensure that we are doing the right thing for the young people of Scotland?

John Swinney: That has been the consideration in my mind. I could have come here and said that we will do nothing, and that we will not have an independent review. However, I am instead instituting a process that might result in evidence being marshalled that says that we should not proceed with P1 assessments.

I am trying to persuade Parliament of the importance of taking an evidence-based approach to the issue. Such an approach was lacking from the previous debate. There is competing evidence on the issue, and I want to have that considered independently so that at no stage do we take a decision that could in any way damage the educational wellbeing of children and young people in our society.

Johann Lamont (Glasgow) (Lab): I say gently to the cabinet secretary that while it may be a comfort zone for him to impugn the motives of people who raise these issues, the reason why those people are concerned is because they care about the education of our young people. It does not do the cabinet secretary or anyone else any service to suggest that people's motives are anything other than that.

On 21 June, the First Minister said:

"As a result of the introduction of standardised assessment and the new way in which we are monitoring performance, instead of the previous Scottish survey of literacy and numeracy data, we will now have data on every pupil in the country, which will allow us to determine progress in reducing the attainment gap."—[*Official Report*, 21 June 2018; c 10.]

Today, the education secretary says that that is not the purpose of the tests. Is it the First Minister or the Deputy First Minister who is wrong, because, self-evidently, they cannot both be right?

John Swinney: Johann Lamont frequently accuses me of impugning people's motives.

Maybe I have to look at how I communicate about some of these issues. I do not impugn the motives of teachers who come to me and say that they do not like the tests. Equally, I do not impugn the motives of teachers who come to me and say that the tests are essential. Those are points of view that I have heard, and Johann Lamont will have heard them, too. If she has not, I do not think that she is listening to all sides of the debate. All of the evidence that has been marshalled shows that those are competing points of view.

If I have impugned anyone's motives, it is those of the Conservatives, because they have behaved, politically, in an utterly inconsistent fashion on this issue. I own up to impugning the Conservatives' motives in this debate, but nobody else's. I might have a different perspective on the debate, which is why I am commissioning an independent review of the process.

To answer the second part of Johann Lamont's question, I made it expressly clear in my statement that standardised assessments form part of individual teachers' overall judgments about whether young people are reaching the levels in curriculum for excellence. That is the purpose of standardised assessments.

The First Minister's point on 21 June is that the standardised assessments enable us to reflect consistency, or support the achievement of consistency, in assessment across the country, which is not possible in the compartmentalised assessments that are undertaken in each local authority area.

Maureen Watt (Aberdeen South and North Kincardine) (SNP): Will the cabinet secretary set out what advice was sought by Aberdeen City Council from Education Scotland regarding the council's decision to halt national P1 testing? According to a recent freedom of information request, the council has received no representations from parents asking for the test to be halted and previously had its own P1 tests. Is it not a cynical move by Aberdeen City Council's current administration to jump on an "SNP bad" political bandwagon, which is to the detriment of pupils and their parents?

John Swinney: I am not aware of any advice that Aberdeen City Council has sought from Education Scotland. I would not ordinarily be aware of such advice, because Education Scotland operates independently of the Government.

On Maureen Watt's substantive point, I heard a representative of the leadership of Aberdeen City Council being interviewed on the radio. He was arguing against P1 assessments and, rather uncomfortably, the interviewer put it to him that Aberdeen City Council had been running P1

assessments for many years. The individual concerned did not seem to have considered the implications of his stance.

I urge Parliament and local authorities to participate in the review, consider the evidence as effectively as possible, independently of the process, and come to an evidence-based conclusion about what is right for the assessment of primary 1 pupils in Scotland.

The Presiding Officer: I apologise for not being able to call Michelle Ballantyne, John Mason, Daniel Johnson and Gillian Martin. I am afraid that there is not enough time because we have a number of statements to get through. We will take a few seconds—as little time as possible—for members and ministers to change seats.

Home Detention Curfew

The Deputy Presiding Officer (Linda Fabiani): The next item of business is a statement by Humza Yousaf on home detention curfew and the independent reviews by Her Majesty's Inspectorate of Prisons for Scotland and Her Majesty's Inspectorate of Constabulary in Scotland. The cabinet secretary will take questions at the end of his statement, so there should be no interventions or interruptions.

15:01

The Cabinet Secretary for Justice (Humza Yousaf): I begin by expressing my sincere condolences to Craig McClelland's family. I met them again this morning to discuss the reports and how the Government will respond. It is clear from our conversations that Craig was a much-loved son, brother, partner and, most of all, dad to his three boys. Craig was a remarkable young man. Through speaking to his family, I have heard much more about him. I heard stories of Craig's selflessness and of how he would intervene if someone was in danger, without considering himself. What touched me most was hearing how Craig's life completely revolved around his family and friends, particularly Stacy and his three boys. I commend Craig's family for their bravery and tenacity in highlighting their concerns about the circumstances of Craig's death.

I am absolutely determined that lessons will be learned and that improvements will be made to home detention curfew to ensure that public safety remains paramount. In June, my predecessor instructed Her Majesty's Inspectorate of Prisons for Scotland and Her Majesty's Inspectorate of Constabulary in Scotland to undertake independent reviews of home detention curfew. Those reports have been laid in Parliament today. I met the two chief inspectors yesterday, and I thank them and their teams for undertaking the reviews. I also met the chief executive of the Scottish Prison Service and the chief constable this week to seek assurances that the inspectorates' findings will be addressed as a priority. I will discuss the inspectorates' findings and the action that is being taken in response in a moment. Before I do so, I will provide some overall context on HDC.

Home detention curfew is an established mechanism for preparing prisoners for release. It is not available to all prisoners and is not an entitlement. Prisoners are eligible only following risk assessment and provided that they are not subject to statutory exclusions. At any time, there are around 300 people on HDC, which is approximately 4 per cent of the prison population; that is comparable to its use in England and

Wales. Since it was introduced in 2006, more than 20,000 people have been released under HDC. The vast majority—80 per cent—successfully complete their period of HDC. Of those who are recalled, the vast majority are returned promptly to custody. However, I am clear that HDC needs to be strengthened in the light of the inspectorates' findings.

The inspectorates' reviews examined the processes for assessing whether someone should be placed on HDC and for investigating breaches and apprehending individuals following recall. They also examined whether processes were followed in the case of James Wright, who was convicted of Craig's murder. In that specific case, the inspectorates found that the application process and decisions to release were in line with existing policies and guidance. However, there were some oversights and they were clear that the assessment process should be improved.

The inspectorates found that, once the recall order for James Wright was issued, police delivered the necessary briefings and updated their systems appropriately. However, they noted that there was a lack of a documented approach and effective oversight in the efforts to apprehend James Wright. It is clear, therefore, that improvements are absolutely needed, and I intend to take immediate action.

I make it clear at the outset that the SPS, Police Scotland and indeed the Scottish Government will accept all of the inspectorates' recommendations. The chief executive of the Scottish Prison Service and the chief constable have given me assurances that, in addition to actions that have already been taken, work to implement the recommendations is being taken forward as a top priority.

It is not possible in the allotted time to discuss all the recommendations in detail today. I will, however, highlight the main findings that are common to both reports and set out the immediate actions that are being taken to address them. Both reviews were clear that the risk assessment process should be strengthened to make decision-making procedures more robust. Specifically, the inspectorates recommend that there should be greater consideration of the potential risk that an individual may pose to the community, improved access to police intelligence to inform decisions, improved support and guidance for staff who undertake assessments and, crucially, a presumption of refusal of home detention curfew where the individual's offence involves certain prior behaviours.

In response, the following additional safeguards are being implemented. There will be a presumption that individuals whose offence involves violence or knife crime will not in normal circumstances receive home detention curfew and

we will consider the option of placing this on a statutory basis. We will also look at exclusions for individuals who have known links to serious and organised crime. Police intelligence is now being shared to inform decisions about HDC release, and the SPS is adding an additional level of assurance to the HDC assessment process. Governors in charge will now receive recommendations and decide on HDC release, applying consistent criteria. Alongside that, the SPS and partners will review the assessment criteria for HDC and make any necessary wider improvements.

The inspectorates also identified that improvements were needed to ensure greater consistency in HDC processes and to strengthen governance. In response, the SPS and Police Scotland are improving the consistency of documentation relating to HDC as a priority. Police Scotland has also taken action to strengthen the governance of activity to apprehend individuals who are unlawfully at large. Those individuals are now discussed at each local area commander's daily tactical briefings, ensuring that clear tasking and supervision arrangements are in place.

Both inspectorates highlighted shortcomings in the information-sharing processes between the SPS and Police Scotland in relation to HDC, particularly on the status of those who are unlawfully at large. Police Scotland and the SPS have already undertaken urgent work to rectify that. In June, they established a working group to review and improve their information sharing and communication processes in relation to HDC. As a result, they now have clear communication processes in place so that information on individuals who have been released on HDC and those who are subject to recall notices is shared and acted on in real time. That means that efforts can be focused on identifying and apprehending individuals who are unlawfully at large. Consequently, the number of individuals who are unlawfully at large from HDC has decreased from 54 on 18 June to eight as of this morning.

The inspectorates found that cross-border arrangements where individuals are released to addresses in England and Wales should be clearer, particularly in relation to notification of release and revocation of HDC licences. SPS and Police Scotland have already taken action. They have established single points of contact in all 43 police forces in England and Wales and developed clear processes to alert those forces and Her Majesty's Prison and Probation Service to release on HDC to a curfew address in their area and any revocation of those licences. As a further safeguard, Police Scotland is also informed, and confirms, that the relevant information is logged on the police national computer.

As part of its review, HMICS examined the powers available to Police Scotland to apprehend individuals who remain unlawfully at large. Consequently, it has recommended that the Scottish Government considers making remaining unlawfully at large a specific offence. That would also provide associated powers of entry for the police. I accept that recommendation and will consult criminal justice partners, and of course members across the chamber, on the best way forward.

If they agree with that proposal it will be taken forward by way of an amendment to the Management of Offenders (Scotland) Bill at stage 2, which is scheduled for spring 2019. I believe that those additional safeguards will strengthen HDC processes in the immediate term by delivering more robust and consistent assessment; improved governance and oversight of release decisions and decisions on apprehension; streamlined communication between the SPS and Police Scotland; and clearer cross-border arrangements.

Those immediate actions form part of a wider programme of work to implement all the inspectorates' recommendations. I have made it clear to the chief executive of the SPS and the chief constable that I expect to see them make real and demonstrable progress and that the Scottish Government will of course do likewise.

Police Scotland and the Scottish Prison Service have established a senior strategic oversight group to drive forward that work. The group includes representation from other criminal justice partners and the Scottish Government and it will report on its progress directly to the chief constable and the chief executive of the SPS.

I have asked the chair of the Scottish Police Authority to maintain oversight of Police Scotland's activity to implement the recommendations for the police. I have also asked HMIPS and HMICS to review progress against their recommendations in six months' time.

I believe that the immediate actions that I have set out today, along with the work that the SPS and Police Scotland are undertaking, will make HDC processes more robust and will help to strike a balance between support for reintegration and the requirement to protect public safety.

I reiterate my thanks to Craig McClelland's family for their determination in raising their concerns about the operation of HDC. It is through their tenacity and tireless campaigning on Craig's behalf that we have got to this point. I thank them sincerely for their efforts because their campaigning means that we will have a stronger, more robust HDC regime.

Ensuring that the voices of victims and their families are heard throughout the justice system is a top priority for me and this Government. I will continue to keep Craig's family and this Parliament updated on progress.

The Deputy Presiding Officer: The cabinet secretary will now take questions on the issues raised. I intend to allow around 20 minutes for questions, and then we will move on. We are already over time, so I ask members to bear in mind the need for brevity.

Liam Kerr (North East Scotland) (Con): I thank the cabinet secretary for advance sight of his statement. I, too, praise the family of Craig McClelland for their bravery and determination in pursuing this matter. Ultimately, there has been a catastrophic failure of the justice system to protect the public. The McClelland family and the public will rightly be asking why on earth tragedy had to strike in order for the Scottish National Party Government to investigate and ultimately make these changes. For example, I am sure that the cabinet secretary will agree that it beggars belief that the Scottish Prison Service and the police were not already sharing information on offenders who were unlawfully at large.

