



OFFICIAL REPORT
AITHISG OIFIGEIL

Meeting of the Parliament

Tuesday 17 December 2019

Session 5



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Scottish Parliament

Tuesday 17 December 2019

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

Time for Reflection

The Presiding Officer (Ken Macintosh): Good afternoon. Our first item of business today is time for reflection, for which our leader is the Rev Robert J M Anderson, the minister of Knockando, Elchies and Archiestown parish church, linked with Rothes parish church in Moray.

The Rev Robert J M Anderson (Knockando, Elchies and Archiestown Parish Church, linked with Rothes Parish Church, Moray): Presiding Officer and members of the Scottish Parliament, thank you for this opportunity to share with you in your time for reflection.

As we approach Christmas, the fever of the season can begin to overtake us. There is so much to be done: cards to be written and food to be bought, and we think about gifts to be given. The area of gifts is one fraught with danger. I remember one year, when I was a child, I opened my present from my granny and received a pair of ladies stockings. My mother opened her present from my granny and received a child's cowboy hat.

This year, I find myself thinking about what kind of gift I might have given to Jesus. A verse came to my mind from one of my favourite carols, "In the Bleak Midwinter". Do you recall the last verse of that carol?

"What can I give Him,
Poor as I am?
If I were a Shepherd
I would bring a lamb;
If I were a Wise Man
I would do my part,
Yet what I can I give Him,
Give my heart."

The gospel tells us that Jesus was born in circumstances that might have caused gossip in some circles. Furthermore, birth in a manger was hardly ideal from a health and hygiene point of view—and we remember that some children in the world today are still born in appalling conditions.

Joseph and Mary had journeyed from Nazareth to Bethlehem in order to register to pay taxes. When they arrived in Bethlehem, a byre was the only place that they could find to stay. Out in the fields, though, working shepherds had an astonishing experience. A great company of the heavenly host appeared with the angel praising God and announcing the birth of the Holy One. It was no ordinary night.

I return to my thoughts about what I might give to Jesus this Christmas—and always. I find my answer in the parable of the sheep and the goats in Matthew's gospel, chapter 25. Jesus said:

"Truly I tell you, whatever you did for one of the least of these brothers and sisters of mine, you did it for me."

It is the gift that should keep on giving. That is what local churches throughout the land strive to do, day by day. Happy Christmas. *[Applause.]*

Business Motion

14:03

The Presiding Officer (Ken Macintosh): The next item of business is consideration of business motion S5M-20239, in the name of Graeme Dey, on behalf of the Parliamentary Bureau, setting out revisions to today's business and tomorrow's business.

Motion moved,

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

(a) Tuesday 17 December 2019—

after

followed by Topical Questions

insert

followed by Ministerial Statement: Outcome of the UK General Election

(b) Wednesday 18 December 2019—

after

1.30 pm Parliamentary Bureau Motions

1.30 pm Portfolio Questions: Education and Skills; Health and Sport; Communities and Local Government

insert

followed by Ministerial Statement: Rail Update

followed by Ministerial Statement: Ferguson Marine Update.—[*Graeme Dey*]

Motion agreed to.

Topical Question Time

14:04

Conference of the Parties 25

1. Gillian Martin (Aberdeenshire East) (SNP): To ask the Scottish Government what its response is to the outcome of COP25. (S5T-01928)

Roseanna Cunningham (Perthshire South and Kinross-shire) (SNP): Although certain decisions in areas such as gender were reached at COP25, I was concerned that key agreements needed for the Paris agreement rulebook on, for example, international carbon markets and common timeframes were postponed until 2020. COP26 in Glasgow will be important not only because of the need for those high-profile decisions to be made, but because of the need to raise ambition and take action.

When I engaged with other stakeholders, it was clear that the expectation for COP26 is for greater ambition, action and inclusivity. Glasgow must set the world on course for a net zero future by mid-century. Our reputation as a world leader and our ambitious new targets, as set out in the Climate Change (Emissions Reduction Targets) (Scotland) Act 2019, present a strong platform from which delegates at the COP can productively discuss further action on tackling climate change.

Gillian Martin: I want to ask about the cabinet secretary's bilateral meetings with other countries. We all know that the United States, under Donald Trump, has withdrawn from the Paris agreement. Do US state representatives remain engaged?

Many environmental schemes that we have in Scotland are supported by the European Union. Despite the general election happening at the same time as COP25, has the United Kingdom Government provided any clarity on future funding arrangements? Is the cabinet secretary able to give any detail on its direction of travel on climate change?

Roseanna Cunningham: I had a fair number of positive bilateral meetings with a range of Governments, including Norway and members of the Under2 Coalition, such as Baden-Württemberg. I was also pleased to meet representatives of the California government, as well as the mayor of Pittsburgh and officials from the new United States Climate Alliance. It was clear from those discussions that the various state governments, and many individual states and cities in the United States and throughout the world, remain committed to the actions of the Paris agreement.

I am not quite sure whether in the second part of her question the member asked about the costs of COP26 specifically or more general funding for EU programmes. If it is the latter, I can say that many of our environmental schemes are supported and funded by the EU. We know that that is the case. I am deeply concerned about the loss of EU funding for the delivery of environmental outcomes and I have continually pressed the UK Government to provide clarity on future funding arrangements, as has my colleague Fergus Ewing. In the absence of that clarity, the Scottish Government has published its own consultation on the replacement for the EU structural funds, to give stakeholders the opportunity to bring their experience and expertise to the development of any successor arrangements. It is past time that we had greater clarity from the UK Government.

Gillian Martin: The cabinet secretary spoke about the costs of COP26. It is fitting that COP26 should take place in Glasgow, given the city's ambitions to address climate change and that Scotland leads UK action on climate. What discussions have taken place with the UK Government on the costs of the event?

Roseanna Cunningham: The UK Government has already committed to covering core costs, but I expect all costs associated with COP26 to be borne by the UK Government, including funding for police, fire and ambulance services to prepare for and deliver a safe, secure and successful event. Once again, we continue to seek clarity from the UK Government on that key issue, which will be extremely important as we get into the run-up to the event in Glasgow next year.

Mark Ruskell (Mid Scotland and Fife) (Green): One of the few rays of hope to come out of COP25 was the announcement by the European Commission of a European green deal. It announced that 25 per cent—a quarter—of EU budgets will be put into climate action. Given that the UK is set to leave the EU, although I am sure that Scotland will rejoin as an independent nation when the time is right—we are going to get it done—what options are there right now for us to collaborate with EU partners?

Roseanna Cunningham: As the member is probably aware, that will be a challenge, but it is a challenge that we have indicated from the outset that we want to meet. We will continue to engage as directly as possible with the EU. The intention in Scotland is to continue to reflect the progress that is being made in the EU across all of those issues. I was glad that the EU made that announcement, although, as the member will be aware, the target setting at the EU level is not as ambitious as it is in Scotland. Nevertheless, we want to continue to have that dialogue with the EU and I will look for every opportunity possible to

continue that, notwithstanding anything that happens in January, July or next December. Like the member, I regard this situation as a temporary blip, and I look forward to our being a full partner in the EU again in the future.

Maurice Golden (West Scotland) (Con): The COP coming to Glasgow next year will be the perfect opportunity to showcase the role of Scotland's world-class farming sector in tackling climate change. When will the agricultural modernisation fund be ready to support our farmers in doing that?

Roseanna Cunningham: If my colleague the finance secretary was standing here, he would probably come back with some interesting lines about the UK Government getting on with its budget so that we can get on with our budget.

Claudia Beamish (South Scotland) (Lab): Does the cabinet secretary agree with the United Nations secretary general António Guterres that COP25 was disappointing due to the lack of action in areas such as financial support, particularly from richer countries, to the global south? Can she help to ensure that the same mistakes are not made next year when the COP comes to Glasgow? Will she commit to working inclusively with other parties and those in no party who are eager and willing to work with her to support the development of various actions?

Roseanna Cunningham: The Government intends to work as widely as possible with others in the run-up to COP26. I agree with António Guterres comments. It was clear that some of the most difficult aspects of the negotiations were, in effect, kicked down the road, so they will be issues again in Glasgow in 2020. Although a lot of people are focusing on the carbon markets aspect of article 6, there was also a bit of a failure on the question of loss and damage associated with the impacts of climate change. When I was in Madrid, I had meetings with a number of environmental organisations that brought to me folk from the global south who are very concerned about the lack of movement regarding those impacts. I have undertaken that, where it is possible, the Scottish Government will be an advocate for the global south, and we will continue to do that.

It is important to focus on ambition and action, but it is also important that COP26 in Glasgow next year is as inclusive as possible and opens the door to groups such as those in the global south, the indigenous peoples of the world and the Under2 Coalition, which comprises an enormous amount of effort on the reduction of emissions around the world.

Child Poverty

2. David Stewart (Highlands and Islands)

(Lab): To ask the Scottish Government what its response is to research suggesting that one in 10 children will be deprived of warmth or fresh food this Christmas. (S5T-01923)

The Cabinet Secretary for Communities and Local Government (Aileen Campbell): It is absolutely unacceptable that families are unable to afford basic necessities and are forced to go cold and hungry at any time of the year, and especially at Christmas. In 2018-19, we invested over £1.4 billion in support targeted at low-income households, including investment in fuel poverty and energy efficiency measures. This year, we are going further and have increased our fair food fund to £3.5 million, with £2 million focused on tackling food insecurity in the school holidays. Our tackling child poverty delivery plan outlines our concrete action to reduce child poverty and includes plans to make the first payments of the Scottish child payment to eligible families with children under six by Christmas next year.

David Stewart: Research from Action for Children concluded that over 64,000 children face a difficult festive season lacking basics such as a warm coat and a heated home—that is one in 10 children facing a Christmas of want, not warmth. What is the cabinet secretary doing to ensure that the crisis is eliminated by next Christmas?

Aileen Campbell: As I outlined in my original response, the Scottish Government believes that it is unacceptable for families to endure the poverty levels that David Stewart described. That is why we are targeting £1.4 billion on low-income households and have increased our fair food fund to £3.5 million, with £2 million focused on tackling food insecurity in the school holidays; it is also why, collectively as a Government, we have taken the decision to bring forward the first payments of the Scottish child payment to lift children directly out of poverty by next Christmas.

That is what this Government is doing, but we do so with one hand tied behind our back because of—let us not forget—the austerity measures and welfare cuts of the United Kingdom Government. The Resolution Foundation, after looking at the Conservative manifesto for the recent general election, made projections of a 60-year high in child poverty levels. We will therefore do what we can, but we are mitigating around the edges. We need the powers of full independence to be able to tackle child poverty head on once and for all.

David Stewart: I do not doubt the cabinet secretary's good intentions, but the statistics do not lie. They show the harsh reality of poverty across Scotland today. Children in need want action now, not promises of a ghost of Christmas

yet to come. Will the cabinet secretary urgently look at Action for Children's research and act upon it?

Aileen Campbell: The Scottish Government looks at all research and does all that it can to tackle child poverty. The Scottish child payment is more than a good intention—£1.4 billion invested in low-income households is more than a good intention; it is a tangible action that the Government is taking here and now. Next year, we will roll out the Scottish child payment which is, again, something that Labour members have called for but have yet to properly and absolutely welcome.

We will continue to do what we can, mitigating where we need to and protecting families where we can, but we need to make that our focus. We are the bringers of bad news to families at all times of year, not just at Christmas, as the UK Government cuts welfare and social security and damages the potential and the future outcomes of children. It needs to change its actions and, as a Government and a Parliament, we need to get behind the call for it to do so.

Shona Robison (Dundee City East) (SNP): Will the cabinet secretary further outline what impact the UK Government's welfare cuts have had on children in Scotland and how that has affected the Scottish Government's ability to tackle child poverty in areas with high levels of child poverty, such as my constituency in Dundee?

Aileen Campbell: The welfare cuts and social security reductions have had an enormous impact in the communities that Ms Robison has described. The Scottish Government's 2019 welfare reform report shows that UK Government cuts continue to reduce incomes for families across Scotland, with 8,500 families already having had their income cut by universal credit and the two-child limit. That figure will reach 40,000 at full roll-out, bringing up to 20,000 children into poverty. The benefit cap is affecting more than 3,000 households, who are losing on average more than £3,000 per year. The UK Government continues not to address the benefit freeze. We have to invest £100 million to mitigate the worst impacts of welfare reform, which the United Nations rapporteur on poverty described as "outrageous".

It is clear that UK Government cuts continue to impact and affect vulnerable families. If we listen to the new UK Government, its manifesto will increase child poverty levels to a 60-year high. That is outrageous. It shows again, in sharp focus, that we have the choice of two futures: we either continue with Boris Johnson's austerity, and face that potential 60-year high in child poverty, or we work towards a future in which we can create a

fairer Scotland and every child has a chance to flourish.

Alex Rowley (Mid Scotland and Fife) (Lab): I have a debate later today on the Menu for Change report, which looks at food poverty. That report highlights that there are differences in benefit take-up across Scotland. Some local authorities are better than others. Does the cabinet secretary agree that that is something that she needs to take on board, and that she ought to bring people together? I know that her predecessor as Cabinet Secretary for Communities and Local Government did that, with some interesting results.

Aileen Campbell: We have a welfare take-up strategy that is being led by Shirley-Anne Somerville. We also have the money talk team, which is ensuring that people can get access to the benefits, money advice and financial support that they require. That, again, is a further investment to support households who need it, particularly at this time of the year. We will continue to do what we can to support families to maximise their household budgets, but it is very difficult to continue to do so when we have one hand tied behind our back. We will continue to make sure that families get the benefits that they are entitled to, and to support them to increase their household budgets.

General Election Outcome

The Presiding Officer (Ken Macintosh): The next item of business is a statement by Nicola Sturgeon on the outcome of the United Kingdom general election. The First Minister will take questions at the end of her statement, and I encourage all members who wish to contribute or to ask a question to press their request-to-speak buttons as soon as possible.

14:19

The First Minister (Nicola Sturgeon): Presiding Officer, with your permission, I wish to make a statement on the outcome of last week's general election.

Let me begin by thanking the returning officers and everyone involved in organising the election. Their efficiency, integrity and hard work, in this case at very short notice, are essential to the smooth conduct of our democracy.

I also want to congratulate successful candidates from all parties and commiserate with the unsuccessful candidates. As somebody who stood unsuccessfully in two Westminster general elections, I have a good understanding of how they will feel. In addition, it is worth recognising that this was the first December general election in more than 90 years, and I suspect that the candidates and activists who are still thawing out will hope that it will be some time before the next winter election takes place.

Notwithstanding the challenges of bad weather and dark nights, it is important to note that turnout in Scotland actually increased—a fact that I am sure will be welcomed by all of us.

The election was comprehensively won in Scotland by the Scottish National Party. Indeed, one has to go as far back as the election of Ted Heath in 1970—the year I was born—to find a party that got a higher share of the vote across the United Kingdom than the SNP did in Scotland last week. That is by any measure a significant vote of confidence and my colleagues and I will work hard each and every day to repay the trust that has again been placed in us. It was also an endorsement of our election message that Scotland does not want a Boris Johnson Government, that we do not want to leave the European Union and that, although opinions may differ on the substantive question of independence, we want Scotland's future to be in Scotland's hands.

By contrast, although the Conservative Party won a majority UK-wide, it was once again heavily defeated here in Scotland, having fought the election on the single issue of opposition to an

independence referendum. It lost not only vote share but more than half its seats. In fact, the Conservatives have now lost 17 consecutive Westminster elections in Scotland, stretching as far back as 1959. In spite of that—and this is a serious point—we face a majority Tory Government implementing a manifesto that Scotland rejected. Furthermore, 74 per cent of votes in Scotland were cast for parties that either supported remaining in the EU or were in favour of a second EU referendum. Ninety per cent of seats were won by pro-EU or pro-EU referendum parties. Regardless, however, we are set to be dragged out of the EU against our will.

Such a democratic deficit is not only undesirable—although it most certainly is that—but completely and utterly unsustainable. The fact is that this election demonstrated a fundamental point: the future that is desired by most people in Scotland is very clearly different to that which is favoured by much of the rest of the UK. It is therefore essential that a future that is outside Europe and governed by an increasingly right-wing Conservative Government is not foisted upon Scotland. Instead, we must have the right to consider the alternative of independence. That is why, later this week, in line with repeated election mandates—which were reinforced once again last Thursday—I will publish the detailed democratic case for a transfer of power from Westminster to this Parliament to allow for an independence referendum that is beyond legal challenge. This Parliament will also vote on the final stage of the Referendums (Scotland) Bill, which will put in place the framework for a future referendum.

