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Official Report

MEETING OF THE PARLIAMENT

Thursday 27 June 2013

Session 4

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Scottish Parliament

Thursday 27 June 2013

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

General Question Time

The Deputy Presiding Officer (John Scott): Good morning, everyone. The first item of business this morning is general questions. To get as many people in as possible, it would be helpful if we could have succinct questions and answers.

Creative Industries (Assistance)

1. Stuart McMillan (West Scotland) (SNP): To ask the Scottish Government what recent assistance it has provided to creative industries across the country. (S4O-02312)

The Cabinet Secretary for Culture and External Affairs (Fiona Hyslop): The Scottish Government, through its public agencies, provides a range of support for the creative industries. Creative Scotland, Scottish Enterprise, Highlands and Islands Enterprise, Skills Development Scotland and the Scottish Further and Higher Education Funding Council, together with the Convention of Scottish Local Authorities, belong to the Scottish creative industries partnership.

Local authorities have a crucial role to play, and I was glad to discuss assistance for creative industries with them only yesterday at a meeting with the COSLA sports, art and culture working group.

The delivery group that I recently established across public sector agencies is working with potential investors on developing proposals for film and television production facilities. Last month, Rockstar North, the internationally recognised video game development studio, was awarded a research and development grant of just over £1 million.

Stuart McMillan: With the success of "Waterloo Road", which is filmed in Greenock, and with RIG Arts releasing its latest film, "Dying Light", which features young people who are unemployed and are now being given training and experience in the media industry, does the cabinet secretary agree that the media industry in Inverclyde is thriving and has even greater potential to provide more job opportunities, boost the economy and boost tourism? Does she agree that that highlights the talent that exists in the area? Will she agree to meet representatives of RIG Arts to discuss how they can assist the Scottish Government in working towards a greater level of social inclusion?

Fiona Hyslop: Yes. The media industry in Inverclyde is clearly thriving. The new tax relief for high-end television looks set to create new opportunities. The type of training that Stuart McMillan describes RIG Arts giving provides an opportunity to tackle social inclusion as well as providing skills. It is a practical example of how we can help young people in particular. I would be very interested to find out first hand what RIG Arts has been doing.

Duncan McNeil (Greenock and Inverclyde) (Lab): The creative industries are, indeed, an opportunity for Scotland and Inverclyde. We have made some real progress there. Will the minister clarify that the new Scottish film studio that the Government and its agencies are considering will not focus simply on Glasgow? Will Inverclyde have an opportunity to bid for the location of that studio?

Fiona Hyslop: Developments involve discussions with private businesses. Therefore, on the grounds of commercial confidentiality, it is difficult for me to say much more. However, we want a sustainable, thriving film industry that serves all of Scotland. We will need to look at the infrastructure not only in Glasgow but throughout Scotland, including Inverclyde, whether that is facilities, skills or training. I discussed that holistic view with film-makers and producers only this week in the meetings and discussions that have been taking place as part of the Edinburgh international film festival.

Regional Selective Assistance (Amazon)

2. Ken Macintosh (Eastwood) (Lab): To ask the Scottish Government how much Amazon has received in regional selective assistance grants in the last year. (S4O-02313)

The Cabinet Secretary for Finance, Employment and Sustainable Growth (John Swinney): For the period 2012-13, Amazon has received regional selective assistance grants totalling £593,410.19.

Ken Macintosh: It is helpful that the Cabinet Secretary for Finance, Employment and Sustainable Growth has finally confirmed a figure to the Parliament, but perhaps members are unaware that Scottish Enterprise sent monthly cheques of £143,000 in December 2011, £215,000 in February 2012 and £213,000 in March 2012. Given what we now know about Amazon, is there anyone in the country, let alone in the chamber, who believes that we should hand over hard-earned Scottish taxpayers' money to this bunch of tax dodgers? Will the cabinet secretary not stop those payments because he cannot or because he will not?

John Swinney: Mr Macintosh's question fails to take account of two things. The first is the fact that

the Government of which he was a supporter made regional selective assistance contributions to Amazon. Indeed, those were to support the facility in Gourrock in Mr McNeil's constituency, of which we heard just a moment ago.

The second point that Mr Macintosh ignores is the substantial economic footprint that Amazon has established in Scotland, and the employment that that creates for hundreds and hundreds of people in the west of Scotland, in Fife and in Edinburgh.