The cabinet secretary boasted that 80 per cent of those on HDCs complete them, but that is a failure rate of one in five. Is the cabinet secretary really happy with that failure rate?

The cabinet secretary has pledged to strengthen victims' rights, but there was not a single recommendation in the statement on that. He knows well the Michelle's law campaign's demands, but there was no commitment to any of those in the statement. Why not? I ask him to make such commitments.

Concerns were raised in June that the police do not have the necessary powers to force entry to property in cases of breach of HDC or where criminals are unlawfully at large. Why was there nothing in the statement to address those concerns? What will the cabinet secretary do to address them?

Humza Yousaf: To answer Liam Kerr's question directly, I am of course not happy with the 80 per cent figure, but I think that the context is hugely important. There is some reflection to be done about the other 20 per cent, and the suggestion of setting a target for reducing that figure is a sensible one that I will reflect on.

As I have said, I am not happy, but if we delve deep into the 20 per cent figure, we see that, in the vast majority of cases, people did not complete their HDCs either because they were recalled or because of a technical breach through their not being in the right place at the right time. The majority of the 20 per cent do not go on to commit

grave and serious crimes while they are unlawfully at large. Of course, it is completely understandable that that will be no comfort at all to the McClelland family. Mr Kerr's point is well made; however, I say very clearly once again that I am not happy with the situation, but the context is important.

With regard to Michelle's law, I have often found—and this might well be inadvertent—that Liam Kerr seems to conflate and confuse two separate issues. Michelle's law is largely about parole and what happens thereafter in relation to release on licence; given that the issue that we are focusing on today is home detention curfew, why would I make a statement on parole? However, although I am not convinced by Mr Kerr's point, I am happy to take the discussion offline.

That said, I will give Mr Kerr some comfort about the Michelle's law campaign. I have met the Stewart family and indeed the member to discuss the issue; I have sympathy for their three major asks and, in the review of parole that the First Minister agreed to as part of the programme for government, we will explore every single one of them. I do not think that some of them need legislation, but some might well do, and I can make a commitment in that respect.

I addressed the power of entry issue in my statement. I am sorry if I was not clear enough, but I will reiterate the point that I made. One of the inspectorates' recommendations was to make going unlawfully at large an offence, and implementing that through, say, a stage 2 amendment to the Management of Offenders (Scotland) Bill will give police the powers of entry that they require. The family raised that issue with me this morning, and I am happy to commit to doing that.

Daniel Johnson (Edinburgh Southern) (Lab): I, too, thank the cabinet secretary for advance sight of the statement and offer my sincere condolences to Craig McClelland's family. I know that the reports will answer some of their questions about Craig's murder, but I hope that the Government will commit to doing whatever it takes to go beyond them in order to answer the family's remaining questions.

Let us be clear: not only should this murder not have happened, it should not have been possible for it to happen. The reports detail multiple failings, and they make clear recommendations for the Prison Service and the police. I welcome—and we back—the Government's commitment to give additional powers to the police in order to deal with those who have breached home detention curfews; indeed, we called for that this summer.

However, the timeline of events leading to Craig McClelland's murder shows that, although the

SPS revoked the home detention curfew on 24 February, it took until 4 May for the police to carry out an address check. That is truly shocking. Does the cabinet secretary accept that the police must treat the revocation of HDCs with the priority that it deserves and have the resources to match?

More important, the cabinet secretary's remarks highlighted issues of interagency working and process, but I am concerned that the multiple failings detailed in the reports point to much larger and more widespread competence and capacity issues in the agencies, not just how they work together. Does the cabinet secretary agree?

Finally, given all the failings detailed in the reports—and, indeed, given the fact that 24 people have remained at large for more than four years—why has it taken a tragic murder to happen for the Government to investigate the issues that have been revealed?

Humza Yousaf: I thank Daniel Johnson for his questions, and I will try to get through as many of them as possible.

In relation to the McClelland family's request for more questions to be answered, I had a lengthy meeting with them this morning. Understandably, most of their questions were about Craig's tragic murder. I said that they should reflect on the reports that were due to be published at 12.30 and that if they wanted a further follow-up meeting with me, they would be most welcome to have it. They will also meet and have access to the police and the SPS, if they so wish; indeed, I understand that they will meet the police next Monday and that something is being arranged with the SPS, too. My door is very much open to the McClelland family and I will do what I can to get answers to their specific questions.

In what he says about the incident itself, Daniel Johnson is absolutely right in some respects. The McClelland family told me that, at the time of Craig's murder, people would come up to them to say, "It's a shame that Craig was in the wrong place at the wrong time." That is nonsense—James Wright was in the wrong place at the wrong time. Craig had every right to go from his house to his mother's house and expect to get there safely.

Daniel Johnson is right that there were some failings in the case. Some of them, on documentation, governance and communication, have been identified in the inspectorates' reports. That is why we will accept all those recommendations, as will SPS and Police Scotland.

On the question of the competence of the organisations, the reason why I have instructed that there should be a review of the recommendations after six months is that I want to be assured and filled with absolute confidence that

they are being acted on. I have seen that through the short-life working group, and I look forward to seeing the review in six months' time.

I agree with Daniel Johnson's assessment of the priority that must be given to this, which was clearly highlighted by the inspectorates in both their reports. Somebody going unlawfully at large must be given greater priority. I am confident that the recommendations, if accepted, will help to move that priority further up the agenda.

The Deputy Presiding Officer: The opening questions and answers have taken much longer than they should have taken. That will penalise back benchers. I certainly will not get all the questions in, but I will take as many as possible, if people are brief.

George Adam (Paisley) (SNP): Craig McClelland was a young man who met the love of his life and had three lovely boys. Dedicated to his young family and his partner Stacey and loved by all his family, he is more than the tragic story that we have before us today. Today, Craig's family and I met the cabinet secretary to discuss both reports, and I thank the cabinet secretary for confirming that the dialogue will continue.

These are tragic circumstances and none of us can bring Craig back, but what we can say, and what the family want to know, is how we can protect others from going through the same grief. Will the cabinet secretary tell me how we can take the recommendations forward and ensure that no other families have to endure this heartbreak? Will he explain how we will translate the recommendations into legislation and what form that might take?

Humza Yousaf: I thank George Adam for accompanying the family on the many occasions on which they have had to have meetings with various public agencies and, indeed, with me. I know that he has been a great supporter of the family in getting the answers that they deserve.

In answer to his question, I say that I highlighted in my statement that there is the potential to lodge a stage 2 amendment to the Management of Offenders (Scotland) Bill. We will explore with members and other stakeholders whether that is the most appropriate and quickest way to create that offence and make that change in legislation.

Information sharing was a key theme of both reports and I can confirm that the oversight group will continue the work of the working group to ensure that SPS and Police Scotland continue to have good information sharing and governance.

My last point is that the exclusion and non-eligibility of those who are in prison for violence or carrying a knife and potentially for their links to serious organised crime is something that we will

take forward as quickly as we can. I think that that can be done relatively quickly as a presumption, and hope that it can be done relatively quickly on a statutory basis, as well.

Margaret Mitchell (Central Scotland) (Con): The review says that the assessment process should be improved—for example, by giving improved access to police intelligence to inform decisions. It also highlights shortcomings in communication and information sharing between the SPS and Police Scotland, particularly regarding the status of people who are unlawfully at large. Can the cabinet secretary confirm whether either or both of those issues, or any of the other recommendations, have a direct bearing on the chief constable's call for £300 million of funding for what he describes as the vital new information technology project to support Police Scotland and ensure that it can get on with doing its job?

Humza Yousaf: That is a very good question. I do not think that that has a bearing, in that the police are now starting to share that information and intelligence very closely with the SPS. The IT does not seem to be a stumbling block, if that was the question. When I was in front of the Justice Sub-committee on Policing, I said that I understood the importance of the information and communication technology proposal from Police Scotland and I am sympathetic to it, but it will undoubtedly come down to questions of affordability. On the specific question, from what I have seen I do not think that it has a bearing, and the police tell me that they can act on those recommendations relatively quickly.

Neil Bibby (West Scotland) (Lab): The murder of Craig McClelland shocked and horrified my community. Having met Craig's family and spoken with his father earlier today, I have found it impossible not to be moved by their strength, their dignity and their determination to get the answers that they deserve. As he told the cabinet secretary, Craig's father told me that someone said that his son was in the wrong place at the wrong time, yet Craig had every right to be there in his own community. The man convicted of his murder did not.

I welcome the reports, but it is clear that there are still many unanswered questions. Why was locating this offender not a priority? Why was this murderer assessed to be low risk? Why has the system so dramatically failed?

To be absolutely clear, will the justice secretary give a public commitment today to work with the family to find the answers that they need and the truth that they seek?

Humza Yousaf: Very simply, I say yes—I will, and I gave that commitment to the family. I am, of

course, more than happy to speak to Neil Bibby about the actions that we will take forward. I have asked the family to take away the reports—they are lengthy, as Neil Bibby knows—and digest them, then come back to me if they want to have further meetings with me. The family is also having meetings with the police and, I understand, the Scottish Prison Service. There may well be many questions that the family feel still need to be answered, and I am more than happy to work with them to do my best to get those questions answered.

Neil Bibby mentioned risk assessment. A key theme throughout both reports is that the risk assessment should give higher priority to whether public safety could be compromised or affected by somebody going on HDC. That is a welcome recommendation in the reports that all of us—all the partners and, of course, the SPS in particular—will take forward immediately.

John Finnie (Highlands and Islands) (Green): I thank the cabinet secretary for early sight of the statement. Our thoughts are, of course, with Craig McClelland's family and friends.

The precautionary principle should apply. If it had, we would not have had the failing.

I welcome the recommendation to make remaining unlawfully at large a specific offence. There are complexities around that. The HMICS report talks about people at large outwith our jurisdiction. Within our jurisdiction, will the cabinet secretary give an assurance that, in lodging an amendment at stage 2, he will not intend to grant the power of arrest or the power of entry to any private company that may be monitoring the home detention scheme?

Humza Yousaf: I have the same vein of thinking that John Finnie has. It is clear that introducing provisions through a stage 2 amendment or otherwise will give us the opportunity to discuss those issues in great detail and at great length, but my gut feeling is the same as John Finnie's. Making remaining unlawfully at large an offence in legislation should mean that the police should apprehend, arrest or have the power of entry when somebody is unlawfully at large.

Liam McArthur (Orkney Islands) (LD): I, too, thank the cabinet secretary for early sight of his statement. On behalf of the Scottish Liberal Democrats, I pay tribute to Craig McClelland's family for their determination that their tragic loss should lead to improvements in our HDC system.

The inspectorates' reports highlight the failures in HDC and the extent to which people illegally at large were off the radar of the police and the Prison Service. In that context, what specific steps are being taken to address what appears to be a

patchwork of IT systems operated by the police and the Prison Service, which appears to have contributed to the shocking and needless tragedy?

Humza Yousaf: My answer to Liam McArthur's question is similar to my answer to Margaret Mitchell's question. It has not been made clear that IT was the issue. However, basic information should be shared. That would contribute to making our HDC system and processes more robust. Where there is an IT block to that, a discussion needs to take place, of course. I have already mentioned my understanding of Police Scotland's proposals to improve its ICT systems. Sharing information, even at the most basic level, could and would strengthen the HDC regime, but I do not think that that requires an upgrade in IT systems, unless the SPS or Police Scotland tells me otherwise. If that is the case, I will, of course, discuss that with my partner agencies.

Ruth Maguire (Cunninghame South) (SNP): The Scottish Government and the cabinet secretary have committed to developing a victim-centred approach across the criminal justice system. How do proposed changes to the home detention curfew fit in with that important commitment?

Humza Yousaf: In my discussion with Craig McClelland's family this morning, I mentioned the victims task force that I will set up. I said that the input of victims and the families of victims to the task force will be incredibly important. I have invited the McClelland family to send representatives as part of that discussion. What we are doing on HDC is absolutely vital to that work.