There are already some signs that those who previously opposed an independence referendum, when faced with the democratic reality of Thursday's result, are now rethinking that position. I welcome that, although I also want to be clear that I do not assume that an acceptance of Scotland's right to choose will always equate to support for independence, just as I do not assume that everyone who voted SNP last week is yet ready to vote for independence. I recognise the work that those of us who support independence still have to do to persuade a clear majority in Scotland that that is the best way forward for our country.

Nevertheless, it is clear that there is a growing cross-party recognition that election mandates must be honoured, that there has been a material change of circumstances and that the question of independence must be decided by the people and not by politicians. Given the nature of what we are now facing in terms of UK governance, that is a matter of some urgency, which is why this Government wants people to have a choice next year.

Back in the early 1990s, when Scotland was facing the prospect of a fourth Tory Government with no mandate here, there was a coming together of political parties, communities and civic Scotland.

That resulted in the establishment of this Parliament, which has achieved much. However, a new Brexit-focused Tory Government presents risks that few could have predicted at the dawn of devolution. So, I hope that in the coming days and weeks, we will see a similar coming together around the idea of Scotland's right to choose a better future.

Of course, we must also redouble our efforts to protect Scotland as best we can with the powers that we already have. This Government is determined to do that, and I ask other parties in this chamber to support us in that task. I will cite just one example. Last month the Resolution Foundation published research showing that, under Conservative plans for social security, child poverty could reach a 60-year high. By 2023, more than one in three children across the UK could be living in poverty. I am sure that no one in this chamber will find that remotely acceptable. That means that our child poverty action plan and our work to implement the new Scottish child payment will be even more important than they were already.

Of course, it now seems inevitable that at the end of January, Scotland will be taken out of the European Union against our will. Throughout the Brexit process, the Westminster Government has ignored the wishes of the people of Scotland and the views of this Parliament. Now, it seems that the Prime Minister is determined to quickly push through the withdrawal agreement bill. This Parliament will have to consider whether it will give consent to that bill. If the UK Government was to press ahead without that consent, that would be further proof of Westminster's contempt for devolution and its willingness to tear up established constitutional rules in its pursuit of Brexit.

The hard Brexit—possibly a no-deal Brexit—favoured by the Prime Minister poses a real danger to our economy and to social and environmental safeguards at a time when we must substantially step up our efforts to tackle climate change. Brexit will also put parts of our health service in the sights of US trade negotiators. It could mean, for example, that the national health service has to pay higher prices for drugs. Brexit is the cause of significant uncertainty and worry for our fellow EU citizens, who contribute so much to modern Scotland. Scotland must respond to, and seek to overcome, those challenges.

To that end, just as we did in the immediate aftermath of the Brexit vote, the Scottish

Government will in January convene a number of round-table meetings, bringing together key groups that represent different aspects of Scottish life. Those will include civic society, trade unions, the business community, religious and minority groups and our partners in local government. We will also engage with the standing council on Europe to ensure that we take whatever steps we can to retain our relationships in Europe and identify ways to ensure that our voice and our interests are heard. We will listen to the conclusions of the citizens assembly when it reports in the spring about the kind of country that we should be seeking to build.

There is also a particular and immediate challenge that will require cross-party co-operation. This Parliament is required to deliver a budget before the start of the next financial year, and Scotland's local authorities would expect to set their budgets in late February or early March. At this point, the UK Government has not confirmed when it will produce its own budget—and with it the block grant adjustments for Scotland—but it might not be until March. Although contingency planning and alternative options have been under consideration for some time, meeting this timetable will require parties to work together. In the spirit in which this Parliament was established, and notwithstanding the many disagreements between us, I hope that we can find common ground and work together on a range of issues.

This is indeed a watershed moment for Scotland. We are facing a Tory Government that Scotland did not vote for, and which many fear will pose a real danger to our country and the fabric of our society. This Parliament has a duty to protect the values that people in Scotland voted for. I believe that we can only fully do that with independence, and that is why later this week I will take the next steps to secure Scotland's right to choose.

However, independence is not an end in itself. It is all about building a fairer and more prosperous country, so we will also do everything we can to achieve that with the powers that we have right now. We must tackle child poverty; protect our NHS and help it overcome the challenges of rising demand; and support an open, innovative and export-orientated economy. We must ensure that Scotland remains an open, welcoming, inclusive country, where people treat each other with kindness, dignity and compassion.

That is not a task for any one party—although as Scotland's Government, my party will take a lead—but a job for all of us. My commitment is that I will seek to work with members across this chamber and with civic Scotland as we face the challenges ahead—and, most important, as we

seek to build the better, fairer and more prosperous Scotland that people did vote for.

Jackson Carlaw (Eastwood) (Con): I cannot help but contrast the First Minister's haste to make her statement today with what happened two years ago, in 2017, when we were obliged to wait three long weeks after the general election before the First Minister deigned to provide Parliament with her thoughts. I am trying to think what is different.

What the election has confirmed beyond doubt or debate is that the whole United Kingdom together will be leaving the European Union at the end of next month. The campaign to stop that happening has failed—our departure is going ahead, and the result of the 2016 UK referendum will be respected.

I know that there are deeply held views about Brexit across the chamber, but given that it is now happening, Brexit is no longer a "What if ...?" It is a political reality for us all. The whole UK together will enter the period of transition and leave on the basis of the future trading arrangements with our EU partners, which are to be negotiated next year.

Given that, will the First Minister now seek to engage constructively with the UK Government, whose responsibility it is to lead those negotiations on our future relationship, as we prepare to leave? Will the First Minister give Parliament an assurance that she will do so not on the basis of pointlessly seeking further to frustrate Brexit, but on the basis of having acknowledged that it will happen?

Will she seek to represent key interests in Scotland whose future prospects depend on her doing so—for example, the north-east's fishing industry, which stands to benefit from our departure?

Will she heed the words of business organisations such as the Confederation of British Industry, which are urging us all to break the cycle of uncertainty that has hung over Scotland for so long, so that we can all move on together?

The First Minister: After the 2017 general election, I took time to reflect on the results. I respectfully suggest that Jackson Carlaw do the same now. I remember being told by the Tories, back then, that because the SNP had lost a third of the seats that we had previously held, we had no right—even though we had won the election overwhelmingly—to implement the manifesto commitments that we had put forward in that election campaign.

Here we are today, however. The Tories lost the election overwhelmingly in Scotland; they lost more than half their seats, but we are in the ridiculous position in which they are arguing that it

is their manifesto that should be implemented, not the manifesto of the party that fairly and squarely won the election here.

The Tories fought the election on the sole issue of opposition to an independence referendum. This is what the Tories said the day before the election last week:

“Either Nicola Sturgeon wins and gets indyref2”

or you can vote for the Scottish Conservatives.

Well, Nicola Sturgeon and the SNP did win the election and, frankly, democracy should follow.

I will do, on Brexit, what I have done for three and a half long years: I will try to engage with the UK Government, and I will try to protect Scotland's interests. However, if the experience of the past three years is anything to go by, I would be better advised to bang my head off a brick wall. Conservatives at Westminster are not interested in Scotland's voice and have no interest in standing up for Scotland's interests.

For Jackson Carlaw to stand up in this chamber and gloat about the fact that every part of the UK will be leaving the EU together is a disgrace, and it is a democratic disgrace that Scotland faces being dragged out of the European Union against our will. That is why we should have a choice about a better future. If the Scottish Conservatives had any respect whatever for democracy, that is exactly what we would have.

Richard Leonard (Central Scotland) (Lab): I will make two brief points. First, the Scottish Labour Party is happy to support the Scottish Government's demands to have a seat at the table in the Brexit negotiations. We think, after last Thursday, that that is more important than ever.

Secondly, the First Minister has compared the position in Scotland today with the position in 1992. Again, I state for the record that we are happy to work on a cross-party basis, as we did then, to resist the attacks that Boris Johnson will make on the people.

However, there is a fundamental difference between now and 1992. We now have the Scottish Parliament. Will the First Minister use all the powers of the Scottish Parliament as part of that campaign of resistance? I am happy to join the First Minister in George Square. Will she use the powers of this Parliament?

The First Minister: Yes, I will. A considerable part of my statement was about how we need to redouble our efforts to use the powers of this Parliament, which this Scottish Government has always done, to protect Scotland from an increasingly right-wing Conservative Government. What we are doing already to mitigate welfare cuts, the plans to introduce the Scottish child

payment and so many more of our policies, are designed to do exactly that. I welcome any attempt to work on a cross-party basis to that effect, and will reach out to anybody in this Parliament who wants to do so.

However, I say to Richard Leonard in all sincerity that there is a fundamental difference between us. I support the ability of the Scottish Parliament to do as much as it can, but I never supported having a Scottish Parliament just so that we could mitigate the worst impacts of a Conservative Government at Westminster. I believe fundamentally that this Parliament will be better as an independent Parliament, so that we do not have to mitigate what a Tory Government does, and so that we can decide for ourselves the policies that are right for Scotland.

I respect the reality, although I disagree with it, that when push comes to shove, Richard Leonard is happier with a Conservative Government at Westminster than he is with self-government for Scotland. For all that, the point around which we should be able to unite is this: it is not for me, neither is it for Richard Leonard, Jackson Carlaw or Boris Johnson to decide whether Scotland should become independent. It is for the Scottish people to decide whether Scotland should become independent. My party has a mandate to offer that choice, so I welcome the many voices in Scottish Labour saying that that mandate should be respected. Richard Leonard should reflect carefully on that.

Patrick Harvie (Glasgow) (Green): The Scottish Greens are more than ready to campaign again for Scotland's future to be decided by the people who live here, and for independence to be the path that we take. We are ready for that campaign to begin, and we are ready to win it.

However, the Scottish Government must recognise that it has a more urgent task to tackle, first. That task is to protect people from the party that brought us the bedroom tax, the two-child limit and the anti-immigrant hostile environment. Now that the Boris Johnson Government has a majority, we can expect it to be brutal to the most vulnerable people in our society.

Does the First Minister agree that investment in public services, in community resilience and in local support networks has never been more important, and that it must be a feature in the budget that we will look at in the coming weeks?

I also want to ask about a policy that the UK Government has not put much flesh on the bones of: the industrial-scale tax-avoidance and money-laundering scam that is known as free ports. Can we have an assurance that the Scottish Government will do everything possible to resist

the application of that policy in any part of Scotland?

The First Minister: I have been very clear that the way to ensure that we maximise trade between Scotland and all of the UK, and between Scotland and the rest of Europe, is not to have free ports, but to stay in the customs union and the single market, or—preferably—to stay in the European Union. Anything short of that would be second best and would raise a range of other questions.

On Patrick Harvie's other question, I agree that our immediate task is to protect Scotland as much as we can from the Conservative Government. That is what we have been doing for the past few years, since the Tories have been in Government. We are spending more than £100 million a year on mitigation of welfare cuts, including the bedroom tax, and we are using our limited welfare powers to raise the incomes of the poorest people in our society.

Our ability to do that will always be constrained by the budgetary decisions that are taken at Westminster. At the end of this decade, our budget will be £1.5 billion lighter in real terms than it was at the start of the decade, when the Tories took office.

Patrick Harvie will hear no argument from me about the need for us to do everything that we can to protect people from the Tories. However, the best thing that we can do to protect Scotland from the Tories—I know that Patrick Harvie agrees—is give people the choice of an alternative future in which we will never again have to put up with a Conservative Government for which we did not vote.

The benefit of independence would be that we could have our disagreements in the Scottish Parliament, but people voting in elections would get the Government that they voted for, rather than having a Government that is foisted upon us and which does so much damage. That is why giving people in Scotland that choice is so urgent.

I do not want it to be the case that, over the next few years, Scottish Governments of whatever colour or party can only mitigate the impacts of Tory policies. I want us to escape Tory policies completely, and once and for all. That is what we will get with independence.

Willie Rennie (North East Fife) (LD): I congratulate the First Minister on the election last week. She achieved a vote share of 45 per cent—among those who voted. However, I question whether all those who voted for the SNP voted for another independence referendum. John Nicolson failed to mention independence in his campaign leaflet setting out SNP priorities. Member of the UK Parliament, Richard Thomson, said:

“a vote for me ... is not ... a vote for Scottish independence and I will never, ever, try and claim it as such”.

Does the First Minister see that the country has had enough of division and that we need to learn the lessons of Brexit, rather than repeat them with independence? She has failed to persuade even half the country that there should be another referendum.

The First Minister: Many people from across the UK showed last Thursday that they had had enough of the Liberal Democrats—but that is another matter altogether.

This is a matter for the Presiding Officer, but I think that we might save a bit of time in the Scottish Parliament if we would just combine the Tory and Liberal Democrat questions, because they are pretty much the same. They show the same deeply undemocratic approach on Scotland's ability to choose our future.

As I have said in responding to the results in the early hours of Friday morning and in my statement today, I do not assume that everyone who voted SNP last week supports independence, as per the quotation that Willie Rennie read out from Richard Thomson. However, it is reasonable to say, and not credible to deny, that people understood the SNP's proposition on offering people in Scotland a choice.

Before the election, the Tories and their Liberal partners said that I did not talk about anything other than an independence referendum. Since we won the election, they have been trying to say that we did not tell anyone that that is our policy. That is completely ridiculous. We were clear about our policy—but even if we had not been, the Tories and the Liberals were being very clear about our policy.

Jackson Carlaw said that opposition to an independence referendum was on the ballot paper. It was on the ballot paper—and the Conservatives and the Liberals lost the election in terms of the share of the vote and of the percentage of seats that were won by the SNP. Both are higher than what Boris Johnson got, which he is claiming is a mandate to “Get Brexit done.” Their contempt for democracy is not making those parties seem tough—it is making them seem ridiculous. The more contempt they show for Scottish democracy, the more support for Scottish independence will rise.

Keith Brown (Clackmannanshire and Dunblane) (SNP): Not only did the Scottish Tories fight their campaign on the single issue of opposing an independence referendum, but it was on every single piece of literature that came through the door. The Scottish Tory leader, Jackson Carlaw, said that, in this election,

“the Union is on the ballot paper”.

Given that the Conservatives lost the majority of their seats in Scotland, including Stirling and Ochil and South Perthshire, which straddle my constituency, does the First Minister agree that the election was a clear rejection of the Tories’ opposition to an independence referendum and that the people of Scotland must have their say?

The First Minister: Happily, I have a Scottish Conservative leaflet with me. Here is what it says:

“On Thursday, you”—

the Scottish people—

“will decide whether or not there is another independence referendum. There is only one way to stop it”—

voting

“Scottish Conservative”.

The Scottish Conservatives’ vote share declined; the Scottish Conservatives lost more than 50 per cent of their seats; and the SNP won the election with a higher share of the vote, and a higher percentage of seats, than the Tories managed UK-wide. I think that that is pretty decisive, and if the Tories and any party in the chamber have any respect for democracy, they will allow the people of Scotland to choose a better future: with independence.

Murdo Fraser (Mid Scotland and Fife) (Con): Today the Fraser of Allander institute predicted that the Scottish economy will grow faster as a result of the Conservative victory in the general election. One immediate beneficiary of that is of course the First Minister’s Westminster colleague Ian Blackford, who stands to make a reported seven-figure sum from the sale of his interests in the company Commsworld—a sale that depended on a Conservative election victory. *[Interruption.]*

The Presiding Officer: Order, please. *[Interruption.]* Mr Fraser, hold on a second. *[Interruption.]*

Order! I appreciate that this is the first discussion after the election, but I ask colleagues to listen to the questions, and then we will hear the answers. I ask the Cabinet to set an example. *[Interruption.]* Thank you.

I ask Murdo Fraser to finish his question—or to start his question again.

Murdo Fraser: Thank you, Presiding Officer. Just in case they did not hear it, let me remind SNP members that Mr Blackford stands to make a seven-figure sum from the sale of his interest in the company Commsworld—a sale that depended on a Conservative election victory.

Does the First Minister agree with the Fraser of Allander institute analysis that Mr Blackford is not

the only one who will benefit from the post-election economic bounce?

The First Minister: Presiding Officer, the Scottish Cabinet sets an example every day, and it is an example that was endorsed by the Scottish electorate just a matter of days ago.

Looking around, I see that, not surprisingly, Ruth Davidson is not in the chamber. I suspect that, had she been present, Murdo Fraser might not have been quite as keen to talk about the outside earnings of members of Parliament. I will move swiftly on.