Tax payments by Amazon are a matter for the United Kingdom Government, and it is for that Government to take steps properly to ensure that tax that is due is collected from companies such as Amazon. I would be happy to be held to account for corporate tax, if this Parliament had those responsibilities—of course, it is only a matter of time before I am held to account for such issues, and I look forward to the day when that happens.

Alison Johnstone (Lothian) (Green): Earlier this year, KPMG was awarded £1.7 million of RSA grant, to move what has been dubbed a centre of excellence in tax avoidance to Glasgow. Is it the Government's plan to support companies that avoid tax and the audit firms that help them to do so?

John Swinney: I am sure that Alison Johnstone was present on Tuesday for the proceedings of the Land and Buildings Transaction Tax (Scotland) Bill, which is the first tax bill that the Scottish Parliament has dealt with for 308 years. In the debate on the bill, I made clear the Government's determination to get off on the right footing as it addressed the first tax legislation for which we have responsibility. I made clear our determination to apply the highest standards to tax payment and take the greatest action against tax avoidance. Those characteristics are implicit in the bill that we passed and will be implicit in the tax management bill that I will introduce in the Parliament later this year, which the Parliament will consider then.

Measuring Wellbeing

3. James Dornan (Glasgow Cathcart) (SNP): To ask the Scottish Government whether it will provide an update on its strategy for measuring wellbeing, in light of the publication of "Shifting the Dial in Scotland" by the Carnegie UK Trust. (S4O-02314)

The Cabinet Secretary for Finance, Employment and Sustainable Growth (John Swinney): Our approach to national wellbeing is to start from a broad vision of the Scotland that we want to see, which is set out in the Government's purpose and national outcomes and is supported by a dashboard of indicators, on the Scotland

performs website, to measure progress towards our goals.

I recently hosted two positive and constructive round-table discussions with members of different parties and key third sector organisations, including the Carnegie UK Trust. The discussions established a consensus and identified several areas for development, to ensure that Scotland remains, in the words of the Carnegie UK Trust, "an international leader in wellbeing measurement".

James Dornan: The report supports the view of Nobel prize-winning economist Joseph Stiglitz, who commended the Scottish Government's efforts to develop better measures of performance, and notes that Scotland is a world leader in having wellbeing as a policy consideration. Does the cabinet secretary agree that it would be better if all policy decisions that affect Scotland had the wellbeing of our citizens at heart? Does he agree that the best way to ensure that is by taking decisions out of Westminster's hands and voting yes in 447 days' time?

John Swinney: That is a helpful reminder from Mr Dornan—if I needed any reminder—of what lies ahead in 447 days' time. I agree with the member. The Scotland performs initiative, which the Government introduced in 2007, has become an established part of the policy framework in Scotland and provides a broad assessment of progress in Scotland. There are areas for reform, which I am discussing with members of the Parliament and the wider community, to ensure that we take decisions wisely.

Patrick Harvie (Glasgow) (Green): I commend the Government for the steps that it has taken and I am grateful for the opportunity to take part in the round-table discussions that the cabinet secretary mentioned.

I am still a little unclear about the status of wellbeing in the Government's mind, compared with other indicators. Does the cabinet secretary share the view that the central flaw of gross domestic product measurement is that it counts everything that is positive and everything that is negative in our lives in the same way? Does he agree that wellbeing should have a higher status than GDP?

John Swinney: The purpose of the national performance framework is to give a balanced and rounded assessment of the areas in which progress needs to be made if we are to create a more sustainable, cohesive and prosperous society. The efforts that I am making as part of the round-table discussions are about ensuring that that view is deeply embedded in the political consensus in Scotland and in the consensus outside Parliament.

I am grateful to Mr Harvie and other members for their participation in the exercise. I think that we are making progress. The last round-table discussion even elicited a positive tweet from Mr Macintosh, which I welcomed enormously, so it shows that some progress can be made on those questions. It represents an important way forward, and it will be founded on the dialogue that we have with organisations such as the Carnegie UK Trust.

Transport (West Scotland)

4. Margaret McDougall (West Scotland) (Lab): To ask the Scottish Government what recent discussions it has had with stakeholders regarding improving the transport links between West Scotland and the rest of the country. (S4O-02315)

The Minister for Transport and Veterans (Keith Brown): The Scottish Government holds regular discussions with various stakeholders to discuss transport links improvements such as the A737 Dalry bypass, the M8, M73 and M74 motorway improvements, the A82 Pulpit Rock improvement work, and high-speed rail.