The McClelland family told me about the number of gaps that they thought there had been in the entire criminal justice system, from the moment that that terrible tragedy happened to even more recently. We owe it to the victims to make sure that their rights are strengthened, and the victims task force will be part of that.

I return to my answer to Neil Bibby's question. The risk assessment process will also be important for the victim, because public safety will be given a greater emphasis in that process, which I hope will give the public more reassurance on and confidence in HDC.

The Deputy Presiding Officer: The last question goes to Maurice Corry.

Maurice Corry (West Scotland) (Con): Will the cabinet secretary commit today to supporting an amendment to the Management of Offenders (Scotland) Bill to make breaching a tagging order an automatic offence, as Scottish Women's Aid has called for recently?

Humza Yousaf: I have answered that question in a couple of ways in my statement and in my responses to other members' questions. I am more than happy to look at that proposal, which we will consider with members here and with many stakeholder organisations, including Scottish Women's Aid.

I am more than happy to listen to suggestions and feedback from Maurice Corry and other members about that proposal. Whatever is the quickest and most appropriate way to bring forward an offence of being unlawfully at large, I will do it.

The Deputy Presiding Officer: I am sorry that I have been unable to call Jackie Baillie, Willie Coffey, Rona Mackay and John Mason, but we must close questions on the statement and move on.

Scotland's Place in Europe: Our Way Forward

The Deputy Presiding Officer (Linda Fabiani): We appear to have a problem with the microphone in the middle seat in the Government front row. I ask the cabinet secretary to shift along to his right or left.

The next item of business is a statement by Michael Russell on "Scotland's Place in Europe: Our Way Forward". The cabinet secretary will take questions at the end of his statement, so there should be no interventions or interruptions.

15:32

The Cabinet Secretary for Government Business and Constitutional Relations (Michael Russell): I am grateful for the opportunity to update Parliament today on the state of the Brexit negotiations and the steps that the Scottish Government is taking to protect Scotland from the damage that leaving the European Union will cause.

I start by being clear that the premise of all my previous statements to Parliament was that there are on-going negotiations of substance and that the United Kingdom Government is working towards a plan. I am no longer confident that that is the case.

On the withdrawal agreement—which is supposed to be the easier part of the negotiations—it is now clear that UK Government ministers are incapable of reaching agreement, even in their own party, on the crucial issue of the Northern Ireland backstop. With just weeks to go before an agreement will need to be signed, the UK Government does not have a coherent or unified position that it can put before the European Union. Put bluntly, the UK Government has no plan, and no plan to get a plan.

On the future relationship—which even if a withdrawal agreement is made will be subject to probably years of difficult negotiations—again, there is no UK Government position that is worthy of the name. The Chequers proposals have been rejected by the EU and are under attack from all sides. It is time to face the reality that without something new and some means by which the Tory party can set aside its internecine warfare, we are heading to a disastrous no deal.

There is, of course, one credible plan on the table. It is the Scottish Government's plan, which we have been advocating since the publication of the first part of "Scotland's Place in Europe" in December 2016, and which continues to attract support.

On 15 October, the Scottish Government published “Scotland’s Place in Europe: Our Way Forward”, which updates the case for both the UK and Scotland to remain in the single market and the customs union, if the best solution—which is that we stay in the EU—is not possible. Later in that week, the European Council broke up without concluding either a withdrawal agreement or a political declaration on the future relationship.

We are, therefore, on the brink of a catastrophic no-deal outcome. Yet, meanwhile, we have tragedy turning to farce even in this chamber, with the spectacle of the leader of the Scottish Conservatives and the Secretary of State for Scotland threatening to resign if a Northern Ireland backstop is agreed, in case that were to strengthen the case for Scotland’s staying in the single market—they would go on the principle that Scotland must be guaranteed a worse deal than that which could and should be on offer.

What this country deserves is a clearly articulated plan. Scotland deserves a plan that is evidence based and objective, that provides a firm basis for fruitful negotiations with our European partners and, most important of all, that will protect jobs, living standards and rights in our society.

The Scottish Government has repeatedly, and in constantly increasing detail, set out just such a plan—one that could and would solve the current impasse in the negotiations, and provide a basis for compromise. Our plan would remove the political difficulties with the EU and would provide a secure foundation for negotiations in the critical coming weeks. It would reassure businesses as they reluctantly start to make investment decisions that will be detrimental to our collective future. As recently as yesterday, the Confederation of British Industry set out that business optimism is falling at its fastest rate since the Brexit vote.

Let me make clear what is required now. Before leaving, the UK Government needs to secure both an agreement on the terms of withdrawal, and a political declaration that provides clarity on the future relationship—both of which, of course, the Prime Minister said in her Lancaster House speech would be secured by late 2018. A small number of simple steps would allow for those difficulties to be resolved—simpler steps than the contortions that were put forward by the Prime Minister on Monday.

The UK Government should revise its negotiating position on the future relationship in order to ensure that the whole UK remains within the European single market and the customs union. However, if the UK Government rejects that, it could seek an extension to the article 50 period to allow for consensus to be agreed across the UK, thereby avoiding a hurried and damaging exit. If that proposal is rejected by the UK

Government, the political statement on the future relationship must be sufficiently detailed, and subsequent legislation must be sufficiently clear, to allow the people of Scotland to understand the impact on their lives of the monumental decision to leave the European Union. The political statement should also provide clearly for extension of the implementation period, if that is needed. We must not be required to sign up to a blindfold Brexit, in which the UK would leave with no detail on its future economic partnership.

Our priority is to avoid the damage of either a no-deal or a blindfold Brexit. Both those outcomes would be disastrous for jobs and living standards. We are clear that the proposals in the so-called Chequers agreement will not work: of course, they have already been rejected. However, such issues can be resolved through long-term membership of the European single market and the customs union, so it is demonstrably wrong to say that there is no alternative to the Chequers proposal.

It is the UK Government’s position that is unsustainable: it insists on pursuing proposals that are not acceptable to the EU—or, it would seem, to the House of Commons—while rejecting a plan that is. There is no reason why our proposals cannot be accepted quickly. However, if more time is needed to avoid a no-deal or a blindfold Brexit, the UK Government should ask for an extension to the article 50 process. That would also allow time for another referendum on EU membership—which is often being called the people’s vote. The people of Scotland voted to remain. Therefore, if there is an opportunity to ensure that their wishes are respected, it should be taken. If a proposal were to be brought forward for a vote on the final deal, with the option to remain in the EU, the Scottish Government would support that, and Scottish National Party members of the UK Parliament would vote for it.

However, we must also find a way to ensure that a second referendum would not leave Scotland in the same position as it was in in 2016: voting to stay, but ending up being taken out against our will.

As I conclude, let me briefly address three more issues. First, I believe that some people have chosen to misrepresent our position on Northern Ireland for their own divisive ends. We fully and unequivocally back the Good Friday agreement and support the invisible border in Ireland, recognising the unique circumstances there. However, since 2016—well before the backstop was even conceived—we have argued that the UK Government should put forward a differential deal that reflects our remain vote, if the UK is to leave the single market. That was, and is, independent of any Northern Ireland backstop.

Our argument has been given renewed force this week by the news that not only is such a differentiated deal likely for Northern Ireland, but a deal has already been agreed for Gibraltar that maintains its differentiated treatment. It is now clear—contrary to the position of the UK Government in January 2017—that differentiation is not only possible, but is actually the sensible way forward in order to reconcile differences. The truth is that only the intransigence of the UK Government is preventing such a deal for Scotland.

Rather than threatening to resign over securing such a deal, the Conservatives in this Parliament, and in this country, should be fighting tooth and nail—not with each other, but for Scotland to be given the respect that its voters and their decision deserve. Scotland should not be the only nation or territory that voted to remain within the EU that does not have the flexibility of a differentiated approach being afforded it.

Secondly, I confirm that intensive work on planning for there being no deal is under way, and is growing in scope. Secondary legislation is now starting to flow through Parliament; I am grateful for the work on it that is being undertaken by the committees. That legislation currently consists of packets of statutory instruments that have been agreed with the UK Government. Specific Scottish statutory instruments will be introduced later this year and in the new year.

The financial implications of a no-deal outcome for Government and the bodies that it supports are being carefully considered, and discussion with stakeholders, including port authorities, is being undertaken. Senior officials here are in close liaison with the UK Government. I intend to make a further statement to the chamber on the detail of no-deal preparations before the end of the year, or at the first moment when we know that no deal is the inevitable outcome.

However, I stress that there are problems that it will not be possible to overcome if, in the end, the chaos and irresponsibility of the Tories at Westminster lead to no deal. The fact that they are talking of hiring boats, packing motorways with lorries and stockpiling medicines illustrates the vacuum in leadership in the UK, which is resulting in measures that are unprecedented in peacetime. That cannot be willed away by any of us.

I will conclude with two specific commitments. With crucial decisions coming up over the next few weeks, it is vital that the impasse be broken. A decision to maintain membership of the European single market and the customs union would secure a withdrawal agreement and provide the clarity that is needed on the future relationship. I can therefore say that, if the UK Government puts that option on the table, we will commit to supporting it.

However, without such a proposal, we will reject every other option short of staying in the EU, because they would all deliver not progress, but a succession of unacceptable and damaging bad deals or, ultimately, no deal at all.

I am also clear that it should not just be voices in Westminster who get to be heard—especially not just those who are determined to ignore the vote of Scotland and to sell Scotland very short indeed in terms of our future prosperity.

During the 2014 independence referendum, we were repeatedly told that the UK was, and must remain, a partnership. “Lead, don’t leave”, they said. However, the Tories now say, “We’re the ones who are leading, and we’re the ones who are telling you that you’re leaving. Your democratic choice doesn’t matter.” Well, it does. The SNP Government will never accept the silencing of Scotland. Therefore, we make the commitment that, if a withdrawal agreement and political declaration are, in the end, concluded and offered to the House of Commons, before the Westminster Parliament votes on that deal, the Scottish Government will seek to ensure that the Scottish Parliament can pass its judgment on it. On this most crucial of matters, Scotland must be, and will be, heard.

The Deputy Presiding Officer: The cabinet secretary will take questions on the issues raised in his statement. I will allow around 20 minutes for that. Anyone who wishes to ask a question—I stress that they should be questions rather than statements—should press their request-to-speak button.

Murdo Fraser (Mid Scotland and Fife) (Con): I thank the cabinet secretary for providing advance sight of his statement, although there is little in it that we have not heard before. Indeed, all that today’s statement seems to be is another opportunity for yet more grandstanding and grievance from a minister who has become a master in both. The cabinet secretary told us how catastrophic a no-deal scenario would be but, astonishingly, he went on to say that SNP MPs would bring on such a scenario by voting against proposals brought forward by the UK Government. That is an irresponsible approach and will be seen as such by the people of Scotland.

It seems extraordinary that a cabinet secretary in the Scottish Government is unable to draw a distinction between the arrangements for Gibraltar, which is a British territory with a tiny population that is geographically situated thousands of miles away and attached to mainland Spain, and the very different situation in Scotland and Northern Ireland, which are fully part of the United Kingdom.

A differentiated deal for Scotland would put at risk the internal UK market, which is worth four

times more to the Scottish economy than trade with the EU, a point that has been made by Sir David Edward and Lord Kerr, who are both members of the First Minister's standing council on Europe. Will the cabinet secretary at last acknowledge the basic fact that maintaining the UK internal market is of far greater importance than the EU single market?

Finally, on the issue of the so-called people's vote—

The Deputy Presiding Officer: Please speed up, Mr Fraser.

Murdo Fraser: Is it really the SNP position that all referendums must be rerun until it gets the result that it wants, or does that apply only to referendums in which the SNP is on the losing side?

Michael Russell: The one thing that never astonishes me is Murdo Fraser's brass neck—indeed, it is not so much brass as titanium lined.

We are in this situation because of the total and utter incompetence of the Tory party in government at Westminster. That incompetence is now matched by the extraordinary, extreme, knee-jerk constitutional unionism of the Scottish Tories, who have nothing else to argue for. Meanwhile, Scotland is facing a unique and damaging crisis that has been brought about by the Conservatives and yet we have had not a word of apology from Murdo Fraser—instead he pursues the old arguments and chimeras.