The tone and the tenor of Murdo Fraser’s question tell us everything that we need to know about how down in the dumps and mired in doom and gloom the Scottish Conservatives are. And why would they not be so? They have just lost more than half their seats in Scotland.

Jackson Carlaw is now styling himself as the leader of the Scottish Conservatives. I am not aware that he has even given anybody the chance to put forward a nomination to oppose him. That is the Scottish Conservatives’ commitment to democracy.

Jackson Carlaw: What about you, First Minister?

The First Minister: They had the opportunity, Jackson, which is more than you have given anybody else.

On the question about the Fraser of Allander institute, I think that it was the institute—I will be corrected if I am wrong, but it was certainly a range of experts—that said that Brexit, particularly the hard Brexit favoured by Boris Johnson and now by his loyal Scottish leader, Jackson Carlaw, will cost every person in Scotland £1,600, compared to staying in the European Union. That is the price of the Conservatives’ obsession with Brexit, and it is a price that people in Scotland simply should not have to pay.

Annabelle Ewing (Cowdenbeath) (SNP): The reality of the situation—the Tories know it fine well—is that Scotland once again sent a message to Westminster that Scotland does not want to leave the EU. I ask the First Minister whether the UK Prime Minister has given any indication at all that he will respect the voters of Scotland and our desire to remain in the European Union.

The First Minister: I am sorry to say that neither the Prime Minister nor any member of the Conservative Party has given any indication that they are prepared to respect the democratic wishes of the Scottish people. As I said in my statement, the Scottish Parliament will require to decide whether it gives consent to the withdrawal agreement bill that will come forward soon. I anticipate that the legislative consent debate and

vote will take place in the Parliament early in the new year. Let us be in no doubt: if the Conservatives ride roughshod over the will of the Parliament as well as the will of the Scottish people, they will simply demonstrate again that they have no respect for the voice of the Scottish people or Parliament and are prepared to rip up the longstanding conventions that have underpinned the working of the Parliament.

I think that that would be deeply regrettable and that it would—as will everything that the Scottish Conservatives and the Conservative Party generally are saying on the issue of Scotland's future—simply lead to an increase in support for Scotland becoming an independent nation.

Alex Rowley (Mid Scotland and Fife) (Lab): Patrick Harvie said that there are more urgent tasks. The First Minister outlined in her speech some of the dangers of Brexit. Is it not the case that, over the next period of time, the focus of the Scottish Parliament and the whole Government should be on getting to the table at which the negotiations are taking place and protecting Scotland's interests, standing up for them and ensuring that, whatever Brexit has done, we do the best to get the best possible Brexit for Scotland?

The First Minister: I will do that to the very best of my ability. I and ministers in the Scottish Government have done that every day for the past three and a half years since the Brexit vote. To be fair to Alex Rowley, he has been very constructive in debates and votes in the Parliament. Notwithstanding that, I remember putting forward “Scotland's Place in Europe” in December 2016, which was an attempt at a compromise. In reluctantly accepting that we would leave the EU, we put forward membership of the single market and the customs union as the compromise position, and it was rejected, as every overture and attempt that the Scottish Government has made has been.

I will do that, and we have done it for three and a half years, but that has still taken us to the point at which, in a matter of weeks, we will be taken out of the European Union against our will, with all the damage that that will do. This morning, we heard talk of putting into the withdrawal agreement bill a hard deadline for the extension period. That brings back to the fore the possibility of a no-deal Brexit, with the even deeper damage that that will do.

I have great respect for Alex Rowley's position on some of these matters, but there will come a point at which Labour will have to decide whether it wants to be always trying to mitigate what the Tories do to Scotland and always accepting second best. The best possible Brexit is not a good Brexit, because there is no such thing as a good Brexit, and Scotland voted against any

Brexit. Labour will have to decide whether its role in politics is to mitigate what Tory Governments do to Scotland or whether it has a bigger role to play in an independent Scotland in which we can have positive debates about the fairer and more prosperous country that I believe that, working together, we would be able to build.

Willie Coffey (Kilmarnock and Irvine Valley) (SNP): I am sure that the First Minister knows that the UK Prime Minister cannot be trusted with our NHS. Will she outline the next steps that our SNP MPs will take to protect our NHS from privatisation and the prospect of a Tory-Trump trade deal?

The First Minister: In the SNP manifesto, we put forward the suggestion of an NHS protection bill to expressly and explicitly protect the NHS from privatisation and the impact of trade deals. The bill that we proposed would also give the Scottish Parliament, the Welsh Assembly and the Northern Ireland Assembly—I hope that it will be up and running again soon—a role in the agreement of trade deals. I very much hope and expect that the new, enlarged group of SNP MPs will seek to progress that in the House of Commons.

Despite the panicky denials from Boris Johnson and, indeed, President Trump in the election campaign, there is no doubt that a trade negotiation between the UK and the United States of America, particularly under the current US Administration, would put our NHS at risk. All of us have a duty to do everything that we can to protect the NHS from that.

Liam Kerr (North East Scotland) (Con): In the past week, we have heard Derek Mackay describe the UK as a “dictatorship”, Stewart Hosie describe the Prime Minister as a “despot”, and the First Minister talk about “imprisonment”. There are countries in the world in which those terms have real, terrifying meaning. I note the First Minister's call to find common ground. Does she really believe that such incendiary, inappropriate and ill-considered language is appropriate in a liberal democracy such as that of the UK?

The First Minister: To be perfectly frank, I am not sure that Liam Kerr and the Tories are on the strongest ground there. When it comes to democracy, let us remember that, just in the past 24 hours, we have seen the grotesque spectacle of somebody who did not even bother to stand in the election and somebody else who stood in it but was defeated and rejected by his constituents being appointed to the House of Lords so that they will continue to sit in the Cabinet. I do not know what word Liam Kerr would use to describe that; “democracy” is certainly not the word that I would use.

Liam Kerr can take issue with the language—he is perfectly entitled to do that—but as long as the Conservatives are holding to the position that they appear to be taking, he cannot take issue with the substantive point, because if the Conservatives' position is that it does not matter how people in Scotland vote in elections and they are going to decide what the future for Scotland should be, then what is that, if it is not what is being described in the way in which it is being described?

It is perfectly legitimate for the Tories, Labour, the Liberals and everyone to make the case against independence and for Scotland remaining in the union, but the union can continue only by the consent of people in Scotland. It is not acceptable, democratically or in any other sense, for the Tories to block the right of the Scottish people to make that choice. It is a deeply undemocratic position and a deeply unsustainable position, and if Liam Kerr and the Tories do not like how we are choosing to describe it, I suspect that they should spend more time changing that position and accepting democracy instead.

Jenny Gilruth (Mid Fife and Glenrothes) (SNP): The First Minister will be aware of comments that have been made by the Tories, who claim that we do not have a mandate to pursue an alternative path for the Scottish people. Does she agree that, given that the SNP won 47 out of the 59 seats in Scotland and secured a higher share of the vote than the Tories secured across the United Kingdom, it is the Tories who do not have a mandate either to impose austerity on Scotland or to drag us out of the European Union against our will?

The First Minister: The Tories here have to decide. They cannot have it both ways. If their position is that 45 per cent of the vote—a higher share than any party UK-wide has secured since Ted Heath, as I said—and 80 per cent of the seats is not a mandate for the SNP to implement our manifesto, then, equally, their securing 43 per cent of the vote and a much lower percentage of seats UK-wide cannot be a mandate for Boris Johnson to implement his Brexit deal. It is one or the other; it cannot be both.

We can often tell these things when we are standing here in the chamber, and I can tell that deep embarrassment is emanating from the Tory benches right now, however much the Tories deny it—[*Interruption.*] What they cannot deny is that the only issue that they spoke about in this election campaign was their opposition to an independence referendum. The title of the Scottish Tory manifesto was “No to indyref2”. People in Scotland saw all that and were inundated with leaflets coming through their doors saying, “You’ve got to vote Tory to stop indyref2”, but they decided

not to vote Tory and to take half the Tories’ seats away from them and give the election victory to the SNP instead.

The Tories have to decide whether they accept democracy or not. The more they stand against democracy, the more support for Scottish independence is going to rise. They should be well aware of that.

Rhoda Grant (Highlands and Islands) (Lab): The lateness of the UK budget brings major challenges for the Scottish budget. What contact has the First Minister made with the UK Government to resolve the timing of the budget? When is the timing likely to be known? What contingency plans has the First Minister made to ensure that councils can set their budgets and that newly devolved social security payments can be made?

The First Minister: Before the election, the Scottish Government made contact with the Chancellor of the Exchequer. We made clear the impact of a delay to the UK budget on our ability to put forward and pass a budget here.

We do not yet know when the UK budget will be; we will make attempts to find that out. There are reports that it could be as late as March, which has profound implications for this Parliament’s ability to do its job of scrutinising and passing a budget. I hope that all parties recognise how unsatisfactory that position is and urge the UK Government to bring forward its plans.

I say this to Labour members almost more in sorrow than in anger: does it not paint a picture of just how unsatisfactory the current state of affairs is right now, that this Parliament—the national Parliament of Scotland—cannot even pass its annual budget, because a Westminster Government has decided to delay its budget? No self-respecting Parliament should be in that position.

For goodness’ sake, let us make this Parliament an independent one, so that we can determine not only the timing of our budget but the contents of the budget for every area of responsibility. Surely even Labour can see that that is a better position to be in than one of constantly supporting Tory Governments at Westminster over self-government and self-respect for Scotland.

Rona Mackay (Strathkelvin and Bearsden) (SNP): The Prime Minister has said that he will introduce legislation to leave the EU by the end of next year, with or without a trade deal in place. Will the First Minister reiterate her intention to encourage all elected representatives across Scotland to work together to protect Scotland’s interests and prevent us from crashing out of the EU against our will?

The First Minister: It is nice to see Rona Mackay today. The last time I saw her was in East Dunbartonshire, on the eve of the poll, when we were campaigning for Amy Callaghan.

On the substantive issue, I absolutely agree. We must do everything that we possibly can to protect Scotland's interests. We must—*[Interruption.]*

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

The First Minister: We must make sure that, when it comes to trade negotiations, the voice of this Parliament is heard as far as it possibly can be. However, I cannot in all honesty say to the people of Scotland that my experience—Scotland's experience—of the past three years fills me with optimism that our voice is going to be listened to and our interests protected. I fear for what trade negotiations—particularly those with the United States—will mean for our NHS and public services. What we should be demanding, short of Scotland being independent, is not just a voice but a vote for this Parliament before trade deals can be signed off. There are many countries in which parliaments already have the ability to do that—I think that Belgium is one of them—and that is what we should be demanding in Scotland.

Mike Rumbles (North East Scotland) (LD): In her statement, the First Minister accepted that, last week, the majority of voters across Scotland voted for candidates who did not want another independence referendum. *[Interruption.]* That is the truth, and in her statement the First Minister accepted it. Therefore, does the First Minister think that the majority of Scots—to use her own language—feel “imprisoned” in the UK?

The First Minister: I did not say what Mike Rumbles says that I said. I really think that other parties have to listen to themselves. They seem to be at great pains to deny the democratic reality that the SNP won the election on Thursday, and that we won it overwhelmingly. In a democracy, the party that wins the election has the right to implement its manifesto. It does none of the parties any credit to deny that reality. I have said, repeatedly, that I do not assume that everyone who voted SNP would vote yes to independence in a referendum. However, I believe that people in Scotland deserve that choice, because as we face this juncture and the prospect of five years, at least, of a Boris Johnson-led Tory Government, the people of Scotland have the right to choose a better alternative. Whether they opt for that better alternative is up to the people of Scotland, but that is for them to decide—not for us as politicians. I do not know—well, I think that I do know—why other parties in this chamber are so scared about that prospect.

Neil Findlay (Lothian) (Lab): When the Tories were rejected in the 1980s and the 1990s, it did not bring about a Parliament right away. Instead, it brought about a constitutional convention that collectively negotiated and agreed a proposal for a Scottish Parliament that was endorsed by the people. As a democrat, I believe in the sovereignty of the people, but I also believe that no referendum can take place until we know the outcome of Brexit. Will the First Minister change her approach? Will she genuinely work across this Parliament and accept that a referendum before we know what is happening with Brexit is the last thing that our economy and society need?

The First Minister: I will seek to answer the question in what I think may have been the spirit in which it was asked. I am keen to work across party boundaries as much as I can. I recognise that many people in the Scottish Labour Party, although not everybody, are thinking very deeply about those questions, and I am very open to discussions about how we can find the common ground between us.

What I would say to Neil Findlay, in all sincerity, is that I understand the argument that we have to wait and see what Brexit looks like, but that the other side of that argument is that we should not wait to allow the damage of Brexit to be done to us. Instead, we should take the opportunity to choose a better future.

That is my view, but I am happy to talk to anyone across this chamber who is willing—as I think that Neil Findlay has indicated that he is—to respect the mandate that the SNP Government has and to respect how the people of Scotland voted in the most recent election, as well as in the previous general election and the most recent Scottish Parliament election.

Business Motion

15:05

The Presiding Officer (Ken Macintosh): The next item of business is consideration of business motion S5M-20222, in the name of Graeme Dey, on behalf of the Parliamentary Bureau, setting out a timetable for the stage 3 consideration of the UEFA European Championship (Scotland) Bill.

Motion moved,

That the Parliament agrees that, during stage 3 of the UEFA European Championship (Scotland) Bill, debate on groups of amendments shall, subject to Rule 9.8.4A, be brought to a conclusion by the time limit indicated, that time limit being calculated from when the stage begins and excluding any periods when other business is under consideration or when a meeting of the Parliament is suspended (other than a suspension following the first division in the stage being called) or otherwise not in progress:

Groups 1 to 3: 30 minutes.—[*Graeme Dey*]

Motion agreed to.

UEFA European Championship (Scotland) Bill: Stage 3

15:06

The Deputy Presiding Officer (Linda Fabiani): The next item of business is stage 3 proceedings on the UEFA European Championship (Scotland) Bill. In dealing with amendments, members should have with them the bill as amended at stage 2, the second revised marshalled list and the groupings of amendments.

The division bell will sound and proceedings will be suspended for five minutes for the first division of the afternoon and the period of voting for that first division will be 30 seconds. Thereafter, the period will be one minute for the first division following a debate.

Members who wish to speak in the debate on any group of amendments should press their request-to-speak buttons as soon as possible after I call that group.

Section 20—Use of reasonable force

The Deputy Presiding Officer: Amendment 1, in the name of the minister, is in a group on its own.

The Minister for Europe, Migration and International Development (Ben Macpherson): Amendment 1 will make a change to section 20(2) that I believe will be beneficial as a result of changes to section 20(1) on the use of reasonable force that were made at stage 2.

The stage 2 amendments resulted from constructive discussions that I had with Ross Greer about the important role of the police constable where the use of reasonable force is being considered. The amendments, which were agreed to unanimously, provided that only a constable can authorise the use of force.

Given that we have reframed the original power, we need to reframe the limit on the power. Amendment 1 makes it clear that, in exercising that power of authorisation, the police must not authorise an enforcement officer, or third-party assister, to use force against an individual. Therefore, an enforcement officer or third party who used force against an individual would be acting unlawfully. That was the case as the provision was originally drafted, with the amendment simply ensuring that the manner in which the restriction is imposed is consistent with the way that the power is granted.

I move amendment 1.

The Deputy Presiding Officer: No other member has requested to speak on amendment 1.

However, I am obliged to invite the minister to wind up.

Ben Macpherson: I simply ask all members to support amendment 1, which will improve the consistency of the approach in section 20 and ensure that the police constable is central to the authorisation of force.

Amendment 1 agreed to.

Section 31—Regulation-making powers

The Deputy Presiding Officer: Amendment 2, in the name of the minister, is grouped with amendment 5.

Ben Macpherson: This group contains Government amendments related to the commencement of the regulation-making powers in the bill.

Amendment 5 extends the sections of the bill that it will be possible to commence through commencement regulations to include the sections required to permit regulations to be laid on the extent and dates of operation of the event zones, trading and advertising, compensation for enforcement action and further enforcement processes.

The bill already provides for the sections required to allow the ticket-touting regulations that are to be made to be commenced through commencement regulations. In lodging amendment 5, my aim is to give certainty, as soon as possible, to those whom we expect to be affected by the regulations, so that they have time to understand them and to prepare, where required.

I want to lay regulations towards the end of January 2020, subject to the date of royal assent and to parliamentary approval of amendment 2. That would mean that the regulations could be enforced towards the end of March 2020. Under the bill's current provisions, the regulations are unlikely to be enforced much before the end of May 2020, and the championship period begins on 1 June.