Margaret McDougall: I am sure that the minister is aware of the potential Glasgow crossrail project, which, while always suggested, has never been started. The project would link more than 220 stations across Scotland. In particular, it would connect the high-unemployment area of North Ayrshire and its islands to greater Glasgow, Edinburgh and everywhere in between and beyond, by a direct rail link. All that it would take to establish a basic crossrail route is the electrification of an already existing 1.8 miles of track across the centre of Glasgow, opening up huge employment and economic opportunities across the country—

The Deputy Presiding Officer: And the question is?

Margaret McDougall: The question is this: when will the Scottish Government give serious consideration to the crossrail project and add it to the infrastructure programme?

Keith Brown: I suppose that the answer to the question—at least for Margaret McDougall—would be to identify which other things we should stop doing in order to fund that. I mention that because I had understood her to be pleased with the things that the Scottish Government is doing. She has been quoted as saying of some improvements that we have made to rail services in North Ayrshire:

“These further improvements are great for the area, the increase in the number of trains on the Ayr line, and the extended car park in Kilwinning is something I lobbied for many years as a North Ayrshire Councillor”.

I am pleased that this Administration has managed to deliver on some of the things that previous

Administrations have not done, but we cannot do everything at the same time. We have to prioritise, and I am delighted that Margaret McDougall is as pleased with the action that we are taking in her area as I am.

Kenneth Gibson (Cunninghame North) (SNP): As the minister knows, it is a tiresome Labour tactic to scaremonger and, last year, as we approached the council elections, Labour members did so in relation to train closures. Margaret McDougall lodged motion S4M-01765, which expressed concern that Ardrossan Town station was under threat. Can the minister confirm that neither Ardrossan Town station nor any other station in my constituency is or has been under threat of closure from the current Scottish Government at any time, and does he agree that Margaret McDougall should apologise to rail users in Ardrossan for worrying them unnecessarily about a closure that was never even proposed, let alone planned?

Keith Brown: Not only have we not had any intention to close that rail station but, as Mr Gibson knows, we have bolstered it by the introduction of the new ferry service to Campbeltown, specifically because it comes at a railhead. We have reinforced the viability of that station, far from even considering the question of closure.

Town Centre Regeneration

5. Iain Gray (East Lothian) (Lab): To ask the Scottish Government what further support it will provide to help the regeneration of small-to-medium sized town centres. (S4O-02316)

The Deputy First Minister and Cabinet Secretary for Infrastructure, Investment and Cities (Nicola Sturgeon): We are due to receive the report of the external advisory group taking forward the national review of town centres in July. Our future approach will be determined by the findings of the group.

Iain Gray: I look forward to reading the report, but the cabinet secretary should understand that those working towards the regeneration of the largest town in my constituency, Haddington, will feel that it rings hollow, given her Government's decision to close that town's courts, removing £360,000 from the economy and leaving two large properties vacant in the heart of the town. What resources will the cabinet secretary commit to Haddington to mitigate that act of town centre vandalism by her Cabinet colleague?

Nicola Sturgeon: I am not going to revisit the debate about courts today; those decisions were given full and robust scrutiny by the Parliament in the normal course of our procedures. The Government's commitment to town centre regeneration and to the health of our town centres

is clear. There are 66 projects around the country that have benefited from the £60 million town centre regeneration fund—resources that were never made available by previous Administrations of which Iain Gray and his colleagues were part.

We have also made a commitment in the current financial year to a £2 million town centre housing fund to help to bring empty properties back into use and that fund will be open for bids this summer. As I said in my initial answer, we are waiting for the recommendations of the town centre review and will implement those in a clear and ambitious action plan.

This Government's commitment to town centres is clear and strong, and I look forward to the recommendations of the town centre review being implemented and receiving the support of people right across this Parliament.

Road Repairs (Fife)

6. Helen Eadie (Cowdenbeath) (Lab): To ask the Scottish Government how much it will cost to repair the defects in roads in Fife. (S4O-02317)

The Minister for Transport and Veterans (Keith Brown): Fife Council is responsible for the management and maintenance of local roads in Fife. Scottish ministers are responsible for Scotland's trunk road network and we are investing more than £690 million in 2013-14 to ensure that our strategic routes facilitate the effective movement of people, goods and services between our major towns and cities, helping to deliver sustainable economic growth.

Helen Eadie: I ask the minister to investigate the situation with insurance companies in Scotland that cover damage from road defects, particularly potholes. Insurance companies such as Gallagher Bassett continually refuse to honour the claims of the constituents of many members. Recently, I had to go to the sheriff court with a constituent, who won their case, but it ended up costing the council and the insurance company double what it would have had to pay if it had paid out originally. It is poor use of taxpayers' money to go to court—

The Deputy Presiding Officer: Question, please.