David Edward would be horrified to know that he was being called in evidence by extreme Tories to justify the destruction of the European Union and its institutions, to which he has given many years of service. That approach by the Tories is disgraceful. The reality is that the Tories should hang their heads in shame, rather than burble from the sidelines and make things worse for themselves.

Neil Findlay (Lothian) (Lab): I thank the cabinet secretary for providing advance sight of his statement.

The Conservative Party's handling of Brexit has been a disaster. We are now just a matter of months from the date that the UK is due to leave the EU and yet no one is any clearer on what has been proposed. The Prime Minister was humiliated in Salzburg and has been repeatedly humiliated by her own party. The Chequers plan is dead and her handling of the entire process has gone from neglect to dark, unfunny slapstick—there is nothing funny about the stockpiling of food and medicines. With only a few weeks to go until a deal must be agreed, businesses, communities, and our citizens are in the dark about the Tory plans.

On the very serious issue of the Northern Ireland border, the Tories have no answer. We do: we should have a customs union. That would resolve the problem. We should have single market access and we should protect the rights that we have secured and enjoy. We should have a collaborative and co-operative relationship with our EU neighbours and we should have a deal that respects the nations and regions of the UK, ensuring the security and safety of our citizens. We must have a migration system based on fairness.

The Deputy Presiding Officer: Quickly please, Mr Findlay.

Neil Findlay: The Scottish Government is right to plan for a no-deal scenario. Indeed it must plan for a no deal, as that is the very scary prospect that we face. Can the cabinet secretary give us more detail on what plans have been put in place for such a scenario? These are worrying times and we must keep all options open to keep the maximum political pressure on the UK Government and the Prime Minister to try to completely avoid a no deal.

Michael Russell: I do not want to go into full detail because, currently, there is too much discussion of a no deal, which might make that more likely than not. The momentum is towards a no deal, but we should do everything that we can to hold it back.

However, I can say that individual cabinet secretaries are now engaged in discussions with me, their stakeholders and, where possible, with civil servants south of the border, to scope each of the issues that confront them. I will give Mr Findlay one example of that, on a matter that is a cause for great concern. Any continuation of an export trade in meat and shellfish will require phytosanitary inspections to be undertaken, but there are currently not enough qualified people to undertake those inspections. How do we resolve that question? How can we put in place a system to address that?

That is the type of extremely difficult question that is being addressed. I assure Neil Findlay that, right across the portfolios, those questions are being scoped and looked at. Some are capable of resolution. For example, I mentioned ports. It would be conceivable, if there was too much pressure on Dover, for Rosyth and Grangemouth to be brought into operation, although some major changes would be required. However, there are some issues, such as the one that I mentioned, on which it is very difficult to see how a short-term solution could be put in place. We are doing scoping work and, as I have said, I will come back to the chamber at the earliest opportunity to outline further where we are.

I would like to make a point about customs union and single market access.

The Deputy Presiding Officer: Quickly please, Mr Russell.

Michael Russell: In that case, I will make a point simply about migration. The migration issue is crucial to Scotland and, in particular, rural Scotland, and I am shocked that the UK Government is still unable to discuss that in a constructive way with the Scottish Government and the Welsh Labour Government. Mark Drakeford and I made that point very forcibly at the joint ministerial committee two weeks ago, and we will go on making it.

The Deputy Presiding Officer: The members who asked the first two questions went well over their allotted time. That has an effect on questions from back benchers. I ask back benchers to be quick so that their colleagues have an opportunity to ask questions.

Joan McAlpine (South Scotland) (SNP): Yesterday, the leader of the UK Conservatives in the European Parliament caused deep offence when he compared the 200-strong socialists and democrats MEP group to the Nazis. That came on the back of the British Foreign Secretary comparing the European Union to the Soviet Union. Does the minister agree that the Tories are poisoning the UK's image in Europe and the world, and that those narrow-minded British nationalists do not speak for Scotland?

Michael Russell: I agree. If further evidence of that were required, it could be found in Murdo Fraser's question. He did not address the issue seriously; he addressed it from the narrowest partisan point of view. Such an approach damages all of us.

Maurice Golden (West Scotland) (Con): Given that the statement makes it clear that a no-deal scenario would be "disastrous" and terrible for Scotland, why are SNP members here and at Westminster so desperate to vote for such a scenario?

Michael Russell: That just shows the problem that the Conservatives have. The reality of the situation is that nobody is desperate to vote for a no-deal Brexit. The only people who want that are colleagues of Mr Golden, some of whom are lauded by Scottish Conservative MPs.

A false choice is being presented. It is not a choice between the Chequers deal and no deal. I have spoken at some length about the other choices that exist. If the seriousness of the situation was addressed by the Conservatives, they would be responding, but they are destroying the country's prospects with the extremism that we hear from them.

Annabelle Ewing (Cowdenbeath) (SNP): The cabinet secretary mentioned the important issue of immigration. Will he set out what he thinks will be the specific impacts of the ending of freedom of movement? Has the UK Government shown any flexibility on a differential immigration policy for Scotland?

Michael Russell: The UK Government has shown no flexibility on migration. All we hear from the relevant ministers is the parroting of the phrase, "Freedom of movement will end."

We have published a variety of information on the impacts, which I will not go through now. There will be a severe impact on the flow of EU migrants here. Scotland is not increasing its population naturally, so we need migration. There will also be a severe effect as people are turned off staying in this country by the type of rhetoric that has been encouraged by the Conservatives.

Jackie Baillie (Dumbarton) (Lab): The cabinet secretary rightly recognises how disastrous a no-deal Brexit would be. Many would say that Brexit will be disastrous regardless of whether a deal is reached.

I want to ask Mr Russell about an issue that troubles many people. If the UK Government brings a deal to Parliament that might not be everything that we want, will SNP MPs vote for it because it is better than no deal at all?

Michael Russell: The only possible deal that is acceptable beyond staying in the EU is a single market and customs union deal. I do not want to equivocate, because the reality of the situation is that there are elements of a single market and customs union deal that would have to be examined closely, as I know that Jackie Baillie appreciates. For example, the four freedoms are absolutely essential.

I have made it clear that a deal containing the important single market and customs union elements could conceivably go forward. However, I am immensely resistant to the argument that the only choice is between Chequers, which has already been rejected by the EU, and no deal. That is not realistic. It a false choice. It should not be put in a way that asks people to choose between one or the other.

Nobody wants to see a no deal. The no deal that appears to be hurtling towards us is not doing so because of the SNP or Labour. It is because of the Conservatives and the two factions in that party. One faction wants a no deal—unbelievable though that is—and the second faction is so incompetent that it cannot get a deal.

That is what we are faced with, but we should not accept the false dichotomy that is presented by the Conservatives.

The Deputy Presiding Officer: Mr Fraser, please stop your constant muttering, which is becoming very annoying in my right ear.

Patrick Harvie (Glasgow) (Green): On the people's vote, the cabinet secretary said that we should find a way to ensure that Scotland is not left in the same position—again voting to remain but being taken out against our will. I agree that that would be preferable.

However, if, as seems likely, some kind of four-nation lock proves politically impossible to achieve, does the cabinet secretary agree that that should not stand in the way of a people's vote that gives the public the opportunity to do what Westminster parties will not do, which is cancel Brexit and stop this mess?

Michael Russell: I am certainly not going to give away my desire to ensure that Scotland is protected in those circumstances. However, we have been and remain clear: the SNP MPs will vote for a people's vote. That is unequivocal. I see a people's vote not as a second chance but as a verdict on the Tories' stewardship of Brexit—and it would be a savage verdict.

Tavish Scott (Shetland Islands) (LD): I thank the cabinet secretary for advance sight of his statement.

First, does the cabinet secretary accept the principle of extending the transition period, which the European Union proposed last week?

Secondly, if and when there is no deal in March next year, salmon, whitefish and mussels will be on the high seas between Lerwick and Aberdeen, due to be in France by the following morning. What in heaven's name will happen to those businesses?

Michael Russell: As the member knows, live langoustines from the village of Tarbert, in Argyll, and other shellfish will be on their way, too. What will happen? That is the question, and at present there is no answer to it, because there are not enough phytosanitary inspectors to do the inspections. Nor is there any guarantee that the goods will be accepted.

The no-deal papers from the UK Government say that material can come in without a check, but that will not solve the problem that we are talking about—and material that comes in without a check will be open to fraud, undoubtedly.

This is a highly unsatisfactory situation, and I simply do not know the answer. Neither does the UK Government—and that is a measure of the incompetence of those people.

On the member's first question, if transition is required, there should be a longer transition. It is interesting that the argument about transition has

gone on for two years, and people have said all along, "You will need more than 21 months." It started with David Davis saying that there would be no transition—I remember him saying that to me in October 2016, in Glasgow. The UK Government moved to a transition period of 21 months and now it is talking about a possible transition period up to the end of 2021 or beyond.

Transition has to be for something. This is absolutely clear: it cannot be instead of the backstop. If that is what Theresa May is proposing, as appears from the bizarre statement that she made on Monday, it will not fly.

Emma Harper (South Scotland) (SNP): Has the Scottish Government had any indication from the EU that it is prepared to accept the UK Government's argument that the Northern Ireland backstop should be temporary? That might impact movement through the Cairnryan port, in my South Scotland region.

Michael Russell: No. There is no question of the backstop being temporary. That is entirely clear, and both sides will indicate that. The solution has to be found by the Prime Minister moving from her position—and by the Scottish Conservatives moving from their position, because the Scottish Conservatives appear to be making some of the loudest noises on this and seem determined that Scotland should do as badly as possible out of any deal.

Liam Kerr (North East Scotland) (Con): Just over one hour ago, John Swinney was telling the chamber why he will ignore its vote on P1 testing. What effect, if any, will a vote on the final EU deal in this Parliament have? Does the Scottish Government think that votes in this Parliament should be heeded only by others?

Michael Russell: It would be inconceivable for this Parliament not to have the opportunity to say what it thinks about this issue. If the Tories think that it should not, I must ask why the Tories are bothering to be elected here.

Maureen Watt (Aberdeen South and North Kincardine) (SNP): Has the cabinet secretary had any indication from the UK Government of how it intends to ensure access to European markets for the fresh fish that is processed in my constituency and elsewhere and, in order to avoid damage to that produce in transport because of the forecast lengthy waits at the Channel ports, whether he will as a matter of urgency, as Angus MacDonald and I have both asked, have those talks with the ferry companies to divert at least one ferry to use the Rosyth to Zeebrugge route?

Michael Russell: I am sympathetic to direct transport between Scotland and the EU and I hope that it can be arranged, although there are difficulties in doing that. There have also been

difficulties with securing that route, but I am keen to do so and I am sure that my colleague, the Cabinet Secretary for Transport, Infrastructure and Connectivity, will wish to consider the issue too, so I shall discuss it with him.

The point that the member has raised about fish is essentially the same point that Tavish Scott raised, that I have raised, and that others have raised. It requires a solution but there is presently no solution. That is the conundrum of the no-deal scenario. There are matters that cannot be solved in the medium term and possibly even in the long term.

Pauline McNeill (Glasgow) (Lab): What demands will the Scottish Government make for a differentiated settlement? More important, and notwithstanding what the cabinet secretary has said, when will he set out what a no deal actually means for the people of Scotland? We are entitled to know that. Does he agree that we should not contemplate a no deal on any terms?

Michael Russell: Yes, I do. We could ask for an extension of article 50 if we cannot get to the stage at which we get an agreement and we say that no deal is an impossibility. We have been arguing that for several months. Regrettably, that is not where the UK Government has found itself.

On differentiation, we have indicated from the very beginning how we see a differentiated solution operating and we continue to do so. As I indicated in my statement, the issue now is that we are essentially the only nation in the UK that voted to stay that is not being offered differentiation. That is unjust and damaging, because there are issues such as migration on which we absolutely require differentiation and the solutions being provided for the UK are not solutions that could possibly work for us.

In terms of information on a no deal scenario, I have indicated my timetable for that. I will do the best that I can, but I do not want to stoke it.