The trading and advertising offences can, of course, be committed only on the effective dates, which will be specified in the regulations and which must be between 1 June and 12 July. Amendment 5 does not change that; it simply provides for the regulations to deliver that to be confirmed further in advance of the beginning of the championship period. That will provide greater notice to those affected, which will allow them to understand and to prepare.

I think that waiting two months after royal assent, as is provided for in the bill at present, would be counterproductive, as it would create a period in which the content of the act is confirmed

but businesses and others with an interest are not clear on the extent of the offences. That is particularly important for the trading and advertising offences, exceptions to which will be set out in regulations—as will the maps of the event zones and the dates on which they are in operation.

I shared illustrative regulations with Parliament on 17 October to show how the Scottish Government expects to use its powers. The Scottish Government has been working to refine the illustrative regulations since October. That work has included seeking feedback from key stakeholders. We have already incorporated some of the feedback from the lead committee, such as that we should make an exception to the street trading offence to allow busking.

There is also a requirement in the bill for Glasgow City Council to publish guidance on advertising and trading restrictions. In addition, the council will need time to process authorisations to trade or advertise in the event zones. Such authorisations will, for example, permit charity collections. Neither of those things can happen until the regulations are in force. Being able to lay the regulations sooner after royal assent, as amendment 5 proposes, will mean that the council will have more time to undertake that activity and respond to any queries that it receives.

Amendment 2 provides that the commencement regulations that are to be made under section 34(1A), as modified by amendment 5, are not subject to section 31. Section 31 sets out whether negative or affirmative procedure should be followed when making regulations under the bill. It also provides that regulations under the bill may include ancillary provisions. Those two aspects are not required for commencement regulations, because they will be subject to no procedure aside from being laid in Parliament, as is standard practice for commencement regulations, and because there is no need for the ancillary powers in relation to commencing the bill.

I therefore ask members to support amendments 2 and 5.

I move amendment 2.

The Deputy Presiding Officer: As there are no requests to speak, the minister may wind up.

Ben Macpherson: I urge all members to support amendments 2 and 5 so that businesses, charities and the public as a whole can, in good time, have certainty about the restrictions and enforcement processes that will be in place during the championship period before it begins on 1 June.

Amendment 2 agreed to.

Section 32—Regulation-making powers: consultation and relevant considerations

The Deputy Presiding Officer: Group 3 is on the names of bodies. Amendment 3, in the name of the minister, is grouped with amendments 4 and 6.

Ben Macpherson: This group contains Government amendments that will make minor and technical changes to the bill.

Amendments 3 and 4 replace the references in the bill to “Police Scotland” with its proper statutory name, “the Police Service of Scotland”. “Police Scotland” is only that body’s common name, rather than its formal legal name as set out in the Police and Fire Reform (Scotland) Act 2012.

Amendment 6 adds “European” before “Championship” in the long title of the bill, ensuring clarity and consistency with the rest of the bill, specifically section 1 and the short title.

I move amendment 3.

The Deputy Presiding Officer: I have no requests to speak. Do you want to support your own amendment, minister?

Ben Macpherson: I simply urge Parliament to support the amendments in the group.

Amendment 3 agreed to.

Section 33—Interpretation

Amendment 4 moved—[Ben Macpherson]—and agreed to.

Section 34—Commencement

Amendment 5 moved—[Ben Macpherson]—and agreed to.

Long Title

Amendment 6 moved—[Ben Macpherson]—and agreed to.

The Deputy Presiding Officer: That ends consideration of amendments.

UEFA European Championship (Scotland) Bill

The Deputy Presiding Officer (Linda Fabiani): As members will be aware, at this stage the Presiding Officer is required under standing orders to decide whether, in his view, any provision of the bill relates to a protected subject matter; that is, whether it would modify the electoral system and franchise for Scottish Parliament elections. The Presiding Officer’s view is that no provision of the UEFA European Championship (Scotland) Bill relates to a protected subject matter. Therefore, the bill does not require a supermajority for it to be passed at stage 3.

Next is a debate on motion S5M-20221, in the name of Ben Macpherson, on the UEFA European Championship (Scotland) Bill.

15:17

The Minister for Europe, Migration and International Development (Ben Macpherson): It is a great pleasure to address the chamber this afternoon at this key milestone for the UEFA European Championship (Scotland) Bill.

First of all, I thank my officials, the committee clerks, committee members and, indeed, all the other members who have engaged on the bill. I think that we have collaborated well; the parties coming together to make legislation stronger and more effective shows Parliament at its best.

For the first time ever, in the middle of next year, cities across Europe will host championship matches as part of the 60th anniversary of the championship, with Glasgow joining the likes of Rome, Munich, Amsterdam and London. The championship is the third-biggest sporting event in the world and will further enhance Glasgow and Scotland’s reputation as the perfect stage for major events, when Hampden park holds four matches in the summer of 2020.

The Hampden roar will no doubt be in force, and we hope to see some iconic moments in the famous stadium. Who can forget Zinedine Zidane’s stunning goal in the 2002 champions league final, or, for a different generation, the amazing spectacle that was the 10-goal European cup final thriller of 1960?

The European championship has provided many incredible moments over the years. My personal favourite is Ally McCoist’s winning goal for Scotland against Switzerland at Euro 96, when I was in secondary 2. Moments like that live long in the memory, and Euro 2020 promises to bring supporters more memorable occasions that we will be able to relive time and again.

We already know two of the countries that will play at Hampden—Croatia, the world cup finalists, and the Czech Republic. The supporters of Croatia, in their striking red chequered tops, and the Czech Republic will bring colour and noise with them. We sincerely hope that Scotland will also be joining the party following the play-offs next March. We look forward to welcoming all the fans to Glasgow—and to Scotland as a whole, as an outward-looking European nation.

We saw our women's national team reach the world cup finals earlier this year and it would be fantastic to watch the men follow suit by qualifying again for a major championship.

Regardless of that, we look forward to welcoming Europe to our shores next summer, and to showcasing Scotland as the outward-looking, progressive and diverse country that we are. The benefits of bringing Euro 2020 to Scotland will be significant not just for our economy, but for our international reputation.

Hosting international events often involves meeting certain requirements of the rights holder. The bill seeks to ensure successful delivery of Euro 2020 in line with UEFA's requirements for all 12 host cities. The bill will protect commercial rights in relation to ticket touting, street trading and advertising, and it contains measures for enforcement of those commercial protections.

I thank the Culture, Tourism, Europe and External Affairs Committee for the constructive way in which it considered the bill throughout the stage 1 evidence sessions and at stage 2. We based the provisions in the bill on the Glasgow Commonwealth Games Act 2008, while also responding to UEFA's specific requirements. The bill provides for three event zones in Glasgow where the street trading and advertising restrictions will apply—at Hampden park, George Square and the Merchant City.

The Scottish Government has been engaging with those who have interests to ensure that they can benefit from the opportunity that the event presents, and we will continue to look for opportunities to raise awareness about the restrictions that will be in place. The committee heard from a range of stakeholders. I again thank those organisations for contributing to the process.

The proposals on ticket touting have been broadly supported. We are determined to support fair access to tickets so that as many fans as possible can enjoy the matches. To that end, the bill will make touting tickets for championship matches a criminal offence.

Members' scrutiny was beneficial in refining and clarifying the bill. At stage 2, 35 amendments were lodged, 28 of which were Scottish Government amendments that sought to respond to the

recommendations in the committee's stage 1 report—in particular, those relating to enforcement provisions. I am confident that, working together, we have improved that aspect of the bill through amendments at stages 2 and 3.

I know from the stage 1 debate, and from one-to-one meetings that I have had, that members recognise the significant benefits of Glasgow and Scotland hosting Euro 2020. The Scottish Government and our partners for the event are delighted to be involved in "The Euro for Europe". The bill will help to ensure successful delivery of the event. For that reason, I urge members across the chamber to support the bill at decision time.

I move,

That the Parliament agrees that the UEFA European Championship (Scotland) Bill be passed.

15:22

Rachael Hamilton (Ettrick, Roxburgh and Berwickshire) (Con): I thank the Culture, Tourism, Europe and External Affairs Committee and its clerks for all their hard work.

As has been mentioned, the UEFA European Championship (Scotland) Bill will enable a fantastic sporting event to come to Scotland. To celebrate the tournament's 60th birthday, 12 cities across Europe have been chosen to host the Euro 2020 championships. I speak on behalf of Conservative members when I say that I am absolutely delighted that Glasgow was selected. Glasgow will be able to take advantage of the opportunities that will come from fans visiting it and the surrounding area, which will bring in more tourism and contribute to the local economy.

At this final stage of the bill, it is important to remember that it will address areas of Scots law that do not meet UEFA's standards with regard to protecting sponsors' commercial interests. We will support the bill at the final stage to ensure that the Euro 2020 championships can take place next year. However, before we do so, I will provide a brief recap of the various stages.

At stage 1, although Conservative members supported the bill in principle, it became clear that there were initial concerns, especially around enforcement officers and their powers; we felt that their powers were too broad and not clear enough. We welcomed amendments that provided clarification of those powers and that stated that, where "reasonable force" is to be used, a police constable must always be present.

I expressed my concerns about event zones and the implications for local people and their businesses. Mount Florida Community Council, Police Scotland and others offered suggestions as to how the bill could be strengthened to ensure

that businesses and the local community around Hampden would be comfortable with the new legislation and its implications for them. I am grateful that the minister took on board those concerns and that amendments were lodged at stage 2 to address them.

The major problem of ticket touting was also addressed at stage 2. Ticket touting remains a large problem for major sporting events. At stage 1, I said that ticket touting should not spoil the experience of people who attend the UEFA matches, so I am thankful that amendments were lodged to address the issue. Scots law already included some restrictions on ticket touting, but they relate only to causing public annoyance to persons being approached to purchase tickets. I was glad that the Association of Tartan Army Clubs, Supporters Direct Scotland and the Scottish Football Supporters Association wrote to the Culture, Tourism, Europe and External Affairs Committee in October to express their wish for better measures on ticket touting. As the measures were not sufficient for UEFA's requirements, it was necessary to make provisions in the bill for that.

Mike Rumbles lodged amendments at stage 2 on ways to approach ticket touting. One of his amendments was about ensuring that UEFA 2020 would not be exempt from measures on ticket touting. The amendment did not mention UEFA specifically, but was a broad amendment that covered all bases. Although it was defeated, it was encouraging that similar amendments from the minister, Ben Macpherson, were passed in order to strengthen the bill and tackle ticket touting. I believe that there has, going forward, to be a broader discussion in Scotland about how we tackle ticket touting so that fans are not negatively impacted by it in the future. However, that is a conversation for another day.

The Scottish Conservatives raised concerns during stage 1 about the details in the bill regarding enforcement officers. We felt that the bill did not sufficiently outline how regulations would set out the criteria for selecting appropriate persons to become enforcement officers. Amendments that were passed at stage 2, however, will ensure that local authorities will take charge of employing enforcement officers in order to ensure that they have the relevant experience and training to enable them to fulfil their role to the best of their ability.

The Scottish Conservatives will support the bill at decision time. Amendments at stage 2 were instrumental in providing clarity on a wide range of issues. Many members across the chamber raised concerns about enforcement officers, event zones and use of reasonable force. I believe that the weaker parts of the bill, on which many members

touched at stage 1, have been strengthened and improved, which means that we can support the bill in its final stage.

We know that the passing of the bill will bring much opportunity to people and businesses in Glasgow and the wider area, from what will be a brilliant sporting event. UEFA Euro 2020 has the potential to deliver more jobs, encourage increased tourism and promote the best of Scotland. The Scottish Conservatives want to harness the energy of that major event to ensure that it leaves behind some sort of legacy and positive impact, which is a matter that I am sure we will talk about again in the future.

The Euro 2020 championship will be an even greater success if we bring everyone along, in the process. Communities near Hampden and in central Glasgow are counting on Glasgow City Council and the Scottish Government to ensure that everything is in place so that the operation is slick and efficient. We cannot let them down. I thank them for being so supportive during the evidence taking for the bill.

Again, I hope that the UEFA Euro 2020 championship will be an absolute roaring success. It will be fantastic to see Glasgow buzzing with a lively atmosphere like the one that we saw back in 2014 for the Commonwealth games.

I reiterate that the Scottish Conservatives will support the bill at decision time.

15:29

Claire Baker (Mid Scotland and Fife) (Lab): I am pleased to open the debate for Labour. The Culture, Tourism, Europe and External Affairs Committee has given careful consideration to the bill and we can expect parliamentary support this afternoon for a necessary piece of legislation to enable the UEFA Euro 2020 championship to include Glasgow as a host city. It is a significant achievement for Glasgow to be included as one of the 12 host cities in 2020, which will be the championship's 60th year. To recognise that landmark, in 2020, it will take place across Europe.

The success of the Commonwealth games proved that Scotland could host a modern, inclusive tournament. We provided good infrastructure, a friendly welcome, top-class facilities and a sporting spectacle that provided many special moments. Since the Commonwealth games, Glasgow has hosted the world gymnastics championships, the European championships and the European short-course swimming championships. The city has, rightly, earned a reputation as a fantastic host for major events and has been officially recognised as one of the top sporting cities in the world.

Securing such events means working in partnership. As was the case with the Commonwealth games, securing host city status for the UEFA championship required there to be close working relationships between the Scottish Government, local government and other key stakeholders. During its evidence sessions, the committee heard about the concerns of local residents' representatives. Therefore the partnership approach that I have mentioned must include them and they must be provided with clear information as the event proceeds.

To secure such events Scotland also needs to demonstrate ambition, leadership and vision. Our increasing confidence in the field is helping to secure our position as a competitive location. Increasingly, organisers desire to expand venues and opportunities, and we are well placed to take advantage of that. Sport has the capacity to bring people together. The UEFA championship is one of the world's largest sporting events. As well as those who attend the matches, millions around the globe will be watching on television, which will provide positive exposure for Glasgow and Scotland. There will be economic benefit for our accommodation and hospitality sectors. We must do all that we can to persuade people to extend their stay in Scotland, and provide a positive experience that could encourage them to return in future.

Although the UEFA championship has parallels with the Commonwealth games, including those between the legislation on the games and the bill that the Parliament is considering today, the games were a different proposition that offered more substantial cultural involvement and volunteer opportunities. Now that the mechanisms for the UEFA championship are in place, consideration should be given to how we can celebrate the event and include it in Scotland's cultural calendar.

I am pleased to see that, throughout the tournament, Glasgow will host a UEFA festival, with 31 days of free festivities celebrating the arts, culture and music in addition to football and other sport. From the beginning of the tournament on Friday 12 June, George Square is set to become the main fan zone in the city, with an additional fan zone in the Merchant City on Hampden match days. Visitors to the fan zones will be able to watch matches on giant screens while enjoying local food and drink, live music and other entertainment. The football village will also offer taster activities such as walking football and mini-kickers, which will encourage visitors to try the sport whatever their age.

As well as a number of paid opportunities, there will be a host city volunteer team that will consist of some 600 volunteers who will have a key role to

play in providing information, helping fans move around and giving a warm Scottish welcome to all those who will visit the city.

While Glasgow is a host city, we should also be thinking about the opportunities that we can create for visitors to extend their trip beyond the tournament itself, and beyond the city to the rest of Scotland. In leaving the European Union, the United Kingdom will not only reduce its political involvement in EU countries but be at risk of weakening its economic and social relationships. International events that bring people together through sport will be important for fostering co-operation and understanding, and for recognising our continuing place in Europe. Our participation in European cultural and social structures will be important in the future, and our hosting of matches in Glasgow and in London, with the final taking place at Wembley, has the potential to be symbolically important and to demonstrate that we are still part of the European family.

Before we hear other members' speeches, I want to comment on the bill's measures against ticket touting, which is a practice that must be stamped out. It is unfair on fans and exploits their passion because, rather than offering them access to events at consistent prices, it inflates them so that the touts make additional profit from which neither fans nor performers and organisers benefit. Although Scottish Labour supports any effort to address ticket touting as part of the UEFA championship, it is a more widespread problem that affects other sporting and music events, with resellers too often being able to take advantage of fans who seek tickets.

It would be welcome if, in his closing remarks, the minister could give clarity on the possibility of a framework bill, to which he referred when he appeared before the committee, and how our devolved powers might enable such a bill. I look forward to hearing the rest of the debate.

15:34

Ross Greer (West Scotland) (Green): It is good to see the bill being finalised in a form that works for everyone. Our hosting matches for next year's UEFA championship has the potential to bring significant benefits to communities in Glasgow and across Scotland. It is therefore vital that the legislation that will enable the matches to take place does that in a manner that is fair and proportionate for those communities.