Helen Eadie: I would be glad if the minister would review that situation.

Keith Brown: The actions of insurance companies are well outside my remit. I understand that the issue is a genuine one, but it is for local authorities that are on the receiving end of such claims to deal with the issue. I will look into the issue as far as it affects the trunk road network.

To go back to the original point about roads in Fife, I should say that, as well as the investment that I mentioned, we have the intelligent transport

system, which was introduced as part of the new Forth crossing project; the park and ride in the member's constituency, which helps; and of course, the new Queensferry crossing from 2016. We have made substantial investment in Fife.

Beaches and Marinas (Blue Flag Status)

7. Nanette Milne (North East Scotland) (Con): To ask the Scottish Government how it helps communities that want to achieve blue flag status for their beaches or marinas. (S4O-02318)

The Minister for Environment and Climate Change (Paul Wheelhouse): The Scottish Government works with Keep Scotland Beautiful, which runs the blue flag scheme in Scotland. Keep Scotland Beautiful supports local authorities in proposing resorts for a blue flag. It has also made seaside awards for 15 resorts and 44 rural beaches, many of which could not have all the facilities required for blue flag status. Together with the Scottish Environment Protection Agency, Scottish Water and local authorities, we are taking action to protect bathing water quality. Excellent water quality is an essential condition for the award of a blue flag. In 2012, a total of 32 designated bathing waters in Scotland achieved the required excellent standard.

Nanette Milne: Since 2007, Scotland has lost a number of blue flag status beaches, including Montrose beach and Broughty Ferry beach in my region. Does the minister agree that it is vital that we send out a clear message that all those beaches still have some of the highest-quality waters in Scotland and are first-class sites for local people and visitors to enjoy? Will he liaise with the Royal Society for the Protection of Birds, Scottish Natural Heritage and other environmental organisations to help councils that are pursuing the achievement or restoration of blue flag status to promote their coastlines as tourist attractions?

Paul Wheelhouse: I recognise Nanette Milne's points. She is certainly right to say that there are many good-quality beaches in Scotland. As I said, 32 beaches met the excellent water quality standard. Not so many go for blue flag status because they have to have certain essential facilities to put themselves forward for that award. I am happy to take forward the member's points and meet those agencies and non-governmental organisations to consider the issue.

Home Energy Efficiency Programmes for Scotland

8. Stewart Stevenson (Banffshire and Buchan Coast) (SNP): To ask the Scottish Government how the distribution of funds from the home energy efficiency programmes for Scotland is calculated. (S4O-02319)

The Minister for Housing and Welfare (Margaret Burgess): The Scottish Government's budget for fuel poverty and energy efficiency in 2013-14 is £79 million. The majority of that, £60 million, is being spent on council-led area-based schemes to tackle fuel poverty. Following agreement with the Convention of Scottish Local Authorities, half of the £60 million was distributed among all 32 councils based on their levels of fuel poverty and the energy efficiency of their stock. The other £30 million was set aside for more ambitious projects by councils.

The remaining £19 million will be used to deliver our national affordable warmth and energy assistance schemes and provide funding to the Energy Saving Trust and others to help support the home energy Scotland hotline and advice centres to provide advice and guidance to people about the energy efficiency of their homes and the support for which they might be eligible.

Stewart Stevenson: Does the minister agree that that funding is particularly important in supporting energy efficiency in rural areas, where many houses are reliant on heating oil?

Margaret Burgess: Yes, I do. Aberdeenshire got £4.4 million of the HEEPS money. It is clear that it is a national scheme that is being delivered locally. Local authorities can determine what is required in their area. The projects in Aberdeenshire take account of the area's rurality, which was the intention of the scheme.

First Minister's Question Time

12:00

Engagements

1. Johann Lamont (Glasgow Pollok) (Lab): To ask the First Minister what engagements he has planned for the rest of the day. (S4F-01498)

The First Minister (Alex Salmond): I would first like to say a few words of tribute to Peter Fraser who, I say sadly, died last weekend.

Lord Fraser was never a member in this chamber, but he did us significant service in the Holyrood inquiry and, before that, as a distinguished Lord Advocate for Scotland. More recently, he agreed to serve as an independent adviser to the Scottish Government on the "Scottish Ministerial Code", which was another public service that he performed without fear or favour, or any remuneration whatever. Scottish public life is much poorer for his passing. I know that the thoughts of members across the chamber, colleagues and friends are with his wife, Fiona, and their family at this sad time.