Willie Coffey (Kilmarnock and Irvine Valley) (SNP): On Monday at the British-Irish Parliamentary Assembly, the Secretary of State for Northern Ireland said that her Government wants an EU deal that works for Scotland. When I asked her who was best placed to determine what works for Scotland, she said that that would be the UK Parliament.

Does the cabinet secretary agree that that sums up the attitude of the Tories to Scotland, and that it is the Scottish Parliament that is best placed to decide what is best for Scotland?

Michael Russell: How could I possibly disagree with that?

Scotland's Contribution to International Development

The Deputy Presiding Officer (Christine Grahame): The next item of business is a debate on motion S5M-14425, in the name of Ben Macpherson, on the Scottish Government's inaugural international development report, "Contribution to International Development 2017-18".

16:04

The Minister for Europe, Migration and International Development (Ben Macpherson): A few weeks ago, I was at the Scotland Malawi Partnership's annual general meeting, where I learned a new phrase thanks to a project by Link Community Development International. The phrase is "onse ngo funika", which is Chichewa for "all people are important". It is a phrase that resonates with us in Scotland, as it does in the warm heart of Africa.

In that spirit of equality, solidarity and internationalism, and building on the work of my predecessors Humza Yousaf and Alasdair Allan, I am very proud to open today's debate on the Scottish Government's inaugural "Contribution to International Development" report.

In doing so, I am thinking of all those from around Scotland who play such an important part and make a collective contribution to international development, and I am thinking about how much they would want us, as MSPs, to positively embrace this opportunity to consider the different ways in which Scotland makes a distinctive contribution to addressing global poverty, inequality and other shared global challenges.

I am mindful of the fact that, next week, the Parliament will host an event forming part of Tearfund Scotland's 50th anniversary celebrations. Such events not only remind us of the history and richness of civil society's contribution to international development but emphasise the strong cross-party support for international development that exists in Scotland and, indeed, is active among the cross-party groups in the Parliament.

I am delighted to welcome the wider support that the inaugural report has received, in particular the recognition that it reaffirms our strong commitment to the United Nations' global goals. Our commitment and approach to international development programmes in our partner countries and to the beyond aid agenda aligns with the fundamental premise of the global goals: that Governments cannot achieve them alone but rather must work collaboratively. It is that concept

of collaboration that underpins the report, and it is our commitment to collaboration that underpins the Scottish Government's international development work. Partnership with civil society, with our universities and public bodies and with other nations is key to all our international development work.

It is our collaborative efforts—across government, across Scotland and together with our partner countries—that the report highlights and brings to life, demonstrating that, when we come together for global good, we can make positive change happen.

The report highlights a multitude of projects and initiatives that our international development fund has supported in our partner countries to help achieve the global goals in Malawi, Rwanda, Zambia and Pakistan.

I will give just some of the many examples. In Malawi, working towards global goal 1—no poverty—the report details that our Scottish Government international development support partners have helped 2,860 farmers to increase their wages by 227 per cent, and 158 disabled Malawians increased their income by an average of 344 per cent through our Global Concerns Trust livelihoods project.

In Zambia, global goal 4—quality education—is being pursued through our Open University in Scotland-funded project, Zambian education school-based training, which is helping to improve the quality of primary school teaching and learning in Central Province.

In Rwanda, we are supporting WaterAid to improve health and sanitation in vulnerable communities and schools, contributing to good health, gender equality and clean water and sanitation.

In Pakistan, our scholarship schemes have enabled more young women from disadvantaged backgrounds to study at Pakistani universities and children from disadvantaged and minority backgrounds to attend primary and secondary school.

The report goes wider than our international development fund, and takes a holistic look across Scottish Government international development activity during 2017-18. It also reports on work funded from our climate justice fund and our humanitarian emergency fund.

Importantly, we are increasingly developing a collaborative approach across ministerial portfolios: a collaborative, stepwise approach that is committed to policy coherence for sustainable development, committed to our aim to do no harm to developing countries, committed to the “beyond

aid” agenda and committed to sharing Scotland's expertise for global good.

Through our hydro nation work, for example, we are supporting and delivering peer-to-peer training and knowledge exchanges on drilling boreholes, water governance and resource management between our Scottish Government water division and the Malawian Government. That governmental partnership supplements the water mapping initiative that is highlighted in the report, under which approximately 30 per cent of Malawi's water and sanitation assets have been mapped through our climate justice fund-supported programme, led by the University of Strathclyde.

In health, it has been hugely encouraging to see the joint development with the health portfolio of the Scottish Government to take forward our global health initiatives—an approach that was praised by Bill Gates when he visited Scotland in January.

In the wider public sector, our funding supports Police Scotland to carry out specialist training with its peers in the Malawian and Zambian police forces on tackling gender-based violence, improving child protection and better protecting minority groups.

My visit to Zambia and Malawi last month took place during United Nations global goals week, the theme of which this year was the power of collaboration—across government, the private sector, civil society, the media and the UN. I hope that the report and the debate will provide evidence of that collaborative and supportive approach, and I look forward to hearing the contributions of members from across the chamber about what we are doing in communities and in government, and how we can achieve more together.

I move,

That the Parliament notes the publication by the Scottish Government of Contribution to International Development Report 2017-18, which presents its contributions to international development in collaboration with partners, particularly in its partner countries, Malawi, Zambia, Rwanda and Pakistan, in support of the UN Global Goals; further notes the cross-cutting themes on policy coherence for development in areas such as health, education, climate change and human rights, while safeguarding beneficiaries; welcomes the significant contributions of international development organisations, civic society, universities, the NHS and Police Scotland to global citizenship and collaborative international development initiatives; believes that ongoing collaborations with the Department for International Development, Comic Relief and other donors, and the co-creation of international development initiatives with the NHS, Police Scotland, universities, civil society organisations and others, will continue to strengthen Scotland's position as an outward-looking, committed global citizen; considers that Scotland should continue to provide a positive and progressive voice in the world, for compassion, tolerance, diversity and social justice; recognises the strong cross-party approach and support for

international development across the Parliament, and reaffirms strong support for Scotland's distinct and collaborative contributions to international development to help tackle global challenges, including poverty, injustice and inequality.

16:11

Claire Baker (Mid Scotland and Fife) (Lab): I appreciate the opportunity to discuss this important issue and welcome the minister to his new role. This is the first "Contribution to International Development" report from the Government and it is a welcome analysis of the work undertaken across portfolios and in our partner countries. I thank Tearfund, the Scottish Catholic International Aid Fund, Christian Aid and the Scotland Malawi Partnership for their briefings in advance of the debate and for all the work that they do within their organisations and in civic society.

It was in 2005 that the then First Minister, Jack McConnell, signed a co-operation agreement with the President of Malawi. I am proud that, with cross-party support, this strand of the Scottish Government's work has grown. The agreement built on Scotland and Malawi's long history and ensured collaboration on education, health, sustainable economic development and civic governance. Initially, it was not without its critics, including from the Scottish National Party, which was then in opposition. The SNP argued that concerns over corruption and governance should delay the partnership, even though that would have meant delaying support for people who needed it. Nevertheless, the partnership was supported by civic society, and Scotland went into it with its eyes open.

A key part of our work then was, as it must be now, about supporting better governance. The Scotland Malawi Partnership makes good points about the lack of genuine governance-strengthening projects funded by the Scottish Government and whether more can be done to proactively develop governance projects, bringing Government, Parliament and civic society together. I hope that the minister will reflect on that.

Reflecting on his recent visit to Malawi, the minister highlighted that Scotland's contribution to Malawi has been important and transformative. Increased wages, an increase in production and an increase in the number of children enrolled in schools are a few of the advancements. I am therefore pleased that, 13 years on from its first signing, the First Minister has signed an updated joint agreement to ensure that both countries continue to work together.

The original agreement was the first step towards setting up our international development

fund, which supports developing countries, assists in times of international crisis and considers how our policies can positively affect the developing world. It is important that we continue to ensure that there is policy coherence for development—a point that the minister expanded on. The report is a welcome step in that direction. I am pleased that the work of the Scottish Government continues to build on those successes and I acknowledge the increase in the fund to £10 million a year, the establishment of a welcome annual climate finance fund of £3 million a year and the introduction of a humanitarian fund of £1 million a year.

Yet, despite Scotland and the United Kingdom's record, we can—and must—do more. One in 10 people live in extreme poverty, half of them in sub-Saharan Africa; 2 billion people live in countries that are affected by fragility, conflict and violence; 80 per cent of illnesses in developing countries are linked to poor water and sanitation conditions; an estimated 131 million girls worldwide remain out of school; and more than 21 million people are forcibly displaced by weather-related hazards every year. The sustainable development goals set ambitious targets for us to meet. However, during times of financial constraint for Governments, international development is often an easy target for those who wish to see aid cut, despite it being less than 1 per cent of our gross national income. In response to those calls, we must be clear that we will not waver in our determination to help others. It should be a source of pride that, in percentage and in cash terms, we are one of the most generous countries when it comes to helping others, and we must continue to meet the 0.7 per cent target that was set under the millennium development goals.

I support the Scottish Government's recent contribution to the response to the humanitarian tragedy in Indonesia. Of course, the UK Government will make a significant contribution on behalf of us all, but we can demonstrate our empathy without that distracting from our core business.

We must also ensure that we are not complacent when it comes to safeguarding. It is right that the Government, as a major funder of many charities in the sector, ensures that robust safeguarding policies are in place to protect vulnerable groups, and that any such instances that the Government is aware of are fully and promptly investigated. We cannot just assume, as we have done in the past, that those agencies are above reproach because of the work that they do. I welcome Oxfam's 10-point plan, which it published this week, and although I appreciate that much of what happened took place under umbrella organisations and away from Scottish

offices, I still hope that other charities continue to review their practices.

The world is facing some of the most complex and interwoven security and development challenges of our time: on-going wars, unprecedented numbers of refugees, global terrorism, climate change and food insecurity. Our economic development was able to benefit from a model that is now hurting developing countries in Africa, Asia and South America.

In June, I hosted an event in Parliament for faith leaders in Scotland to come together to call for strong action on climate justice, and to recognise that the consequences of all our advantages and use of resources negatively affect the poorest countries in the world. That is why Labour's amendment to the motion highlights the calls for the Government to commit to

"zero greenhouse gas emissions by 2050".

We have a strong moral obligation to take action now, and to set strong targets that resonate across the world and show that a different path is possible. Progress does not come by standing still.

At the time of the Climate Change (Scotland) Act 2009, many of the technologies that could help us to reach our goal were only in their infancy or had yet to be developed. The opportunity to be more ambitious than before is now here, and it is imperative that we take it. We must affirm our belief that tackling climate change is one of the biggest challenges that we face around the globe. Scotland must continue to be a beacon for change in the interests of everyone.

I move amendment S5M-14425.2, to insert after "global citizen":

“; notes that it is crucial for Scotland to ensure its policymaking across government is consistent with the commitment to global justice, climate justice, human rights and international development and therefore commits to setting a target of net zero greenhouse gas emissions by 2050 at the latest in the new Climate Change Bill”.

16:17

Alexander Stewart (Mid Scotland and Fife) (Con): I am delighted to be able to take part in today's debate and to lead for the Conservative Party, and I welcome the minister to his role.

Many organisations throughout the country are doing so much in relation to international development, and there have been significant advances in human development since 1990. The average lifespan is now seven years longer than it was at that time, and more than 130 countries now have universal enrolment in primary education.

However, there remains a significant disparity between the most and least deprived, and the most and least developed countries, and much of

the world's population continues to face significant levels of poverty and deprivation. The Scottish Conservatives believe that it is incredibly important that the Scottish and UK Governments play their parts in supporting such individuals through collaboration with international development.

With regard to international development, the Scottish Government seems to excel, in particular, in collaboration across business and research and, importantly, across civil society. Tying that approach in with existing projects and initiatives allows the £10 million budget to go a lot further than it otherwise would. There is no better example of that than the work that goes on throughout the country to build on Scotland's long-standing relationship with Malawi.

As a co-convenor of the cross-party group on Malawi, I have seen at first hand the exceptional work that has taken place. Like the minister, I attended the recent Scotland Malawi Partnership AGM in Glasgow, which was an inspiring event, with many individuals showing off their talent and commitment.