I am mindful that UEFA wants to protect the corporate sponsorship deals that it has secured and that a number of very large corporations stand to make a significant amount of money out of the event. That means restricting other businesses that are already operating in event areas, which

are largely local and small businesses run by people who are rooted in our communities. We obviously all hope that many of those local businesses will also benefit, but that will not be the case for all and we should always be hesitant before restricting the operation of small businesses for the benefit of a few large ones. However, that is a condition that comes with hosting UEFA matches. Profit for multinational brands is not what football is about but, as well as being a sport, football is inevitably now an industry, and big business is a significant part of that.

It is also about people enjoying the game, watching top teams perform and, we hope, being motivated to get out and play themselves—and we should not lose sight of that opportunity. However, we have to bear in mind that the Scottish Government and this Parliament exist to stand up for our communities, including when their interests go up against the profit seeking of large corporate players. When the bill was first introduced, it did not stand up for our communities: not only that, in some cases, it went further than even UEFA would have asked for in its efforts to protect corporate sponsors.

The bill originally sought to grant extensive police-like powers to local authority officials, who are not police officers—powers that were designed to prioritise the protection of corporate profit without giving due regard to the rights of people or local businesses. Those issues have largely now been addressed, and I commend the Government and the minister for listening to and working with the Culture, Tourism, Europe and External Affairs Committee and individual MSPs to address our concerns with the bill as introduced.

The vast majority of issues that I and others raised were agreed in advance of stage 2 and addressed by Government amendments that were lodged by the minister. As an example, we have introduced measures to protect individuals against personal searches and searches of their electronic devices by enforcement officers. To be clear, the police already have such powers and set procedures with safeguards are in place when the police suspect that a crime has been committed. The potential expansion of those powers to council officials for trading and advertising offences would have been an unnecessary violation of privacy rights. Although I accept that that was not the Government's intention, the ambiguity was concerning enough to merit the explicit exclusion of those powers.

We also introduced measures to restrict the authorisation of the use of force to police officers only. Again, such powers already exist for the police, who are trained to a higher standard and have far clearer lines of public accountability than

council staff. The original intention in the bill of allowing council officials to authorise the use of force was both a step too far and unnecessary, given that it would apply in situations in which a police officer would be present. If a police officer is present, it should be that officer, as the most qualified individual involved, who makes any decisions that are required about the use of force. That is the kind of power that Parliament should be willing to extend only sparingly and with appropriate safeguards.

Provisions have also been introduced to ensure that the powers that are granted to council officials to search premises are based on the consent of whoever owns or manages those premises. That was the Government's intention, but the case was successfully made by committee members that an implicit intention was insufficient and that the position must be made explicitly clear on the face of the bill.

We have also clarified that the bill must include exemptions for public protest and additional safeguards have been introduced for when council officials call on other private individuals, such as locksmiths, to assist them. A stricter test will be applied with regard to whether that is appropriate and the police will have to be notified in advance, although, of course, what further action they take is an operational decision for them to make.

Even with the condensed timescale, which meant that Parliament took limited evidence on the bill, the benefit of scrutiny by MSPs is clear. We have agreed changes that protect people and local businesses from excessive interference, we have introduced safeguards on the powers that are given to officials and we have ensured that the civil liberties of individuals and communities are protected. That is exactly the effective work for which our committee system was designed.

I am pleased that the Parliament and the Government have been able to resolve those concerns almost entirely by consensus, leaving us with a bill with which we can all be content, and one that the Greens will certainly be happy to support this afternoon.

15:38

Mike Rumbles (North East Scotland) (LD): When the committee examined the bill at stage 1, it was quite obvious to all its members that the bill needed to be amended—it just was not exactly in the right place.

In particular, I was concerned about the provisions in the bill as introduced that gave pretty extensive legal powers to council enforcement officers to enter and search premises.

Section 19 said that an enforcement officer could

“without warrant, enter any place”,

except a house, and may search it where the officer believed a championship offence “has been ... committed”—past tense. If agreed to without amendment, that power would have exceeded the powers that a police constable has available to him or her in such circumstances, as a police constable must always apply for a warrant to search premises.

During the stage 1 evidence session with the minister, he was at pains to stress that sections 18, 19 and 20 should be read together, with the bill implying that the power was not what it seemed. In response, I was at pains to say that legislation should not be about implying anything, and that it should be absolutely clear about what is and is not allowed.

There were other issues, too, which other members have highlighted. However, when we got to stage 2, I was pleased to see that the minister had responded to the points that members of the committee had made. He made the required changes to the bill, and I thank him for that.

In my view, there is only one issue that was not addressed very well by the minister—this is a slight criticism—and that is the explicit exemption of UEFA by name from the ban on ticket touting. In the evidence that UEFA gave to the committee, it made it absolutely clear that, as the organiser of the tournament, it had no intention whatsoever of ticket touting. How can the issuer of tickets be guilty of ticket touting? It cannot be, by definition. However, in banning ticket touting for the tournament, the Scottish Government exempted UEFA.

I am not convinced that the reasons that the Government gave for not accepting my stage 2 amendment on the subject were understandable. I still do not understand them now. It cannot be good practice to outlaw the activity and then give UEFA a specific exemption from it in the bill. However, I decided not to lodge an amendment on the subject at stage 3, particularly because I could not persuade Claire Baker to support such an amendment and it was unlikely to be agreed to anyway. I am a realist. However, I urge the Scottish Government to introduce a new bill—the minister hinted that it will do so—to completely outlaw the practice of ticket touting, and this time to apply it universally.

The UEFA European Championship (Scotland) Bill is, for the most part, a good bill. On almost everything, the minister in charge of it has listened to the evidence and changed the bill accordingly, and I commend him for that. This is a good example of a committee of the Parliament doing its

job to improve Government legislation. Is it not good that the minister did not try to steamroller the bill through but listened and acted accordingly? Maybe I am going to get him into trouble, but I wish that other ministers who bring forward Government legislation would emulate his approach. I am thinking, of course, of the next stage 3 debate to be held in the chamber—on Thursday afternoon, on the Referendums (Scotland) Bill. However, I do not hold out much hope of Mike Russell doing with that bill what Ben Macpherson has done with the UEFA European Championship (Scotland) Bill.

I say, “Well done” to the minister. We now have a bill that we can all support.

The Deputy Presiding Officer: We move to the open debate. I ask for speeches of four minutes, please.

15:42

Joan McAlpine (South Scotland) (SNP): Glasgow has become one of the world’s top cities for major sporting events. Its hosting of the 2014 Commonwealth games was not only a defining moment for Scotland and for the city but an enormous economic success. It is estimated to have added up to £740 million, in gross terms, to the Scottish economy. The 2007 UEFA cup final at Hampden—just one game—resulted in an estimated gross expenditure of more than £16.3 million.

UEFA’s European championship, which will celebrate its 60th anniversary next year, will add to Glasgow’s reputation as an international host city. It will attract 200,000 visitors, and no doubt many of them will take the opportunity to enjoy other parts of our beautiful country.

The Culture, Tourism, Europe and External Affairs Committee’s stage 1 report on the UEFA European Championship (Scotland) Bill supported the bill in principle and welcomed the opportunity that the championships bring to the whole of Scotland. To date, five countries are using primary legislation to meet UEFA’s requirements for hosting 2020 matches, while other jurisdictions are using secondary legislation. It should have been clear at an early stage that Scotland would be one of those five countries, as there were similar requirements for the Commonwealth games.

The legislation for the 2014 Commonwealth games seemed to sail through Parliament, so it is quite baffling that the organisers of the 2020 matches did not anticipate the need for legislation far sooner, given that the matches were awarded back in 2014. There was perhaps an assumption that, because the legislation did not receive particular scrutiny or indeed challenge last time, it would be dealt with as a formality this time.

However, the committee decided to call for evidence and to take oral evidence. Personally, I believe that all legislation that comes before this Parliament should be properly scrutinised even if it appears to be uncontroversial.

The committee learned rather a lot during the accelerated scrutiny process. For example, we are now all familiar with terms such as “ambush advertising”, which can involve banners near venues or the handing out to spectators of free branded merchandise such as T-shirts, which will then be on television and beamed around the world. That immediately causes a problem for sponsoring businesses, which have paid significant sums to secure the exclusive right to promote themselves and their goods and services associated with the event. That is why the bill was necessary.

We also needed the bill to protect fans from exploitation by ticket touts, as other members have said. That nefarious practice is no longer something that just happens in alleys near venues; it happens on the digital highway—the internet—and it needs sophisticated, robust policing. We heard in committee that our current laws are not considered robust enough by UEFA to give fans adequate protection from ticket touting. That is the other reason why the bill was necessary.

Committee members were keen to ensure, however, that the provisions would not restrict the citizens of Glasgow from going about their businesses lawfully or from participating fully in the celebrations. As a result of our scrutiny, we were able to ensure that more clarity was provided regarding the charity auctioning of tickets, for example. There had been a concern that such auctions could get caught up and end up on the wrong side of the law. I thank the minister for clarifying that matter.

There was concern that the apparent restrictions on entertainment in the controlled zones could impact on the many talented young people who busk on the streets of Glasgow. Coincidentally, we were considering that point as BBC Scotland was making “Emeli Sandé’s Street Symphony”, which was looking for Scotland’s best buskers. As Emeli Sandé said,

“Buskers bring such colour and joy to our streets. They don’t get the credit they deserve, but cities would be very grey places without them.”

I am pleased that, as a result of the concerns being highlighted by the committee during our evidence sessions, the colour and joy that are provided by young Glaswegian performers will add to the atmosphere of next year’s major event.

15:46

Brian Whittle (South Scotland) (Con): I am pleased to speak again on the bill as it returns to clear its final legislative hurdle. Although the amendments to the bill have been considerably fewer and less controversial than those that have been lodged for other bills that the Parliament has scrutinised, that does not diminish the bill’s importance.

In 2020, Glasgow will host one of the world’s most significant football tournaments, as well as the 26th conference of the parties to the United Nations Framework Convention on Climate Change. Although those events are very different in their aims and ambitions, both have the potential to deliver real benefits to Glasgow and to Scotland as a whole.

Hosting Euro 2020 can only serve to bolster Glasgow’s growing reputation as a top-tier venue for sporting events. In recent years, the city has seen a steady stream of major national and international championships, and I for one am excited to see what the future could bring. In particular, I draw the Parliament’s attention to a full indoor athletics programme in 2020 at the Emirates arena, which includes the UK Amateur Athletic Association championships. I am slightly jealous, as I never got the opportunity to participate in such an event in front of a home crowd. However, I would recommend the Emirates as a venue for international athletics to anybody who is excited by that kind of sport.

As the UK and Ireland work together on a bid to host the 2030 world cup, Euro 2020 is an important opportunity to showcase the contribution that Glasgow can make to such a bid, and I suggest that, in making the bid, there are many things that we could learn off the back of next year’s championship.

During stage 2 consideration, it was clear that the need for legislation had to be balanced against the impact on the communities that will be affected by the event, particularly with regard to enforcement powers and street trading. I welcome the amendments that Ben Macpherson has made in order to improve the drafting of the bill and to deliver greater clarity around the application of enforcement powers and the use of force. I would hope that, ultimately, there should be little or no need to use those powers. Indeed, I will be interested to know, following the event, whether it will be possible to find out where and how the various powers in the bill have been applied. That would provide a good learning opportunity for potential future events.

I will touch again on the need for public engagement and awareness ahead of the event. It is hugely important that those people who are

affected by the championship and its associated event zones are fully informed ahead of the event taking place and are able to obtain support and advice quickly and easily should issues arise. I ask the minister to indicate, in his closing speech, whether he will be able to provide some detail about what public engagement is planned.

It will not be a surprise to members to hear that I welcome any opportunity to speak about sport in the chamber, not just because it is something that I pretend to know a little bit about, but because of the difference that sport can make to people's lives. Sadly, in Scotland, discussions about football tend to centre on the blight of sectarianism and the damaging effect that it has on individuals and communities. However, at its best, football can bring people together in a way that few other sports can, and the passion and energy of the crowd at Hampden can do everything from being the basis of lifelong friendships with fellow supporters to being the inspiration that drives a young fan to train and become our next footballing superstar.

Euro 2020 is a major opportunity to show the best of what Glasgow and Scotland have to offer and, as my colleague Rachael Hamilton said, we will support the bill at decision time. I look forward to more world-class sport in Scotland, and I hope that it will mean a long-term impact on the health of our nation and that it will enthuse people into taking part in activity in the future.

15:50

James Kelly (Glasgow) (Lab): I am pleased to speak in support of the passage of the bill, which is an essential part of supporting the infrastructure for the UEFA 2020 championships.

The championships in Glasgow represent a major opportunity for the city and the country to hold and showcase a premier sporting event. It comes on the back of the successful 2014 Commonwealth games and the 2018 European championships. The minister is correct to point out that it is essential to have proper legislation in place to support the regulation of the championships.

The main parts of the bill look at ticket touting, enforcement, and street trading. Throughout the passage of the legislation, the minister has got the balance between all those provisions correct.

We all abhor the practice of ticket touting. People enjoy sporting events, pop concerts and other large public events, and there is nothing worse than people who trade outside the venues and prey on the emotions of people who want to get into those events in order to get them to pay over the odds. It is a totally unacceptable practice, and I am glad that Scotland is playing its part in

supporting UEFA by making it clear that such practices are unacceptable, and that ticket touts will be routed out and brought to justice accordingly.

I am not a committee member. I spoke in the stage 1 debate and am speaking in the stage 3 debate, but it has been interesting to follow the legislation's progress. Concerns about enforcement were raised at stage 1 and I am glad to see that the minister, working with individual MSPs and the committee, has been able to resolve those issues. I know that there were concerns in the Mount Florida and Hampden areas about how the legislation would be enforced and the impact that it would have on businesses and individuals. The agreement that any enforcement action has to have a police officer present has given significant reassurance on that. A balance has also been struck around trading not infringing too much on businesses.

All that is welcome, and the passage of the legislation tonight will allow us to look forward to the championships next year.

In his opening, the minister regaled us with some of his great sporting memories. I do not think that he was alive at the time of the 1960 European cup final with Real Madrid and Eintracht Frankfurt, but I am sure that he will have watched all the goals on YouTube.

I first visited Hampden for a football match in April 1972, when Celtic defeated Kilmarnock 3-1 in a Scottish cup semi-final. For a bit of symmetry, my most recent visit to the stadium took place last month, when Scotland defeated Kazakhstan 3-1. In between times, I have made a lot of great memories with family and friends at that stadium. Come next year, I hope that we will see a fantastic event and some great matches, and I hope that Scotland is part of it.

15:54

Annabelle Ewing (Cowdenbeath) (SNP): I am pleased to have been called to speak in this stage 3 debate on the UEFA European Championship (Scotland) Bill. As a member of the Culture, Tourism, Europe and External Affairs Committee, the lead committee responsible for scrutinising the bill, I want at the outset to thank our excellent clerks. They were of enormous help in ensuring that the committee could discharge its responsibility, notwithstanding the accelerated timescale in which we had to carry out our work.

As we have heard, the bill is necessary to ensure that the appropriate work is in place for Glasgow to join the 11 other European cities that are to host Euro 2020 matches. The key provisions of the bill deal, first, with the prohibition of ticket touting. As we have heard, that is

essential to ensure that as many fans as possible can go to the matches. In that regard, it is welcome that the minister has accepted the case for an express exemption for the charity auction of tickets.

Secondly, the bill is intended to protect the commercial interests of the sponsors by preventing so-called ambush marketing. To that end, there is provision for a prohibition on unauthorised street trading and unauthorised advertising within the three event zones when they are in operation. As the minister said, those are the Hampden park zone, the Merchant City zone and the George Square zone. The minister is to be commended for recognising the importance of buskers and charity collectors being able to go about their business: that is an excellent result for both and will allow for Glasgow's day-to-day goings-on.

Finally, the bill sets forth various provisions concerning the enforcement of the provisions that I have just mentioned. It was that part of the bill that led to the greater part of the debate at stages 1 and 2. There was concern that the powers as drafted were potentially too wide. Again, I am pleased to note that the minister listened to the concerns and responded positively.

The bill will pave the way for Glasgow to host yet another major sporting event and puts it well and truly on the map as one of the world's top cities for sporting events. Euro 2020 matches to be played at Hampden are expected to attract an estimated 200,000-plus visitors to the city. That will be, of course, not just good for sport in Glasgow, but great news for shops, hotels, restaurants and bars. It will add hugely to the cultural life of the city.