Johann Lamont: I agree with everything that the First Minister said. I pass on our condolences to the family of Peter Fraser and acknowledge the very significant contribution that he made to public life in Scotland.

John Swinney says that the choice for Scotland is between austerity and independence. Will the First Minister explain how a separate Scotland could possibly have a different economic policy from the rest of the United Kingdom, when the rest of the UK would decide what we could spend, what we could borrow and what our interest and taxation rates would be without any representation at all?

The First Minister: There is a difference between fiscal policy and monetary policy. John Swinney has pointed this out many times, but I will repeat it for Johann Lamont's benefit: if we take the most recent year for which figures are available, Scotland had a relative surplus of more than £4 billion in comparison with the rest of the UK. That £4 billion—a substantial sum—could have been used in a number of ways; it could have been used to provide more investment in the Scottish economy towards recovery, or it could have been used to enable us to borrow less, which would probably be a good idea. That stronger fiscal position could have worth and benefit for the Scottish people.

The choice between continued austerity and the prospect of mobilising the resources of Scotland is now crystal clear, because in the past few weeks

the Labour Party has decided to accept the social welfare policies of the Conservative Party, and last week it decided to accept the economic policies of the Conservative Party. After generations of trying to find any group in Scotland that would support it, the Tory party has finally found an economic ally in the leadership of the Labour Party in Scotland.

Johann Lamont: Like most of what the First Minister says in this chamber, that is completely ludicrous. This is the man who calls a deficit a “relative surplus”. He says that there is a distinction between fiscal policy and monetary policy, but his own adviser, John Kay, makes the point that, if there was an independent Scotland,

“the rest of the UK would seek extensive fiscal oversight over the management of the Scottish economy and would be unwilling to concede analogous oversight from Scotland over the fiscal and other policies of the UK.”

The First Minister needs to get serious, because the fact of the matter is that he plans even greater austerity in an independent Scotland. [*Interruption.*] Mike Russell thinks that that is silly, but it is his First Minister’s policy. The First Minister is planning a 3 per cent cut in corporation tax for bankers and big business. In the real world, that will cost us £385 million—which, according to the Scottish Parliament information centre, is equivalent to 7,000 jobs each and every year.

When the First Minister says that he does not like George Osborne’s economics, is not that because he thinks that the Chancellor of the Exchequer has not gone far enough, as his own plan is to cut taxes deeper than the Tories have done?

The First Minister: I will deal with that. We have already published an analysis on the impact of having a competitive corporation tax policy in Scotland. Such a policy would increase the level of gross domestic product in Scotland by 1.4 per cent, which is a substantial amount, increase employment in Scotland by 27,000 jobs, and increase total tax revenues, because when we enlarge the economy we draw in more taxes across the tax base.

I return to the question of whether the Labour Party is now adopting Tory economic policies wholesale. Johann Lamont seems to deny that—as if it had not happened—but it has been the major development in politics in the past few weeks. The Labour Party high command in London has decided to adopt the Conservative Party’s economic budgetary approach, as has been said by Ed Miliband and Ed Balls. I appreciate that Johann Lamont was not consulted on that in advance, but for her not to know about it 10 days after it has happened seems to be totally extraordinary.

Let us be absolutely clear: after trying for a generation to find any significant body of opinion in Scottish society to agree with its policies, the Conservative Party has finally found its true ally in the Labour Party.

Johann Lamont: Obviously the First Minister does not understand his own policy.

With regard to the First Minister’s great radical policy, members will remember that Professor Joseph Stiglitz—the Nobel laureate and adviser to the First Minister—said:

“Some of you have been told that lowering tax rates on corporations will lead to more investment. The fact is that’s not true. It is just a gift to the corporations increasing inequality in our society.”

For the First Minister, the policy is a pretence and a game, but in the real world his plans involve cutting jobs in the Scottish economy at the very point when we need them more.

Only the First Minister could take £385 million out of the Scottish economy and say that it will not affect anything. The rest of us know that it will have a direct impact on services. He says that, over 20 years, his tax cut for big business would create 1,350 jobs a year and that the economy would grow by a massive 0.07 per cent a year. What will the cost of that be?

We would, over that period, have given bankers and big business a £7.7 billion tax break, which would cost the equivalent of 140,000 jobs. Only in the First Minister’s mind could that possibly be a credible policy. It is the kind of Reaganomics that even the Tories do not believe in.