There are more than a thousand links between Scotland and Malawi throughout civil society that contribute in many ways. The Scotland Malawi Partnership estimates that for every £1 that is spent by the Scottish Government's Malawi development programme, £10 is contributed by civil society. That is an outstanding achievement of which we should be very proud.

The report sets out some of the great achievements in Malawi and in our other partner countries that have contributed to achieving the UN's global goals. In Malawi alone, the achievements include significant improvements in relation to wages for many, more children enrolling in targeted schools, more girls being able to access schools and a fall in the mortality rate. All those achievements are welcome factors. The approach of leveraging money to support international development efforts from sources other than Government should be applied more widely.

As I have said in the chamber before, although we must, of course, continue to provide humanitarian assistance when it is required, we should wherever possible look to shift from direct funding to ensuring that a self-sufficient business enterprise model is taken up. I therefore welcome the Scottish Government's announcement this week that it will collaborate with the United Nations development programme on a two-year programme to leverage private capital to help to achieve the UN's sustainable development goals. That is exactly the approach that we should be taking.

However, there is an area where I would like to see the Scottish Government do more. Governance, which has already been touched on, was the first strand of the original Scotland and Malawi co-operation agreement and it is still a key priority in the Scotland Malawi Partnership today. However, the partnership has raised concerns about the lack of governance-related projects that the Scottish Government has funded in the past decade, and I share some of those concerns. We need to have a strong governance arrangement in place to ensure that the projects and initiatives that we support in our partner countries are successful. I would welcome more work in that area to bring forward projects that give opportunities for open and respectful discussions about the governance arrangements that apply.

The report is encouraging with regard to what we have achieved, but we must not forget that there are two Governments that are actively involved in the process of international development. The UK Government has long been committed to international development, and since 2015 it has been legally bound to spend 0.7 per cent of gross national income on international aid. We should be very aware of that. In 2015, we were one of only six countries that spent that 0.7 per cent. We should all be proud of that.

We in the Scottish Conservatives are committed to ensuring that Scotland and the UK continue to be good global citizens. We therefore wholeheartedly support the Scottish Government's international development initiatives in Malawi, Zambia, Rwanda and Pakistan, as well as the wider efforts of the UK Government. We can and do work together in so many areas, which has made huge differences to the individuals and organisations of those nations. I look forward to seeing what more can be achieved and to further successes in the future.

16:22

Ross Greer (West Scotland) (Green): Like colleagues, I welcome the Minister for Europe, Migration and International Development to his post.

Scotland's international development programme is a brilliant example of pushing the boundaries of devolution, living up to our global responsibilities and doing some genuine good in the world. We have both the responsibility and the privilege of being able to act.

The Greens welcome the inclusion of the principle of policy coherence in today's motion from the minister. It is not the sexiest terminology in politics, but it is essential for our work here to have real meaning. International development cannot be isolated in a silo. Decisions that are

taken across the portfolios of this Parliament, Westminster, Brussels and even our council chambers have impacts across the planet. My amendment, which was not selected, drew attention to two examples of that, and Claire Baker's amendment, which the Greens will support, makes the same case.

The Intergovernmental Panel on Climate Change said this month that we are on course for 3°C to 4°C of global warming. That is civilisation-ending stuff. The crisis is already devastating the most vulnerable people on the planet. Many low-lying areas such as island nations and densely populated river deltas face wipe-out. Tens of millions or, probably, more will lose their homes and livelihoods. Many will lose their lives. Many, indeed, already have.

The Government's development strategy includes a very welcome climate justice fund, which has gradually been added to and increased over the years. Those funds are vital for climate crisis mitigation work in the most vulnerable communities for people who could not have done less to cause the crisis. However, this year, BP invested more than £420 million in two new North Sea oil sites. Since 2011, it has invested £2 billion in redeveloping the Schiehallion field, unlocking 450 million barrels of oil. We are spending only a fraction of the billions that are being thrown into extracting even more oil and gas on mitigation efforts for the impacts of the climate crisis.

Stewart Stevenson (Banffshire and Buchan Coast) (SNP): Oil from our oil fields goes to transport in particular, and we should certainly work at getting it out of that, but I wonder whether the member has considered that it is also a currently irreplaceable feedstock for many of our industries—

The Deputy Presiding Officer: I have to ask you to make it a short intervention. Mr Greer will have to absorb the time.

Stewart Stevenson: Does the member agree that it should be seen in that context?

Ross Greer: I appreciate the member's point, but if we are to have any hope of stopping the climate crisis, we need to leave more than 80 per cent of known reserves unburned. At our current rate of burning versus use of the reserves for other purposes, we are burning far more than 80 per cent, and of course gas can only be used for burning.

The SNP's energy spokesperson, Alan Brown MP, today praised a new report that indicated that 15 billion barrels of oil could be extracted from the North Sea between now and 2050. The Scottish Government has repeatedly welcomed new oil and gas discoveries and has lobbied the UK Government for more support for that industry.

Those are not the actions of a party and a Government that is serious about climate justice. That is not policy coherence.

Neither is the Scottish Government's continued funding of companies that are involved in the arms trade at the same time as it supports peace-building and reconciliation efforts through another department. Those are excellent efforts, which we would all commend, but more than £18.5 million has been given to arms companies over the past decade, recipients of which include Raytheon, the world's largest guided missile producer. Its equipment has been used by a Saudi air force that is guilty of war crimes against children in Yemen.

Selex Leonardo, which sold communications hardware to the Assad regime in Syria in the month when sanctions were imposed, has also received handouts, as has Chemring—*[Interruption.]*

Ben Macpherson: Will the member take an intervention?

The Deputy Presiding Officer: I am sorry—the member is concluding. You have four minutes and four minutes only, Mr Greer.

Ross Greer: Okay. The minister can respond in his closing remarks.

Another company that has received handouts is Chemring, which manufactures tear gas that has been used against protesters during the Arab spring in Egypt and pro-democracy protesters in Hong Kong.

Not a single human rights assessment was carried out for any of those companies prior to funding. It is difficult to reconcile the support for arms companies with our commitment to human rights, for which I know that the minister is a powerful advocate. I appreciate that the Scottish Government has introduced new guidance to suggest that human rights checks should be carried out before granting funding, but the status of that guidance remains unclear and improvements to it need to be made.

Clearly, there is much more work to do to ensure that policy coherence is achieved. I am sure that the Government would rather avoid accusations of hypocrisy or incoherence. I know that the minister is committed to making this Government's international development work a trailblazer across the world. I hope that the Government can turn its words into actions and, with coherence and commitment, demonstrate Scotland's commitment to just international development.

The Deputy Presiding Officer: I am sorry to chase people, but it is a short debate with very short speaking time.

16:26

Liam McArthur (Orkney Islands) (LD): I formally welcome the minister to his post. Given our work together on the Justice Committee, I am confident that he will be an able and conscientious minister and I wish him well in that role.

As co-convener of the Malawi CPG along with Alexander Stewart, I was delighted that one of Ben Macpherson's first engagements after his appointment was to visit the warm heart of Africa. Over the past decade or so, I have been fortunate to make a number of visits to Malawi, and I never cease to be amazed by the extent of the links between our two countries and inspired by the benefits that those links, from grass roots up, are delivering for communities both here and in Malawi.

I appreciate that the report, which I very much welcome, covers a wide range of issues, but I hope that members will understand if I focus my brief remarks this afternoon on Malawi—although I should indicate in passing my support for the amendment from Claire Baker.

As I said, the historical friendship between Scotland and Malawi has, over recent years, given rise to a distinctive and successful approach to international development by successive Scottish Governments, dating back to the work of Jack McConnell and the signing of the first co-operation agreement in 2005.

The Government-to-Government and Parliament-to-Assembly links work in synergy with a wider collective effort across schools, churches, universities, hospitals, community groups, businesses and all sections of civil society. There is not a part of Scotland that does not have a story to tell about the links that it shares with communities and counterparts in Malawi. I believe that the Scottish Government's efforts have a disproportionate impact and enjoy such popular support precisely because of their connections and the interplay with wider civic efforts.

In areas such as health and education, particularly for girls and women, sustainable development projects are delivering tangible and, hopefully, long-lasting benefits to the people of Malawi. Of course, more can and needs to be done, not least in relation to governance, as Alexander Stewart rightly said. However, we should be proud of what has already been achieved in a model of engagement and partnership that is increasingly seen as an exemplar for other countries by the United Nations.

In that context, it is appropriate to flag up some misgivings about the decrease in the scale of the Malawi development programme that the Scottish Government announced recently. For the reasons

that I have already outlined, the case for ensuring that Malawi remains the prevailing focus of Scotland's international development and engagement strategy is compelling. It is a matter of fact that the Scottish Government does not have the wherewithal to replicate the scale of what the UK Government does through the Department for International Development. With a thousand times less financial resources at our disposal, Scotland needs to target that resource in ways that can make the biggest difference. Concentrating on initiatives that build on the unique and proven Scottish model that sees Government, Parliament and civil society come together in a focused and impactful way in one country-to-country and people-to-people partnership makes sense. That chimes with the "New Global Partnership" that the UN's sustainable development goals look to deliver, and it is a reason not to set ourselves up as a mini-DFID, with the risk that we spread our efforts too thinly and ineffectively.

Ben Macpherson: Will the minister give way?

The Deputy Presiding Officer: No—the member is concluding.

Liam McArthur: Perhaps the minister can pick up his point in his closing remarks.

Let me conclude on a more positive note by paying tribute to the far-sighted investment by successive Scottish Governments in networks such as the Scotland Malawi Partnership and its sister, the Malawi Scotland Partnership. Each £1 that is invested in the SMP helps lever in more than £10 of inputs from wider civil society. That is a remarkable return and the sort of area where Scottish ministers, with relatively modest input, are able to leverage wider investment and deliver lasting change.

Our relationship with Malawi encapsulates the very positive contribution to international development that Scotland has made and can continue to make, and I look forward to supporting those efforts into the future.

Zikomo kwambiri.

The Deputy Presiding Officer: I remind members who are about to speak that speeches should be four minutes long.

16:30

Annabelle Ewing (Cowdenbeath) (SNP): I am pleased to have been called to speak in this debate on the newly instituted report on Scotland's contribution to international development. The report, which has been widely welcomed, represents an important step in our continuing work to ensure that Scotland discharges its role as a good global citizen.

At the outset, I take this opportunity to welcome the minister publicly to his new post. I know that he will do a fantastic job. At the same time, however, I want to pay tribute to the work of his immediate predecessor, Alasdair Allan, who was assiduous in work on tackling poverty and inequality across the globe.

It is clear from the report that much progress continues to be made in respect of Scotland's contribution to international development. I am extremely heartened by the fact that the report recognises, in addition to the very significant funding that is available from the Scottish Government and the high standards of transparency that are in place, the importance of working across Government portfolios so that the full weight of Government can be brought to bear on seeking to improve, for example, the health and education of some of the world's poorest citizens, and on helping them to meet the significant challenges of climate change.

In my view, what is most significant is the importance that the Government, in its international development work, places on real two-way partnership working with civic society here and in the countries that are involved. That approach, which is what marks Scotland's distinctive contribution to international development, has been widely commended by our peers.

We need look only at the enormously important work—as members have mentioned—that is taking place in Malawi to see how that distinctive approach is delivering on the ground. The Scotland Malawi Partnership has pointed out that the key approach of real nation-to-nation and citizen-to-citizen joint working acts as a civic multiplier. As we have heard, every £1 that is spent on the Scottish Government Malawi development programme brings in more than £10 in inputs from wider civic society. As a result of that innovative approach, 109,000 Scots have been actively involved in some way with a link in Malawi, and some 208,000 Malawians have been involved. We all benefit from that fantastic hand of friendship, as can be seen in every constituency in Scotland.

I would like to mention the tremendous work that is being done in my Cowdenbeath constituency by Dalgety Bay parish church, which has since 2007 been twinned with the congregation of—I will probably not pronounce this properly—Engcongolweni church in rural northern Malawi. The charity Dalgety Bay Friends of Engcongolweni was set up some years ago and, as a result of the work of all who are involved under the secretaryship of Robin Arnott, together with the church, there have been some amazing achievements. The work that has been done and

money that has been raised have, among other things, secured clean water for the village, funded and stocked a pig farm, and paid for secondary-school fees for eight pupils. That figure is expected to rise to 80 pupils over the next years. Moreover, with the proceeds from the pig farm, maize has been purchased for orphans and widows to ensure that they have food to eat when supplies are otherwise scarce.