The icing on the cake for tartan army supporters in my constituency of Cowdenbeath, and indeed for tartan army supporters right across Scotland, would be for Scotland, first, to beat Israel in the 26 March play-off and then to win the play-off final on 31 March—for surely, we must always dream big.

15:58

Claire Baker: I thank members for their contributions, as well as all those who worked on the bill and all those who provided evidence to the committee. Joan McAlpine provided a helpful reprise of the bill's passage and reminded us of the challenges that the committee faced in having such a short timescale for scrutiny and the degree of frustration that that could not have been avoided. Brian Whittle made a good point about evaluation of the legislation after the event. That was raised during scrutiny of the bill. A bit more knowledge of how similar legislation worked during

the Commonwealth games would have been helpful in our consideration of the bill.

UEFA is often open to criticism as an organisation, and football at this level is a serious business. Ross Greer spoke about the impact on small businesses and the reality of the corporate interests of UEFA in this kind of tournament. In terms of commercial rights and the impacts on existing businesses, trading and advertising restrictions are part and parcel of major sponsored events such as Euro 2020. The committee heard that the vast majority of UEFA's income comes from broadcasting and commercial rights, part of which is signing major sponsorship deals that then need to be protected. The argument was made that sponsorship reduces the need for public funding.

The bill brings in offences around trading and advertising. They exist to protect UEFA-approved vendors and sponsors during the hours of operation of events. The bill sets out how that will be regulated and enforced.

As Annabelle Ewing said, more than 200,000 visitors are expected to come to Glasgow during the tournament, and local shops, bars, restaurants and businesses are all set to benefit. The vast majority of businesses in Glasgow will be able to operate as normal during the championship, and they should benefit from the influx of visitors to the city. However, critical to all businesses will be the timely provision of information, including on when restrictions will apply and any alternative arrangements for affected businesses. Awareness raising will be key to allowing businesses and individuals time to prepare and to adjust practices, if required.

On the enforcement of commercial rights, the bill draws on arrangements that were used for the Commonwealth games, and staff who acted as enforcement officers during the games should bring a degree of experience to the management of the tournament.

Returning to ticket touting, although offences to do with trading and advertising will apply only in event zones, the ticketing offence that the bill will introduce will be applicable across Scotland and, in the context of electronic sales, will even apply outside the country.

The UEFA championship should be a demonstration of sporting excellence and fair play, but there are many challenges in football. Incidents of racist behaviour must be dealt with. It must be made clear that such behaviour is unacceptable, and a strong response is needed, including from UEFA, to any such incidents during the tournament. It must be made clear in advance of the tournament that racist behaviour will not be accepted.

The recent announcement that Russia has been excluded from international competition for four years—although its team can participate in the championship—brings performance-enhancing drugs into the discussion about fairness in football.

Whether we are talking about grass-roots clubs or international tournaments, football is a game that needs to protect its reputation for fair play. As James Kelly said, ticket touting has no place in the world of sport, and the bill sets out that it is an offence and that there are consequences. Access to these sought-after matches must be fair, and I hope that the bill will be effective in achieving that aim. I say “hope”, because the amount of profit that is to be gained from ticket touting means that it remains an unscrupulous business. There also needs to be a public awareness campaign, and UEFA has an important role to play in making its policy clear. Fans who buy tickets that have been resold could find that they are not valid, and that needs to be made clear. I welcome the minister’s statement that regulations on the matter are to be introduced earlier, which I hope will raise awareness of the consequences of ticket touting.

In my opening speech, I mentioned the role of volunteers. During the Commonwealth games, the Big Lottery Fund Scotland introduced the volunteers support pot, the purpose of which was to provide resources to allow equal access to volunteering. I wonder whether any consideration has been given to whether there is a need for a similar resource for the upcoming championship. We know that 600 volunteers are expected to be recruited, and I would want us to make sure that everybody who was interested in performing that role was able to participate.

Although events such as the Commonwealth games have shown us that any anticipation of them having a legacy of increased physical activity across the country should be tempered—it is recognised how challenging it is to increase physical activity through the hosting of major events, and much work remains to be done in that area—they still have benefits in that regard and, as far as possible, we should encourage current fans, the young and others who are new to the sport not just to watch the matches but to participate in the sport. I hope that events will be held across Scotland that seek to encourage that, and I am sure that we would all love to see, years from now, a national team that was inspired by the 2020 UEFA championship having taken place in Glasgow.

16:03

Alexander Stewart (Mid Scotland and Fife)
(Con): I am very pleased to close the stage 3 debate on the UEFA European Championship (Scotland) Bill for the Scottish Conservatives.

As we have already heard, the bill is intended to address those areas of Scots law that currently do not meet UEFA’s standards on protecting the commercial interests of the event sponsors, but it raised concerns in relation to the European convention on human rights. Those concerns were that the restrictions on street trading and advertising could inhibit business. The Culture, Tourism, Europe and External Affairs Committee felt that the provisions in question represented a significant difficulty.

Equally, the powers that the bill granted to enforcement officers to search private property could have affected the rights of individuals. The impact on businesses’ ability to enjoy trading will be limited to the three event zones: the Hampden park zone, the George Square zone and the Merchant City zone. Given that those are large parts of the city of Glasgow, it is important that the bill proposes safeguards in relation to enforcement officers entering properties. That can occur with the consent of the occupier and if the enforcement officer is accompanied by a police officer or, as we heard earlier, if a sheriff has supported that.

We have heard from strong and committed members of Parliament, who have given their views on where they stand. The minister talked about a milestone. That is right: the bill is a real milestone. He and the members of the committee worked together and I certainly benefited from the meetings and the discussion. I thank the minister for the interaction, because that helped the process.

We will ensure that there is a positive impact from the event, and that the reputations of Glasgow and Scotland are enhanced. That is vital. My colleague Rachael Hamilton spoke about the real advantages to the culture and tourism sectors across the city of Glasgow and about the event zones ensuring that businesses have the opportunity to enhance their reputation.

We have also touched on ticket touting laws and the difficulties that they have caused.

The main issue, however, is ensuring that individuals and organisations get the chance to develop jobs and opportunities. That could be a real success. We saw such success in the Commonwealth games. That is very important.

Claire Baker, rightly, touched on the success of the Commonwealth games, which gave us an example of what we should be looking for as we examined the bill.

The co-operation between Glasgow City Council and the business community has been touched on many times. The conversations that we had with people, and those people who gave us evidence, were able to tell us what they wanted to see.

Ross Greer spoke about a “fair and proportionate” approach. It is right that we should look to ensure that individuals and organisations are given fair and proportionate support. Businesses need that. We want to ensure that small businesses are protected in the environment. That came through loud and clear from the negotiations and discussions that we took forward. Working together has ensured that there has been a real opportunity.

The Scottish Conservatives support the bill at stage 3. Our main concerns were about ticket touting and enforcement officers, but they have been broadly dealt with in amendments to the bill, which we welcomed, as they provided further clarity. As I said earlier, the minister liaised with and consulted us and other individuals and organisations to ensure that the amendments were supported. The intention of the amendments was to protect, and to ensure that we could welcome additional organisations and individuals and the amendments that dealt with ticket touting and UEFA’s restrictions will enable that.

Throughout the discussion with UEFA, there was positive feedback and praise for the Scottish Government’s determination that primary legislation would be necessary to meet the requirements of hosting the games in the 2020 championships.

As a member of the Culture, Tourism, Europe and External Affairs Committee, I pay tribute to the many individuals and organisations who participated in giving us evidence and information about what would happen and what they wanted to see.

Demand for tickets will exceed supply, and the bill’s aim is to provide a deterrent to anyone who would seek to make an illegal profit from the resale of tickets.

The championships will once again be a showcase for Scotland at its best. They will provide locals and visitors with the chance to participate, and that will enhance Glasgow’s reputation as a venue and Scotland’s reputation as a country, full of opportunities, that gives individuals the chance to develop and expand.

I am delighted to close on behalf of the Conservatives.

16:08

Ben Macpherson: Many thanks to all members for their contributions to the debate.

It is clear that there is consensus across the chamber in recognising the significant opportunity in hosting Euro 2020 and what it will bring to Glasgow and Scotland as a whole.

From the introduction of the bill, there has been consensus that none of us wants to see match tickets being sold at inflated prices. The provisions on ticket touting will help to deter that and to ensure that action can be taken when it happens.

The provisions on street trading and advertising have been generally supported, which is very welcome.

As I said at the start of the debate, there has been less agreement about the provisions on enforcement. However, we have worked well together. I acknowledge again the constructive way in which members engaged with me throughout the parliamentary process to improve the provisions.

Members have made a number of points. First, many members talked about the significant benefits of having the Euro 2020 football matches in Scotland in June and July next year. As Claire Baker said, the UEFA festival and the fan zones in George Square and the Merchant City will not just bring extra economic activity for local businesses but encourage young people and others to take up football and engage in the spirit of the tournament. There will be benefits to small and medium-sized enterprises throughout Glasgow.

As well as the effect on the local economy, there will be wider effects. Rachael Hamilton made an important point about the effect on tourism, and Brian Whittle was right to talk about how the football matches could inspire the next generation, with social benefits and benefits for individual and public health. We need to think about that, and we must learn lessons for future events—that point was well made.

Joan McAlpine and Annabelle Ewing talked about the benefits of having 200,000 visitors to Glasgow, as well as the opportunities for buskers and charities, thanks to amendments to the bill that were made during the parliamentary process.

During that process and today there has been a debate about proportionality. I am glad that the consensus across the Parliament is that we got the enforcement powers right in the end. Much of that was to do with the need to bring clarity by improving the drafting of the bill. Our work together on that has been positive and has undoubtedly produced a better bill than we had at the start of the process and in the run-up to 2008. I am grateful for members’ engagement on the issue.

Rachael Hamilton and other members talked about engagement. The Get Ready Glasgow website is up and running and carries information about Euro 2020, including the draft map of the Hampden park zone. My officials spoke to residents recently at a broader Euro 2020 event and will raise awareness of the ticket touting, street trading and advertising provisions at similar

events. We have liaised directly with Mount Florida Community Council, which James Kelly and Rachael Hamilton mentioned. Of course, the bill requires Glasgow City Council to publish guidance on the street trading and advertising restrictions. That will help businesses and the public to understand the provisions.

Along with partner organisations, we will continue to look for opportunities to engage with the public. We have spoken to a range of stakeholders. More than 2,300 local residents and businesses in the Hampden park area have been invited to attend information sessions, and we are being and will continue to be proactive on social media.

Claire Baker and other members talked about the potential for introducing a framework bill that would cover future major events. We discussed the issue at stage 2. I have said that the Scottish Government will evaluate the UEFA European Championship (Scotland) Bill—if it passes today—in due course, before we give consideration to the appropriateness of a framework bill.

Work is under way to ensure that appropriate information is collected during the championship, to enable such consideration to take place. It will involve a number of organisations, including Glasgow City Council, Police Scotland and the Crown Office and Procurator Fiscal Service. We are considering how best to involve businesses and football fans in collecting the information that is needed. We expect to consider the implications carefully before we make a decision on a framework bill.

We also need to consider the broader issue of ticket touting at other events, taking devolved and reserved powers into account. We strongly oppose ticket touting. However, the Scottish Government will need to look carefully at the interaction with reserved powers, including on consumer protection, when considering whether a future framework bill that includes ticket touting could be progressed. I look forward to engaging on those points as we reflect on the legislation. A number of committee members raised that issue, and they were right to do so, because that could be a positive outcome as the Parliament considers legislation after this event.

Mike Rumbles: If we abolish ticket touting or make it illegal as part of this bill, surely, using devolved powers, we can make it illegal generally.

Ben Macpherson: There is a complicated balance between the specific application of the provisions to this event and the general considerations around consumer protection for a range of events, which we would need to look at if a framework bill were to be effective. We will want to consider that as an outcome of this bill. The

Scottish Government wants to see this bill succeed, and that will help inform our thinking, as we go forward.

On the point that Mike Rumbles made about the exemption for UEFA, I do not want to go through the arguments that we had at stage 2, but I am grateful for the debate that we had on that point. In considering how we will go forward, and the future debate on a potential framework bill, that will be a useful dialogue to have had.

I assure members that, as we move towards laying regulations in early 2020 and publishing guidance, we will continue to raise awareness of the provisions in the bill. We have been working with event partners and others to engage with those who are affected and we will continue to do that after the regulations are in place, so that we can ensure that the restrictions are understood.

I thank officials and clerks for their input and members for their contributions. Hampden park has been home to Scotland international matches since 1906, and it still holds the European record for attendance at an international football match—that was achieved in 1937. Therefore, it is fitting that it will again be a fantastic home for European football next summer, with Glasgow city centre providing an epicentre for broader celebration of football and the championship.

The Scottish Government has welcomed scrutiny of the bill, and I am confident that together we have produced a piece of legislation that is fit for purpose and allows Scotland to deliver the gold standard for major events, once again. By passing this bill, Parliament will help to ensure that that happens. I commend the UEFA European Championship (Scotland) Bill and I ask members to pass it.

The Presiding Officer (Ken Macintosh): I am minded to accept a motion without notice to bring forward decision time to now.

Motion moved,

That, under Rule 11.2.4, Decision Time be brought forward to 4.18 pm.—[*Graeme Dey*]

Motion agreed to.

Decision Time

16:18

The Presiding Officer (Ken Macintosh): There is only one question to be put. The question is, that motion S5M-20221, in the name of Ben Macpherson, on the UEFA European Championship (Scotland) Bill, at stage 3, be agreed to. As this is a piece of legislation, we will have a vote.

For

Adam, George (Paisley) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Balfour, Jeremy (Lothian) (Con)
 Ballantyne, Michelle (South Scotland) (Con)
 Beamish, Claudia (South Scotland) (Lab)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Bibby, Neil (West Scotland) (Lab)
 Bowman, Bill (North East Scotland) (Con)
 Boyack, Sarah (Lothian) (Lab)
 Briggs, Miles (Lothian) (Con)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Campbell, Aileen (Clydesdale) (SNP)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Chapman, Peter (North East Scotland) (Con)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Constance, Angela (Almond Valley) (SNP)
 Corry, Maurice (West Scotland) (Con)
 Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perthshire South and Kinross-shire) (SNP)
 Davidson, Ruth (Edinburgh Central) (Con)
 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)
 Fee, Mary (West Scotland) (Lab)
 Findlay, Neil (Lothian) (Lab)
 Finnie, John (Highlands and Islands) (Green)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Freeman, Jeane (Carrick, Cumnock and Doon Valley) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Golden, Maurice (West Scotland) (Con)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (East Lothian) (Lab)
 Greene, Jamie (West Scotland) (Con)
 Greer, Ross (West Scotland) (Green)
 Griffin, Mark (Central Scotland) (Lab)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Harper, Emma (South Scotland) (SNP)

Harris, Alison (Central Scotland) (Con)
 Harvie, Patrick (Glasgow) (Green)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Johnstone, Alison (Lothian) (Green)
 Kelly, James (Glasgow) (Lab)
 Kerr, Liam (North East Scotland) (Con)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lamont, Johann (Glasgow) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lindhurst, Gordon (Lothian) (Con)
 Lockhart, Dean (Mid Scotland and Fife) (Con)
 Lyle, Richard (Uddingston and Bellshill) (SNP)
 MacDonald, Angus (Falkirk East) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 Macdonald, Lewis (North East Scotland) (Lab)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 Martin, Gillian (Aberdeenshire East) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 Mason, Tom (North East Scotland) (Con)
 McAlpine, Joan (South Scotland) (SNP)
 McArthur, Liam (Orkney Islands) (LD)
 McDonald, Mark (Aberdeen Donside) (Ind)
 McKee, Ivan (Glasgow Provan) (SNP)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNeill, Pauline (Glasgow) (Lab)
 Mountain, Edward (Highlands and Islands) (Con)
 Neil, Alex (Airdrie and Shotts) (SNP)
 Paterson, Gil (Clydebank and Milngavie) (SNP)
 Rennie, Willie (North East Fife) (LD)
 Robison, Shona (Dundee City East) (SNP)
 Ross, Gail (Caithness, Sutherland and Ross) (SNP)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Rumbles, Mike (North East Scotland) (LD)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Russell, Michael (Argyll and Bute) (SNP)
 Simpson, Graham (Central Scotland) (Con)
 Smith, Elaine (Central Scotland) (Lab)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Smyth, Colin (South Scotland) (Lab)
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Stewart, David (Highlands and Islands) (Lab)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Todd, Maree (Highlands and Islands) (SNP)
 Tomkins, Adam (Glasgow) (Con)
 Torrance, David (Kirkcaldy) (SNP)
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
 Wheelhouse, Paul (South Scotland) (SNP)
 Whittle, Brian (South Scotland) (Con)
 Wightman, Andy (Lothian) (Green)

The Presiding Officer: The result of the division is: For 110, Against 0, Abstentions 0.