Elsewhere in my constituency, pupils from Beath high school, which is partnered with Mendulo school in the Luchenza region, are just back from a visit to Malawi, and other schools including Dalgety Bay primary school, Donibristle primary school and Lochgelly high school have active two-way school-to-school links with schools in Malawi. Those links between our citizens and the citizens of Malawi are not only transforming lives in Malawi, but are inspiring generations of young Scots to be good global citizens.

I am very proud of the fantastic work that is going on in my constituency, and I am also very proud of the role that my country is playing in international development to ensure that we live up to Robert Burns's vision that

"Man to Man the warld o'er,
Shall brothers be for a' that."

16:34

Jeremy Balfour (Lothian) (Con): As all members so far have done, I thank the Government for bringing the debate to the chamber, and welcome the report that we are talking about. As my colleague Alexander Stewart pointed out, one of the things that the Scottish Government has got right on this matter is its partnering with other organisations here in Scotland and, perhaps more important, in other countries, from which we get much value. I am pleased that Ross Greer is sponsoring, and that the minister will speak at, the Tearfund event next Tuesday to celebrate the 50 years for which Tearfund has been working across the United Kingdom and in other parts of the world.

In the short time that I have, I will mention two projects that I had the pleasure of visiting in the summer, and which are sponsored by the Scottish Government. I had the privilege of going with Tearfund to Rwanda. To be honest, I was not sure what to expect—it was my first trip to Africa. What I saw impressed and inspired me, but something that I had not expected was that it challenged me to bring back from that country ideas that we can learn from here in Scotland, as we seek to help people in our country.

On the second day we were there, we were taken to one of the more deserted parts of the country and went for about a mile's walk along a

path to where we suddenly saw a large Scottish flag. That was because the Scottish Government has put money into water projects in Rwanda over a number of years. There was a lovely Scottish flag and a Rwandan flag and, perhaps more important, there was a tap that served five different villages and provided them with water that they did not have previously. That project was not delivered by the Scottish Government; it used Scottish Government money, but it was delivered by a local partner. That is to the credit of what the Scottish Government has done.

The second group of projects that we visited involved self-help groups. The Scottish Government has been funding two particular groups to do with farming and environmental issues in Rwanda. What challenged me was a group of 20 individuals in a village that experiences real poverty. The 20 individuals, who were mostly women, had got together into a self-help group and had put aside a small amount of money each month. The money had built up over a number of months; in due course, those people could borrow from it to buy things to help them to grow food for their village and local community.

Every individual in that self-help group had been able to pay back the money that they had borrowed, and the group was increasing the work that it does. Again, money was given by the Scottish Government, but the project was delivered by local partnership, which is deeply effective. That is the way forward—but we have to make sure that we learn lessons from those people and countries, as well as giving them money and helping them.

16:38

Colin Smyth (South Scotland) (Lab): As convener of the cross-party group on fair trade, I want to focus my comments in the very brief time that we have on the importance of fair trade and the crucial role of civic society in Scotland in the promotion of international development.

As we edge closer to the Brexit cliff, with the prospect of our trade rules being rewritten and new trade deals being negotiated, it is no exaggeration to say that it will be make or break for millions of farmers and workers in the world's poorest countries who trade with us. Therefore, the fair trade principles of better prices, decent working conditions, local sustainability, and fair terms of trade for workers have never been more important.

Fair trade challenges the injustices of conventional trade, which too often discriminate against the poorest producers. That is why the campaigning work of the Fairtrade movement and others to deliver trade justice for millions of

vulnerable farmers and workers in developing countries is as crucial today as it has ever been. I want to pay tribute to the volunteers and campaigners across Scotland who promote those fair trade principles, week in and week out.

Earlier, I mentioned my role as convener of the cross-party group. That group has been at the forefront of supporting fair trade, from welcoming producer visits to Parliament to hosting the launch of the new international fair trade charter last month, along with the chief executive of the World Fair Trade Organization, the chief executive of the Fairtrade Foundation and the Cabinet Secretary for Culture, Tourism and External Affairs, thus ensuring that Scotland was one of the global focal points for the international Fairtrade movement.

As well as being the convener of the cross-party group on fair trade, I have the privilege of being the chairperson of my regional fair trade steering group. That means that I see at first hand the commitment to fair trade of local fair trade groups, local businesses, workplaces and the council in Dumfries and Galloway. Last week, I was proud to sign off our application for continued Fairtrade status for the region.

Last month, I had the pleasure of welcoming the Scottish Fair Trade Forum to Dumfries for its annual conference. Campaigners from local groups across Scotland gathered to share ideas, hear from others, develop new plans and welcome Kilombero rice farmers who were visiting Scotland from Malawi as part of a UK-wide tour supported by Just Trading Scotland, which is based in Paisley. In an age of uncertainty, cynicism and fake news, the conference and Scotland's international links are real examples of how a community-based grass-roots approach strengthens the commitment to global connections and development. That highlights the minister's earlier point that networks and civic society partnerships that link to communities and partnerships globally are central to the success of Scotland's long-standing commitment to international development.

The Fairtrade networks are supported by the work of the Scottish Fair Trade Forum, which supplies information, knowledge, training and resources to local Fairtrade groups and promotes Fairtrade businesses in Scotland.

From the launch of Campaign Coffee Scotland in 1979 and the first Scottish Fairtrade towns—Aberfeldy and Strathaven—in 2002, Scotland has always played a leading role in developing fair trade. There have been many milestones along the way, from the opening of Bala Sport, which is a Glasgow-based Fairtrade sports balls social enterprise, in 2014 to the launch of the world fair trade tartan in 2017 through a partnership between Villageworks Cambodia and Fair Trade

Scotland Ltd. The minister will agree that that tartan makes for an excellent tie.

The Scottish Fair Trade Forum has supported many of those milestones, and its work has led to a step change in fair trade activity in Scotland. That resulted in Fairtrade nation status in 2013, which was reconfirmed last year. I commend the Scottish Fair Trade Forum for the work that it does and its vision to take fair trade to the next level in Scotland, and I strongly urge the Scottish Government to continue the welcome support that it gives to the forum.

We have rightly heard much in the debate about the important and necessary role of aid in development, but we cannot and should not underestimate the essential role of trade in international development. That means that we must continue to put supporting fair trade at the heart of the Government's contribution to international development.

16:42

Bill Kidd (Glasgow Anniesland) (SNP): I welcome Ben Macpherson to his important new role.

Scotland is a country with a rich network of non-governmental organisations, charities and academic centres that are focused on international development. Many of those groups work in collaboration with, or are funded by, the Scottish Government. That collective effort mirrors the United Nations 2015 to 2030 global goals agenda, the goals of which are embedded in a number of Scottish Government policy areas, such as tackling poverty, taking climate action and, of course, international development.

Scotland can deliver ethical leadership through adopting international standards of best practice and by seeing policy coherence, which is a key aspect of the beyond-aid agenda, reverberate through our domestic and international development policy. We must embrace policy coherence for aid to work effectively. Coupled with that, we need to ensure that communities in aid-recipient countries are treated as partners and collaborators. Policy coherence ensures that development work that is done abroad is not undermined by policies at home. The UN global goals even outline that Governments' integration of development policy coherence must be a precursor to those global goals being achieved.

I highlight the Scottish Government's sustainable energy for all—or SEforAll—programme as an example of policy coherence currently working well in Scotland. The SEforAll projects are aimed at reducing energy inequity and building climate resilience in Malawi through renewable technology and education initiatives.

That echoes the Scottish Government's ambitious and far-reaching climate targets that are set out in the Climate Change (Emissions Reduction Targets) (Scotland) Bill and which are still developing. The Scottish Government is committed to making Scotland sustainable and curbing our carbon emission impact on the world.

Nearly one in five people around the world does not have access to modern energy services, and that lack of energy resulted in an estimated 2 to 3 per cent loss of gross domestic product in developing countries over the period of the millennium development goal agenda. In Malawi, only 9 per cent of the population has access to electricity; the figure falls to 1 per cent in rural areas.

In 2014, Scotland had the honour of welcoming Dr Kandeh Yumkella, who was a special representative of the then UN secretary general and chief executive of the sustainable energy for all UN initiative, to Glasgow for the Commonwealth conference on energy, equity and development. He emphasised that energy inequity impacts on the running of hospitals and health services, water availability, food security and schools. Tackling that inequality is crucial.

The funded SEforAll projects target energy inequity by working directly with rural communities to plan renewable technologies with local businesses. That mirrors international standards. In 2011, when the UN initiated the programme under Ban Ki-moon, he explained how renewable technology is the "golden thread" connecting development, social inclusion and environmental protection. Empowering and working in partnership with aid-recipient communities has powered two schools and health clinics with electricity and has resulted in 795 households purchasing those energy services and products in four rural villages in the Chikwawa district.

All that illustrates how Scotland has employed lessons of best practice from the development community's beyond-aid strategies—promoting policy coherence, community empowerment and partnership—which are widely called for. Scottish Government adoption of beyond-aid strategies amplifies our efforts to achieve global goals. As a small nation with global reach, we can make it known that Scotland is an advanced, sustainable and ethical country through consistency and integrity.

16:46

Lewis Macdonald (North East Scotland) (Lab): I, too, welcome the new minister and this new report. The debate has confirmed that the Scottish Government's contribution to international development continues to enjoy strong cross-party

support, as it has done since it was initiated by Jack McConnell back in 2005, when Patricia Ferguson was appointed as Scotland's first international development minister. It has also confirmed a larger truth: Scotland's contribution is not confined to Government alone, but involves and engages tens of thousands of people across civil society.

Members have focused mainly on the partner countries of Malawi, Zambia, Rwanda and Pakistan, while acknowledging that Scotland also makes a wider contribution directly and indirectly in many countries around the world. That point is made well by Scotland's International Development Alliance, with which I work closely, with the convener of the cross-party group on international development.

The alliance, which has more than 140 member organisations, works in about 140 countries around the world. It considers that reporting on Scotland's contribution to international development should not be confined to what the Government does at its own hand or to the four partner countries, but should cover all the organisations that are active in all those countries.

The other point emphasised by those working in the development field is that this policy area is not for one minister or one department alone, but it is important across the whole range of Government as, indeed, Ben Macpherson has highlighted. Therefore, the minister's presentation of the report in the context of the UN global goals is welcome.

The goals reflect recognition that development in other countries is intrinsically linked with development at home, as a number of members have said, and that the steps that we need to take to support the world's poorest countries are linked to the steps that we need to take to achieve sustainable and inclusive development in Scotland.

That is the context in which our amendment highlights the case for Scotland setting a target of zero net emissions by 2050. That case, as ministers will know, has strong support among NGOs. It reflects the point that climate change has the greatest impact on those who did least to cause it, and the need for countries such as Scotland to take the largest share in the actions that are needed to mitigate that, which Ross Greer, Liam McArthur and other members stressed in general terms.

Claire Baker and Alexander Stewart mentioned the Scotland Malawi Partnership's calls for more Scottish Government support for governance-related projects in Malawi. It says that it is regrettable that there have been few of those in the past decade, and that that situation needs to be addressed. All of us in this Parliament know,

from our own experience, that the best actions—and, indeed, the best investments—can be undermined if they do not have good governance to ensure that they are delivered. With this—the broadest, deepest and, in some ways, oldest of Scotland’s international partnerships—we should heed the call from the Scotland Malawi Partnership for a rebalancing of our efforts in the future.

In co-operating on the sustainable development goals in Scotland’s own national performance framework, we will make it easier to achieve the policy coherence for international development to which the minister referred, and which I think is a step in the right direction. However, we can never be complacent or rest on our laurels: the need for global action for development and justice is urgent and serious. Our efforts must be constantly reinvigorated by recognising and responding to new challenges and by finding new ways in which to add value to those efforts.