Motion agreed to,

That the Parliament agrees that the UEFA European Championship (Scotland) Bill be passed.

Food Insecurity

The Deputy Presiding Officer (Linda Fabiani): The final item of business is a members' business debate on motion S5M-20197, in the name of Alex Rowley, on A Menu for Change's report, "Found Wanting". The debate will be concluded without any question being put.

Motion debated,

That the Parliament welcomes the report by A Menu for Change, *Found Wanting*, which looks at the pressures forcing people into food insecurity in Scotland; understands that A Menu for Change is a three-year initiative that is run by Oxfam Scotland, Nourish Scotland, the Child Poverty Action Group in Scotland and the Poverty Alliance, and is funded by the National Lottery Community Fund; notes that its research was carried out in Fife, East Ayrshire and Dundee and tracked people with lived experience in and out of food insecurity; believes that, while people said that they found great support from community groups and the healthcare and education sectors, the report found that system changes are required to prevent the causes of food insecurity; considers that income shocks from insecure and inadequate wages from employment and social security are key drivers in pushing people to become food insecure; notes the report's recommendations for a review of the budget for the Scottish Welfare Fund, for the Scottish Government to use public procurement to deliver fair work and invest in low-paid sectors, and to ensure that devolved employability programmes are designed to provide person-centred support for people who are furthest from the labour market; recognises the significant barriers that people facing food insecurity can face, and, in doing so, notes the authors' recommendations for UK ministers to restore the value of key benefits, uprate all benefits in line with inflation, remove the two-child limit and benefit cap, eliminate measures creating income shocks, including the five-week wait for universal credit, and to improve in-work conditions through measures such as increasing the national living wage to the real living wage, banning exploitative zero-hours contracts and improving in-work support.

16:21

Alex Rowley (Mid Scotland and Fife) (Lab): I thank those who supported my motion and paved the way for this debate, and the Labour business manager, who gave me the time for the debate.

I want to acknowledge the Big Lottery Fund for making the funding available for what is an important piece of work, and Oxfam Scotland, the Poverty Alliance, the Child Poverty Action Group in Scotland and Nourish Scotland, who managed and oversaw the work.

A Menu for Change is a project that aims to reduce the need for emergency food aid by ensuring that people across Scotland get the cash, rights and food that they need before they are in crisis. Working with local groups and people, the project ran a study that found that food banks are not the long-term answer to food insecurity. Fundamentally, people need cash so that they can buy the food that they need. That is an important

point, as I worry that food banks, which are something that my generation had previously encountered only during the miners' strike of 1984-85, are in danger of becoming part of everyday life in Britain—that is Britain, the fifth-largest economy in the world.

Although I think that good people will continue to make donations to food banks, and many food banks are desperate for them to do so, we have to keep saying that food banks cannot become a way of life. People must not have to depend on charity to feed themselves. In the system of governance that we have, people should pay their taxes and contribute to the general wellbeing of society.

The study found that low and irregular wages, combined with a social security system that often fails to provide a basic safety net, are what push people into food insecurity. In this Parliament, we must recognise that we do not have many of the levers that can address those issues. That is even more frustrating, coming on the back of the result of last week's general election. It is also a bit depressing, given that much of the overarching political debate in Scotland remains focused on unionism and nationalism, with an all-or-nothing approach. I hope, therefore, that the organisations that are behind the piece of work that we are discussing can support a positive approach and help to provide the evidence to make the case for what could be done to tackle poverty if we in this Parliament had control over more of the necessary tools and levers. I say that in the absolute belief that the Johnson Government will not only fail to address those issues, but proactively make them worse.

In the meantime, although we do not have many of the levers for change, we certainly have some. There is action that can be taken by the Government and by others in Scotland. The study shows that the Scottish welfare fund is a crucial lifeline for those in crisis; however, it is clear that we must see it strengthened. The Scottish Government needs to increase investment in the fund and in its administration. There should also be a summit of local and central Government, along with the third sector, to discuss the report's many recommendations, as it highlights the need for more co-ordination and joined-up work, particularly at the local level.

I believe that the report can lead to more work on, and a national strategy for, tackling poverty. On its own, a national poverty strategy would not tackle poverty, but it would set out what needs to happen and where responsibility lies. It would give us a clearer picture of the direction that we need to take in Scotland.

The organisations involved in the report state that the Scottish child payment is hugely welcome, although its take-up must be closely monitored.

They also say that a wider package of support should be introduced for households that will not be eligible for the new benefit.

The report has a number of key recommendations for the Scottish Government, and it would be good to hear the cabinet secretary comment on them. It would be good to have a debate in the first half of next year, in Government time, setting out where the Government is with its approach to poverty.

I point to the three areas—Dundee, East Ayrshire and Fife—where studies were carried out. In each case, A Menu for Change has made suggestions and recommendations based on the work that it has done and, in particular, its detailed engagement with local communities. As a Fife MSP, I intend to make sure that its report on Fife is shared as widely as possible, and that discussion takes place with all interested parties, including local politicians, who can make changes as a direct result of its work.

The organisations involved in the study have made it clear that listening to those with real-life experiences of poverty, and of food poverty, is key when moving forward and making policy. I will conclude, therefore, with some of the views of those people. One person said:

“I went three days without food and ... literally, I was close to collapsing in the street”.

Others said:

“I’m worrying about things that I need tae really worry about, like whether I’m gonnae eat today or whether I’m gonnae pay a bill tomorrow.”

“It gets to that embarrassing point of, dignity totally goes out the window, you know, ‘cause I felt suicidal more times than I had hot dinners, and that’s no joke.”

“I think your stomach kinda gets used to it.”

That is not the type of society or country that we want to live in. This report gives us an opportunity to come together and say that we will no longer accept poverty in Scotland. We will work together to do what we can to change it.

16:29

Angela Constance (Almond Valley) (SNP): I am grateful to Alex Rowley for securing tonight’s debate, because it gives me the perfect opportunity to thank all the West Lothian organisations that work all year round—not just at Christmas—to alleviate food poverty. It also gives me the opportunity, once again, to state my support for enshrining the right to food in Scots law, because hunger in one of the richest countries in the world is, indeed, a crime. Hunger is a moral crime. It is also a crime in international law. Specifically, that is enshrined in article 11 of the International Covenant on Economic, Social

and Cultural Rights, which the United Kingdom signed as far back as 1976.

Our approach to ending food poverty should be based on a legal right to food. However, we need to be clear what that would mean in practice: the Scottish Government and all our public bodies would have a duty to ensure access to adequate and affordable food, and the Government and its agencies would be open to challenge within its existing powers. That is a big ask of any Government, but we should step up to the challenge. We have to recognise that, if we want legislation to mean something in practice, there is much more to do in Government, across civic Scotland and on a cross-party basis, to ensure that our approach is resilient and robust over time.

As Alex Rowley has said, the Scottish Government does not at present have all the levers required to end food insecurity and poverty. That is also recognised in the published work, “Dignity: Ending Hunger Together in Scotland”, which was led by the Rev Dr Martin Johnstone.

The situation is demonstrated by local experience. Between April and September, West Lothian Foodbank distributed more than 3,000 three-day emergency food parcels and provided a lifeline to more than 1,000 West Lothian weans. This has been its busiest year to date. Demand is increasing due to the roll-out of universal credit. The specific reasons why families seek help from West Lothian Foodbank are to do with benefits: 38 per cent are struggling because benefits are low; 19 per cent are struggling because of delays to receiving benefits; and 17 per cent are struggling due to changes to benefits. The bottom line is that people’s lack of food is due to their lack of money.

In some countries, people have the right to food written into their constitution. Germany calculates social security benefits on the basis of what is required in order to have a nutritious diet and a life with dignity.

“Dignity” is an important word. We know that many people would rather go hungry than seek help from a food bank. Examples of organisations in my constituency include the Vennie in Knightsridge, which has a good food outlet on a Tuesday that supports more than 50 families, and Polbeth Community Hub, which has a community fridge and community shop. Their work is imperative, because they recognise that food is about community as well as consumption.

I am grateful to Polbeth Community Hub for hosting—along with Arlink in West Lothian—an event that I supported. I also thank the fantastic Soul Food Sisters, which is a social enterprise in Glasgow. It led a community cooking lesson in which we all learned how to make Algerian mahjouba and Polish pierogi.

In addition to tackling hunger, all those local organisations are reaching out to communities to reduce loneliness and isolation, to promote good mental health and to help people upskill and recognise the social value of food.

This morning, I had the great privilege of meeting children from my old primary school, Addiewell primary school. That made me reminisce and made me nostalgic. I know that much has changed in the community that I represent since I went to that school in the 1970s, but rising hunger and poverty for our children is our collective shame. As we look forward to 2020, we should remember that poverty is not inevitable. We can end it, if we are determined to transform our collective shame into collective action.

16:34

Jeremy Balfour (Lothian) (Con): I thank Alex Rowley for bringing the motion for debate and for highlighting the report. I am thankful that it has been written. I might not agree with everything in it, but it allows us to take a step back and consider how to solve the issues for the longer term. I agree with Alex Rowley that food banks cannot become normative in Scottish society. We need to work across parties and we need policies—we will sometimes disagree on them—that allow us to think outside the box in order to ensure that we move on from food banks and that they do not become part of Scottish society.

I also thank the third sector and charitable organisations for the work that they do to combat social injustices. Here in Lothian, I know of many organisations—food banks and others—that seek to help the most vulnerable people in society. Often, they do that with little by way of budget or resources. We should pay credit to the many organisations that do that.

There is a challenge for national Government and local government in respect of how we fund those organisations and how we make sure that local groups get the funding that they need. There is no magic answer. Like Mr Rowley, as a former councillor I know that such organisations are often under councillors' radar, because they work in such small areas. All they need in order to make a massive difference is a small amount of money. That is a conversation that we need to continue.

One of the other issues that we need to look at—the Social Security Committee is doing so at the moment—is uptake of benefits; literally millions of pounds in the system are not taken up by individuals across Scotland. The committee hopes to produce a report early next year, which will give some kind of collective way forward to help with that.

The Cabinet Secretary for Communities and Local Government (Aileen Campbell): I totally understand some of the issues that Jeremy Balfour has raised. However, I wonder what he thinks about the manifesto on which the Conservatives stood, which will potentially mean a 60-year high in child poverty if the UK Government continues to proceed with the policies that it has in place and the cuts that it intends to make. We can support the third sector, but the problem has largely been caused by cuts that Jeremy Balfour's party has made. In the time that he has left, might he try to work out how he might change that?

Jeremy Balfour: I will deal with that issue in one moment. We have to look at uptake. There is no easy answer. The Social Security Committee visited Wester Hailes and talked to many local organisations there, where it was interesting that even among local organisations there is not consensus on how to move forward.

On the cabinet secretary's question, we sometimes forget that the old welfare system was not working and that there was cross-party and third sector support for the introduction of a new system. It is clear from the record that universal credit had—at least at the beginning—support across the chamber at Westminster.

One of the issues that people point to is the five-week waiting period. I am concerned about why people are not taking advantage of the advance payments that are available on day 1. We need to look at what other messages we are giving people. Why are they not taking up advance payments? There seems to be a misconception that people have to go through that period without money, but that is not the case. Anybody who says that should—

Alison Johnstone (Lothian) (Green): Will the member take an intervention?

Jeremy Balfour: I think that my time has almost gone, unfortunately.

The Deputy Presiding Officer: You can take the intervention.

Jeremy Balfour: We need to ensure that people fully understand that they can get an advance payment from day 1, which will help them to get through the period.

Again, I thank Alex Rowley for bringing the debate. I will finish as I started—by saying that we need to ensure that food banks are not here forever and that we work to ensure that they go.

16:40

Elaine Smith (Central Scotland) (Lab): I, too, thank Alex Rowley for bringing this important debate to the chamber.

I commend all the groups that are involved in A Menu for Change for their comprehensive report on food insecurity in Scotland, which is a completely unacceptable situation that is faced by too many people in our society. “Found Wanting” is a disturbing assessment of the current political and structural responses to food insecurity. It is shameful that people in one of the most prosperous countries in the world—a country that has a reputation for good food and drink—should have to choose between feeding themselves or feeding their children, and that people who work in full-time jobs should have to resort to food banks. No one should be resorting to food banks, especially not people who work full time. Nobody should be going hungry in a decent modern society. Food insecurity is caused by poverty or adverse circumstances, not by lack of availability of food.

As we have heard, the “Found Wanting” study was carried out in Fife, East Ayrshire and Dundee, but the evidence will be familiar to members from constituencies and regions across the country. In North Lanarkshire, for example, 27,000 food parcels were handed out last year, and the Basics Food Bank, which serves areas in North Lanarkshire and is based in Wishaw, saw a 28 per cent rise in demand over that period.

I say to Jeremy Balfour that we know that many of the causes of the food insecurity that people face are results of austerity, which is a political choice to inflict hardship on the most vulnerable people, and a path on which the recently elected UK Government seems set to continue.

Ending the five-week wait for universal credit and the two-child limit, improving working conditions to raise the living wage and ending exploitative zero-hours contracts would make real differences to people who face food insecurity. However, we know that that will not be tackled by the Tories, so it is imperative now that the Scottish Government uses every resource at its disposal not just to mitigate the impacts of those harsh policies, but to ensure that all the powers of the Scottish Parliament are used to raise the living standards of the communities that are being hardest hit by austerity.

Food banks can, of course, help people who face food insecurity. We all thank the volunteers who have set them up and who work in them. However, they are a symptom of the problem, as is emphasised in A Menu for Change’s report. As Alex Rowley said, real solutions rely on ensuring that there are resources for people to buy their own food. Crisis grants from the Scottish welfare fund continue to be a source of emergency income, and in many instances the grants allow people to buy food. Of the people who were surveyed for “Found Wanting”, more than 52 per

cent had received at least one crisis grant, and most of those were to cover the costs of food and electricity.

Since “Found Wanting” was published in October, more recent Scottish Government statistics have shown that there have been nearly 60,000 applications to the Scottish welfare fund. The crisis grants that were made between April and June 2019 represented a 12 per cent increase over the number in the same quarter last year, with nearly 33,000 crisis grants having been awarded. Most of that expenditure—60 per cent—was allocated to buying food, which is a 29 per cent increase on the amount in the same quarter last year. There has been increasing demand for crisis payments, but no increase in the welfare fund budget. We need to look at that.

A Menu for Change’s report concluded that the welfare fund must be increased to improve the fund’s ability to reach all the people who need it. The latest figures only reinforce that argument. We should also remember the latest figures for April to June: we can expect demand to be even higher in the winter months as households choose between fuel and food.

We should always remember that failure to resolve food insecurity is more than just a problem: it is a breach of human rights. One of the key recommendations of A Menu for Change’s report is that the Scottish Government should enshrine in law the right to food, in order to give day-to-day effect to international human rights law, and that it should then inform and empower people about that right. There is significant support for that proposal. The Scottish Food Coalition lodged a petition in Parliament calling for the proposal to be included in the proposed good food nation bill. During the consultation on the bill, more than half of respondents called for the right to food to be enshrined in Scots law. As I have said previously, I intend, as a means of developing consideration of how best to do that in Scots law, to consult shortly on a member’s bill on securing the right to food.

The UK Government’s approach to human rights legislation has been, and will no doubt continue to be, to perceive it as a burden and to talk of the need for reform or abolition. The Scottish Parliament has the opportunity to show leadership on human rights; to take forward the recommendations of A Menu for Change, the Scottish Food Coalition and many other organisations and charities; and to take meaningful action to ensure that no one in 21st century Scotland goes hungry.

16:45

Alison Johnstone (Lothian) (Green): I thank Alex Rowley for bringing the debate to the chamber. We in the Scottish Greens are hugely supportive of the work that A Menu for Change has achieved. I was particularly proud to chair a meeting in Parliament just three weeks ago on the A Menu for Change project, its research and its impact.

We already know that access to food is a fundamental right—colleagues have highlighted that again during the debate, and we must not forget it. It is a fundamental right, but many people in our country are not accessing food at the moment, or are finding it particularly difficult to do so. The “Found Wanting” research is particularly valuable in revealing the lived experience of people who do not know where their next meal is coming from.