On that basis, I am certain that there will continue to be support, across this Parliament, for Scotland’s contribution to international development and for policies that can tackle poverty and inequality, both here in Scotland and around the world.

The Deputy Presiding Officer: I call Jamie Greene to close the debate for the Conservatives.

16:50

Jamie Greene (West Scotland) (Con): This has been a very short debate, which is symptomatic of the many short debates that we have had this week. However, I will attempt to do it justice as best I can.

It is fair to say that, internationally, a lot of progress has been made over the past couple of decades. According to the World Bank, there has been a 36 per cent reduction in absolute poverty in the last 40 years, which means that more than a billion people have been lifted out of it. However, let us not kid ourselves or forget that, in that time, the world’s population has exploded, and that more than 1.5 billion people still do not have access to energy for their basic needs, and rely on wood and charcoal for heating and cooking—things that we take for granted here in Scotland. While I suspect that the Scottish Government has no statutory requirement to dedicate either resource or funds to international aid, the fact that it does so is highly commendable.

We can see good practice and good will right across Scotland and in all walks of life, whether it is through the state-sponsored intervention detailed in the report or from large-scale organisations such as Enactus and WaterAid Scotland or local groups. In my region, the Valdete

Trust, which is based on the island of Arran, is a group that helps people with degenerative diseases in Albania, of all places. It is very heartening that it is within the Scottish psyche to support our friends, wherever they may be and whatever their needs are.

The report focuses very much on the good work that the Scottish Government is doing in Rwanda, Malawi, Zambia and Pakistan. Many of those schemes involve long-standing relationships, some of which have historical importance. There are countless countries and projects in which the Government could invest, so it has to make difficult decisions on where it thinks that Scottish intervention will have the most impact.

Alexander Stewart mentioned some concerns over governance, to which I will add my thoughts on the effectiveness and value of our strategy. Currently, Scotland’s international development fund allocates 20 per cent of its budget towards capacity strengthening, which funds projects such as Police Scotland working in Zambia or the training of 50 Pakistani women each year in conflict resolution and peacekeeping. However, the question is: how does the Government ensure that every pound spent is spent effectively? If we look across the border, there is an Independent Commission for Aid Impact whose focus is to evaluate how effective aid spending has been. At the moment, the UK Government’s Department for International Development has a pledge to ensure that, for each pound spent on aid, there is at least a pound’s worth of impact. We could argue that the impact should be more than that invested, but it is a good start. I accept that analysis at that level is very difficult and, as I have said, I appreciate that difficult decisions have to be made on what will have the biggest effect on those who need it, so I wish the minister well in that regard. However, I ask that he gives some thought to how he will evaluate how his budget is being spent and how he will alter future spending decisions.

Today’s motion contains the phrase

“cross-cutting themes on policy coherence for development”,

which is a little bit of jargon, but I hope that it means that the Scottish Government accepts that aid cannot be given in a silo. It must have a real impact on the communities and people to whom it is delivered. The Global Concerns Trust is an excellent example of that. It provides education to disabled people in Malawi, which has allowed them to increase their income and create more than 160 new businesses. To me, that sounds like targeted aid delivering tangible results. Development projects that help countries to develop business and to invest in capital and human infrastructure are the right ones, and we should encourage them. The revived African

Lakes Company, Malawi Mangoes, and Community Energy Malawi are all great examples of projects with tangible benefits and results.

The notion of “trade, not aid” is common parlance in today’s international aid circles. In fact, Nobel prize winner Angus Deaton highlighted that development aid should never undermine local capacity. Our intervention should facilitate basics and also facilitate business.

I will make a brief reference to Labour’s amendment. It has noble intentions but I think that it adds to the debate a new layer that 58 minutes is simply not enough time to properly debate.

I would like the Environment, Climate Change and Land Reform Committee to do its work and be given the time and space that it needs to report back to Parliament on emissions. I would also like the independent Committee on Climate Change to do its work and inform both Governments—I would like to see what it advises before we take a view.

In closing, I offer the minister the support of those on the Conservative benches in the work that his department is doing, but I do so with a request—that if we truly want to “leave no-one behind”, as his document says, Scottish aid must be delivered effectively, productively and safely, and everyone involved must do so in an accountable way.

16:55

Ben Macpherson: I thank all members who have participated in what has been an excellent debate. Before I make my concluding remarks, I will address some of the points that have been made, just for clarity.

Liam McArthur and Claire Baker raised the question of a diminished focus on Malawi. We are absolutely committed to Malawi as a focused partner. The £11.5 million that I announced for our new development and assistance projects for 2018 to 2023 includes a significant commitment to Malawi, including £1.5 million for civil society and governance work, which covers another point that has been made. We are also funding capacity building gains through our small grants programme in order to develop governance. We have given that focus and priority in considering previous applications for programme proposals. We will continue to encourage more Scottish organisations to partner with us on that, as well as taking forward our own initiatives. *[Interruption.]*

The Deputy Presiding Officer: Excuse me a minute, minister. I see that Angus MacDonald cannot hear you, and neither can I. You have a very gentle voice, for which I commend you, but the noise of other members saying their farewells

to each other is interrupting you, so I ask them to be quiet.

Ben Macpherson: Thank you, Presiding Officer. I will try to speak a bit louder.

For clarity, £3 million per annum is designated from the international development fund for Malawi, which receives the largest amount of funding through the fund. Let us be absolutely clear on that.

On the points that Ross Greer raised, for clarity, I point out that the Scottish Government and its enterprise agencies do not provide funding for the manufacture of munitions. Our agencies’ support is focused on helping firms to diversify and develop non-military applications for their technology.

We have heard powerfully from most speakers about the partnership working and collaboration in the way in which the Scottish Government and Scotland as a whole approach international development and about the important impact that that can have. That is why, in opening the debate, I spoke of our commitment to policy coherence for sustainable development. The report provides a summary of the Scottish Government’s key contributions to the UN global goals in our partner countries under our international development, humanitarian, emergency and climate justice funds. It also details how collaboration across Scottish Government portfolios is increasingly delivering success beyond aid spend. That includes citizenship education, partnerships on water with the Malawian Government and our global health network.

To address another point that has been made, our Climate Change (Scotland) Bill will add to that. I am passionate about tackling climate change and respect those in the NGO sector, colleagues and others who are pushing for a strong climate bill. The Scottish Government is also passionate about delivering a strong bill within the limits of feasibility. We have that question before us as the bill develops. It is important to emphasise that tackling climate change in a purposeful, robust and achievable way will make the biggest impact and difference both in Scotland and in working towards achieving the UN global goals.

In all the international development and humanitarian emergency work that we support, we aim to reflect our commitment to global goal 17—partnership—by including the civil society networking organisations that we support. That point was emphasised by many speakers.

Our support for a wide range of international development organisations also helps us to hear a myriad of views and voices. That is important because it helps us to build a myriad of collaborations, not just to deliver development

programmes but to progress lesbian, gay, bi, trans and intersex equality and rights, push for greater female empowerment, better protect those in marginalised groups and enhance the influence of young people.

Safeguarding was raised and I have been heartened by the commitment shown across the sector in Scotland, to working together to effect culture change and improve safeguarding. We have worked closely with Scotland's International Development Alliance and the Office of the Scottish Charity Regulator to support the sector, in particular by funding the alliance to develop a safeguarding support package, the pilot of which was launched last month at its annual conference.

Our efforts and commitment to safeguarding to protect vulnerable people will continue to form an integral part of our international development work in the years ahead. We will continue to collaborate with DFID, OSCR, the alliance and the wider international development sector in doing so.

In conclusion, I am delighted to present our "Contribution to International Development Report 2017-18" and glad that it has received positive feedback. It will continue to evolve over time in both format and content as we respond to our partners here in Scotland and in our partner countries. What will not change is our approach to international development itself. We will continue to focus on areas where development investment is most needed and where it can be effective and deliver impact, and to act as a good global citizen, contributing internationally by reference to the interests of our partner countries, rather than to our own interests.

That approach is in tune with our values of compassion, solidarity and internationalism. In this time of uncertainty, flux and challenge, those values are increasingly important. We should be proud of the collective achievement that our distinctive international development contribution has achieved both in the past year and since 2005. We should be proud of the contribution that we have made together, both for the benefit of Scotland as a good global citizen and for the intrinsic benefit of working in partnership in the interest of others and for global good.

Decision Time

17:02

The Presiding Officer (Ken Macintosh): The first question is, that amendment S5M-14425.2, in the name of Claire Baker, which seeks to amend motion S5M-14425, in the name of Ben Macpherson, on the Scottish Government's inaugural "Contribution to International Development 2017-18" report, be agreed to. 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)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Dugdale, Kezia (Lothian) (Lab)
 Fee, Mary (West Scotland) (Lab)
 Finnie, John (Highlands and Islands) (Green)
 Gray, Iain (East Lothian) (Lab)
 Greer, Ross (West Scotland) (Green)
 Harvie, Patrick (Glasgow) (Green)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Johnstone, Alison (Lothian) (Green)
 Lamont, Johann (Glasgow) (Lab)
 Macdonald, Lewis (North East Scotland) (Lab)
 Marra, Jenny (North East Scotland) (Lab)
 McArthur, Liam (Orkney Islands) (LD)
 McNeill, Pauline (Glasgow) (Lab)
 Rennie, Willie (North East Fife) (LD)
 Rumbles, Mike (North East Scotland) (LD)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Scott, Tavish (Shetland Islands) (LD)
 Smyth, Colin (South Scotland) (Lab)
 Wightman, Andy (Lothian) (Green)

Against

Adam, George (Paisley) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Dr 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)
 Constance, Angela (Almond Valley) (SNP)
 Corry, Maurice (West Scotland) (Con)
 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)
 Fabiani, Linda (East Kilbride) (SNP)
 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)
 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)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Harper, Emma (South Scotland) (SNP)
 Harris, Alison (Central Scotland) (Con)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lindhurst, Gordon (Lothian) (Con)
 Lochhead, Richard (Moray) (SNP)
 Lyle, Richard (Uddingston and Bellshill) (SNP)
 MacDonald, Angus (Falkirk East) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 Martin, Gillian (Aberdeenshire East) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 Mason, Tom (North East Scotland) (Con)
 Matheson, Michael (Falkirk West) (SNP)
 McAlpine, Joan (South Scotland) (SNP)
 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)
 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)
 Russell, Michael (Argyll and Bute) (SNP)
 Scott, John (Ayr) (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)
 Todd, Maree (Highlands and Islands) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
 Wells, Annie (Glasgow) (Con)
 Wheelhouse, Paul (South Scotland) (SNP)
 Whittle, Brian (South Scotland) (Con)
 Yousaf, Humza (Glasgow Pollok) (SNP)

The Presiding Officer: The result of the division is: For 22, Against 80, Abstentions 0.

Amendment disagreed to.

The Presiding Officer: The question is, that motion S5M-14425, in the name of Ben Macpherson, on the Scottish Government's inaugural "Contribution to International Development" report, be agreed to.

Motion agreed to.

That the Parliament notes the publication by the Scottish Government of Contribution to International Development Report 2017-18, which presents its contributions to international development in collaboration with partners, particularly in its partner countries, Malawi, Zambia, Rwanda and Pakistan, in support of the UN Global Goals; further notes the cross-cutting themes on policy coherence for development in areas such as health, education, climate change and human rights, while safeguarding beneficiaries; welcomes the significant contributions of international development organisations, civic society, universities, the NHS and Police Scotland to global citizenship and collaborative international development initiatives; believes that ongoing collaborations with the Department for International Development, Comic Relief and other donors, and the co-creation of international development initiatives with the NHS, Police Scotland, universities, civil society organisations and others, will continue to strengthen Scotland's position as an outward-looking, committed global citizen; considers that Scotland should continue to provide a positive and progressive voice in the world, for compassion, tolerance, diversity and social justice; recognises the strong cross-party approach and support for international development across the Parliament, and reaffirms strong support for Scotland's distinct and collaborative contributions to international development to help tackle global challenges, including poverty, injustice and inequality.

Meeting closed at 17:04.

This is the final edition of the *Official Report* for this meeting. It is part of the Scottish Parliament *Official Report* archive and has been sent for legal deposit.

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