Food poverty, period poverty and fuel poverty are all poverty. They all have the same root cause: a lack of a sufficient and secure income. When we speak about food poverty, it might seem that we are suggesting that there is not enough food. There is more than enough food, but not everyone has enough money to be able to access that food.

Food banks are simply not the answer—that is one thing that I was pleased to hear Jeremy Balfour state—and must not become normalised. I know that because, like all members, I have had correspondence from constituents on that issue. I will never forget one letter from a disabled mum of two. She told me that the worst day that she had ever lived was the day when she had to go to a food bank with her two children, because she felt that her dignity was being completely and utterly eroded.

Therefore, although we all agree that we are very grateful that such emergency food aid exists, we must ask why—in this wealthy country, in this century—we are relying on emergency food aid to feed some of our most vulnerable citizens. Although what is literally a lifeline for many people is in our communities, it simply is not the answer. We have to make sure that people have enough income to buy the food that they want, when they want it.

Whether people are working or are not working and need the help of the social security system, or perhaps they are experiencing a combination of both, for too many people in our country incomes are too low and too unpredictable.

The report draws attention to the fact that our insecure labour market is a major driver of food insecurity. For many of those in the study that “Found Wanting” reports on, a sudden loss of hours on a zero-hours contract, the end of a temporary contract or a lack of basic employment

rights such as sick pay can all contribute to their not being able to put meals on the table.

The “Found Wanting” report is yet another in a line of hundreds of reports that points to the vandalism of our social security system as a major driver of food insecurity. For those who were studied, the move to universal credit from work or other benefits, and the need to wait at least five weeks for a payment, was a common trigger for severe food insecurity.

As much as Conservative members often point to advance payments as a solution—a point that Mr Balfour raised in the debate—the report makes it clear that advance payments of universal credit are not always the answer. Participants in the study were reluctant to take out advance payments because they have to be repaid. How can someone repay a loan when they have hardly any money and are struggling to get by? That puts people off. Deductions from subsequent payments to pay back advances, rent arrears and other debts often extended the experience of food insecurity as incomes were insufficient to cover basic needs.

Angela Constance made the point that Germany bases its social security model on whether people have enough money to buy good nutritious food. We need a minimum income standard, below which we cannot expect anyone to survive or to be able to play a full, normal part in society.

The report also draws attention to the role played by the Scottish welfare fund. In the cases of many people who took part in the study, the welfare fund was a true lifeline when people had simply entirely run out of money. However, the report also notes that many people reach the maximum number of grants that they are entitled to through the fund and are then turned away. We need to revisit whether a limit to the number of grants is appropriate and, at the very least, ensure that people are referred on to other sources of support. They must not simply be refused with no further help or advice, as the report suggests is happening in some cases.

I know that I am over time, Presiding Officer, so I will wrap up. I recently proposed an amendment to a Scottish Government motion, asking that the Scottish welfare fund be reviewed to ensure that it is adequate. At the time, I did not get the support of the Conservatives or the Government, but I would be grateful if the cabinet secretary could indicate whether that is something that she would be willing to look at again.

16:50

Annabelle Ewing (Cowdenbeath) (SNP): I congratulate Alex Rowley on securing this important members’ business debate.

I commend Oxfam Scotland, the Poverty Alliance, the Child Poverty Action Group and Nourish Scotland for the excellent work that they carried out in producing their longitudinal study, which culminated in the Menu for Change report, “Found Wanting”. The report was published in October this year and makes for very stark reading indeed. As has been said, the key issue that the report deals with is food insecurity. It does so by being mindful of individual stories from the areas of Fife, Dundee and East Ayrshire, which are covered by the report—stories of the lives that are affected by food insecurity, of how circumstances can change over time and of the sudden need for individuals to seek recourse to emergency food aid in the form of food banks.

As the MSP for Cowdenbeath, I think that the poverty that I see in my constituency and right across Scotland—in energy-rich Scotland—is absolutely unacceptable. Although cross-party working, commissions, studies and meetings are all very well and good, we must deal with the elephant in the room, which is that the only way that we can tackle decade upon decade of systematic Westminster neglect and the generational poverty that we see as a result is to secure the normal powers of an independent country.

As it stands, we will always be constrained in what we can do so long as, for example, 85 per cent of social security spend is controlled by Westminster, full taxation powers are retained by Westminster and employment law is controlled by Westminster. Those are key levers that other normal independent countries would take for granted. The Scottish National Party Government is taking action to the full extent of its powers. It is straining every sinew to tackle the poverty that we see around us in our country, and it will continue to do so, day in and day out. In that regard, witness the Scottish child payment, which was described by one of the authors of the report—the Child Poverty Action Group—as a “game-changer” in shifting the poverty curve. Witness the Scottish Government putting fairness, dignity and respect at the heart of the limited social security powers that we have in this Parliament. Witness the SNP Government legislating for free school meals for primaries 1 to 3, for help with school uniforms, for the carers supplement, for the best start grant and for free prescriptions, to name but a few. In the area of employment, we see the SNP Government’s commitment to promoting fair work, to the extent that it can with the powers that it has.

On the Scottish welfare fund, which has been mentioned by a few speakers, my understanding is that the Scottish Government has asked the Convention of Scottish Local Authorities to have a look at the operation of the fund.

We simply do not have the power to end Tory austerity and to stop the welfare cuts: we only have the power to mitigate them. The Scottish Government is spending about £100 million per annum on mitigating the worst excesses of policies that we in Scotland do not support, implemented by a UK Government that we in Scotland did not vote for. The sum total of our ambition in this Parliament cannot be simply to mitigate the damaging policies of others. Such an approach is not sustainable. We will not solve the generational poverty that we see in our country, nor tackle the food insecurity that far too many individuals and families are facing, under the current constitutional settlement. We will not solve those problems by spending, and allowing to be spent in our name, £200 billion on nuclear submarine replacement. The only way that we will tackle those structural problems is to see the return of normal powers of independence to this Parliament.

16:54

Sarah Boyack (Lothian) (Lab): First, I congratulate Alex Rowley on securing the debate. Our Government’s national performance framework aligns with the United Nations sustainable development goals, the second of which is to achieve zero hunger globally by 2030, and to

“ensure access by all people, in particular the poor and people in vulnerable situations ... to safe, nutritious and sufficient food all year round.”

As colleagues have passionately argued, so far that goal is far from being achieved in Scotland. In the six months between April and September of this year, the Trussell Trust distributed over 100,000 three-day food parcels in Scotland. The trust has said that on average, people who accessed food banks in the 2018-19 period needed around two referrals each. That is six days’ worth of food—or, rather, six days for which a person or a family might have had to go without.

The A Menu for Change “Found Wanting” report highlighted the extreme resilience of people who live with the reality of food insecurity across Fife, East Ayrshire and Dundee. Sadly, their experiences are echoed right across the country. Fundamentally, the report showed that people experiencing food insecurity need access to cash—not just to help them during a crisis, but so that they can access food throughout their lives.

That is why the report’s recommendations on the Scottish welfare fund budget are so important. The fund has been vital in enabling people to survive. Flexibility to allow local authorities to adapt the funding to the needs of their region is important, but more needs to be done to address the barriers to accessing the fund. The limit on

how many payments can be made, the excessive requirements to provide evidence of financial difficulties and understaffed administration are leaving people waiting. Those problems have put people off accessing that vital grant.

If we are to address the principles of dignity and respect that are ingrained in the delivery of the Scottish welfare fund, we need to make sure that its budget increases, along with awareness and knowledge of what the fund can do among the people who need it.

What is critical about the A Menu for Change report is that it highlights the link between poverty and food insecurity, both for those in work and for those out of work. It rightly echoes the report on the UK by the UN special rapporteur on extreme poverty, Philip Alston. In his concluding remarks on Scotland, he outlined that incorporating the UN Convention on the Rights of the Child into law was a key step in tackling poverty.

That is crucial and I hope that all of us in the chamber can sign up to it. The challenge, however, is turning that right into reality. Like others, I think that there is much more that the Scottish Government can do, such as consistently using public procurement to deliver fair work and fair terms and conditions and to deliver quality, locally produced food; and supporting people who are furthest from the labour market back into work, giving them the chance to work again and ensuring that they have decent employment.

I will add a final point. Colleagues have rightly highlighted the importance of eliminating poverty, and Angela Constance rightly mentioned the importance of community projects. I cannot be alone in having spent a lot of time in the past few weeks out and about in our communities, looking at the reality that a lot of our communities face. We need more investment in our local authorities to enable them to deliver community-based projects that empower people, such as projects that give people access to community gardens and allotments, which provide people with hope and connections to one another. It is important that we give people access not just to food but to wellbeing—addressing their mental and physical health. That needs to be part of our wider strategy to build and empower communities and to end food insecurity.

There is so much more that can be done and that is why I think this debate is important. Across the chamber, members have agreed with suggestions for practical projects and investments that need to be made. I hope that the cabinet secretary will consider those comments and think about what more she and her colleagues can do, not just in her portfolio area, but right across the Scottish Government.

16:59

The Cabinet Secretary for Communities and Local Government (Aileen Campbell): I thank Alex Rowley for bringing this debate to the chamber and members for the contributions that they have made. This debate has been passionate and rightly so, because, quite frankly, it is utterly shameful that, in a country as rich as ours, folk go hungry. The testimonies that Alex Rowley read aloud suggested that people are getting used to hunger; that is certainly not the kind of country that I want to be living in or to be part of. Collectively, we must do more to tackle hunger and to rid ourselves of that shame.

I particularly thank the individuals who took part in the research and shared their stories, and I thank A Menu for Change for bringing their experiences to our attention.

To end hunger in Scotland—as the report recommends—it is vital that we take action on the causes of poverty. There are a number of recommendations in the report for us in the Scottish Government. We will of course continue to take the action needed, and we will be guided by the report's recommendations for tackling food insecurity and hunger.

As so many members have mentioned, food poverty is down to income poverty and a lack of cash. That has not been helped by the devastating cuts to welfare. Far from providing a safety net, the UK social security system is plunging many people into crisis. About 8,500 Scottish families have already had their income cut by the universal credit two-child limit. That figure will reach 40,000 at full roll-out, pushing up to 20,000 more children into poverty.

Post-2015 welfare changes are set to reduce spending on social security in Scotland by an estimated £500 million a year. Those are devastating cuts, and we should be in no doubt about the impact that they are having. Behind all the figures and statistics are the stories of individuals who are struggling—who are surviving, not thriving. The potential of those children whose numbers I have just mentioned represents unfulfilled potential, unless we do more to support them. We cannot ignore those statistics so, last year, we invested more than £1.4 billion to support low-income households. That includes more than £100 million to mitigate UK Government cuts.

This year, in order to increase household incomes, we announced the Scottish child payment. It will put an extra £10 per week per child into the pockets of low-income families. That is a progressive policy, and it is set to lift 30,000 children out of poverty. It will also be a protective policy, importantly, as it will ensure that people do not fall into poverty. It is a crucial policy, which is

why charities have described it as a “game changer”. It shifts the curve on child poverty in this country.

Unlike the UK Government, whose welfare reforms appear intentionally cruel and damaging—and a political choice, as Elaine Smith said—we believe that social security is an investment in the people of Scotland and has an important role in tackling poverty. Dignity, fairness and respect are the values underpinning our new agency, Social Security Scotland.

Improving income from employment is also key to tackling poverty. The research highlighted stories of people working on zero-hours contracts and their anxiety in not knowing where their next meal or pay cheque was coming from. Those people were doing all that society asked of them—working hard and contributing—but they were never getting out of their situation, and they were struggling. That surely cannot be right.

Although the Scottish Government does not have powers over employment law, we do not let that stop us taking action. That is why we seek to influence the agenda and to use the powers that we have in order to make a difference. Our new employment service, fair start Scotland, is helping those furthest away from the labour market into a good job that they can sustain, and our fair work action plan, which was published this year, supports employers in adopting fair work practices such as payment of the real living wage, with no inappropriate use of zero-hours contracts.

Alison Johnstone: I share the cabinet secretary’s frustration at the policies that the Parliament requires to mitigate. Perhaps the cabinet secretary is coming on to this point, but I note that the Scottish Human Rights Commission and the Scottish Food Coalition want the right to food, which is recognised in international law, to be enshrined in Scots law. Is that something that the cabinet secretary is considering presently?

Aileen Campbell: The First Minister’s advisory group was discussed at the meeting in the Parliament that Alison Johnstone chaired fairly recently. The advisory group will be considering the totality of rights so that we can make progress on that. In lieu of that, we are already taking a rights-based approach now to ensure that dignified access to food represents our approach to the issue in Scotland and that the rights aspect of that is not lost. That is why the First Minister’s group is pursuing that work.

When it comes to increasing income from employment, we are proud that Scotland is the best-performing part of the UK for paying the real living wage, and we continue to work to lift at least 25,000 more people into the living wage by 2021

as part of our ambition to build a living wage nation.

That is good progress, but there is clearly more to do, and it is little comfort to those who are struggling on zero-hours contracts. We will continue to move forward and make sure that more people are paid the living wage.

Alongside improving incomes from work and social security, our efforts to reduce household costs are significant in tackling poverty. For example, we know that low-income households often pay over the odds for energy. To address that, we are spending £0.5 billion over the four years to 2021 to tackle fuel poverty and improve energy efficiency.

We have also invested £3.3 million to deliver the money talk team service, which supports low-income households to maximise their income by increasing benefit uptake and helping people to make savings on essential services such as household energy costs.

It is also vital that we focus our efforts on tackling those causes of poverty. However, when people do face a crisis, we must ensure that support is easy to access and that it treats people with kindness and dignity. Our Scottish welfare fund is a unique source of crisis support in the UK, providing emergency cash to people in need. Many members have spoken about that this evening.

The principles of dignity and respect are already well embedded. The statutory guidance that all local authorities must have regard to when delivering the Scottish welfare fund states that local authorities must ensure that applicants are treated with respect and their dignity is preserved at all times. Crisis grants are paid by a variety of different methods that allow for flexibility and mean that local authorities can respond to individual and local needs. In November 2015, the Government and the Convention of Scottish Local Authorities agreed a change to the way in which the Scottish welfare fund is distributed among local authorities and to base it on the income domain of the Scottish index of multiple deprivation to ensure that it helps those in the most deprived areas. That change was phased in over a three-year period, with 2018-19 being the first year when that SIMD model was used fully. It is important that we allow the new funding methodology to bed down, and, in due course, we will review the impact of the new distribution method on local authorities.

We also know that community spaces play an important role. The research gives examples of the critical social and practical support that is provided by local initiatives such as community cafes and community meals. They can provide safe spaces where people feel supported and

included. Sarah Boyack and other members spoke about wellbeing, resilience and community empowerment.

That is the sort of work that our £3.5 million fair food fund supports. The fund helps communities to respond to food insecurity in ways that promote dignity and can help people to access wider support such as welfare rights advice. It is a move away from the food banks that we all want to be rid of, and it will ensure that dignity, choice and support are there for those who need them.

Sarah Boyack also spoke about procurement, and I want to highlight the work that is being done in North Ayrshire through the community wealth building model, which is important. We want to support that work and see it further supported across Ayrshire so that it can be part of the regional deal and that people can benefit from the investment that is being made in that area.

I am conscious of time. We have covered a lot, but the report will not just gather dust. It has had and will have an impact on informing policy and, in a practical sense, on the ways in which work is being carried out in Dundee, Levenmouth and Fife to ensure that people get extra help and responses to their food insecurity.

Christmas—a few days away—is a time of indulgence and enjoyment for many, but we are reminded that, for too many people, this time of year can mean strain and sadness for folk who are on limited household budgets. We must therefore continue to work collaboratively to achieve our sustainable development goal and commitment to end hunger in Scotland. That is a key pillar of our good food nation and fairer Scotland ambitions. As a responsible country that respects human rights, we will continue to do everything in our power to make Scotland a fairer and more equal place for all.

However, it is challenging because we have an “I’m all right, Jack” Tory Government that is hell-bent on continuing to punish the most vulnerable, and we are fighting poverty with one hand tied behind our back. As Angela Constance said, poverty does not have to be inevitable. This Government and Parliament cannot just sit back and be content to accept poverty. Instead, we will continue to work across the parties because most people in this place want a different kind of country, a different Scotland that does not have testimony such as that which Alex Rowley read out at the start of the debate. We want something different and something better. We want a country that enables all our people to have the life that they deserve and to be able to flourish.

Meeting closed at 17:09.

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