Is it not the case—[*Interruption.*] Members should do the sums and work it out.

Is it not the case that Alex Salmond has said that Scots do not mind Margaret Thatcher’s economics, and that he wants to apply her economics to an independent Scotland?

The First Minister: In reply to Johann Lamont’s question, I quote:

“We have cut corporation tax twice and I want to go further. We will reduce the tax again when we are able.”

That was Gordon Brown’s first speech to the Institute of Directors as Prime Minister. I know, of course, that Gordon Brown is only the leader of the Labour no campaign, while his friend and ally Alistair Darling—who, we should remember, wanted cuts that were “deeper and tougher” than those of Margaret Thatcher—is leading the Tory-Labour no campaign.

However, the figures that we have published on corporation tax show that there would be an increase in GDP, a significant increase of 27,000 jobs and an increase in total tax revenues. That is the information that we have presented to the

public. If Johann Lamont has a different analysis, she should present that. However, if it is the case, as we have put forward—*[Interruption.]* We have Johann Lamont asking what the impact will be, but the Scottish Government has published an analysis. If the Labour Party has a different analysis, then let it publish it. However, if it is the case that the policy that we propose will result in an increase in employment, an increase in investment, an increase in GDP and an increase in total tax revenues, then even the Labour Party should think that it is an excellent idea.

On the extraordinary alliance that has developed between the Conservatives and the Labour Party, can I congratulate Johann Lamont on writing the chancellor's speech? One of his key points yesterday was to bemoan and attack the "something for nothing society". It is now not just that the Labour Party has adopted the Tories' policy programme wholesale; the Tories are also adopting Johann Lamont's language as they seek to persuade people that continued austerity in the United Kingdom economy is worth voting for.

The shift of the Labour Party on to Tory ground is not just a fundamental mistake; it is a lesson for the Scottish people that the unionist parties—Tory-Labour; Labour-Tory—offer nothing but continued austerity. What is offered by an independent Scotland is investment, progress and social justice in this society.

Johann Lamont: I am proud to say that we, on this side of the chamber, do not agree with the First Minister when he wants to give "something for nothing" to big business at the expense of jobs. I have to say that 27,000 jobs pales into insignificance against the 140,000 jobs that would be lost. If we have a choice between the analysis of the First Minister—given his record with arithmetic—and the analyses of the Scottish Parliament information centre and Professor Stiglitz, I know what side I am on. The First Minister's choice is one that would be deeply damaging to the people of this country.

The fact is that the First Minister's credibility is like his European Union advice: he will go to the ends of the earth to protect it, but we all know that it does not exist. The man who backed the plans that broke the Royal Bank of Scotland now asks us to trust an economic vision—*[Laughter.]* I am glad that Government party members think that it is funny that the First Minister used his office to encourage Fred Goodwin to do precisely that. *[Interruption.]*

The Deputy Presiding Officer (John Scott): Order! Christine Grahame!

Johann Lamont: The First Minister is asking us to trust an economic vision that looks more like an hallucination. However, we know that in private the

First Minister and his colleagues know that a separate Scotland would have huge economic problems. In private, they even question the affordability of pensions, but they think that in public they can treat the people of Scotland like mugs. *[Interruption.]* Do they know that in the real world everybody understands that there is a real challenge and that we need to protect ordinary people? The First Minister and his gang behind him—

Members: Oh!

Johann Lamont: —are too interested in prosecuting a case that they have believed all their political lives to look at the consequences of their proposals for ordinary working people. *[Interruption.]*

The Deputy Presiding Officer: Can we have a little bit of calm, please?

Johann Lamont: The fact is that all of them— all of them—in public, no matter what they say in private, think that they can treat the people of Scotland like mugs. No promise is too nonsensical and none need be costed. The fact of the matter is, from the First Minister and his Cabinet Secretary for Finance, Employment and Sustainable Growth down—*[Interruption.]*

The Deputy Presiding Officer: Order! Mr Stevenson!

Johann Lamont: They say anything, without ever doing the hard job of proving how those things would actually be delivered.

Is not it the case that the First Minister— *[Interruption.]*

The Deputy Presiding Officer: Order!

Johann Lamont: The First Minister's back benchers are never going to say this to him, so let me tell him what ordinary people believe. The First Minister must be daft to believe that the people of Scotland might be daft enough to believe his independence plan.

The First Minister: Before Johann Lamont lost the plot entirely in that question, she said something that I want to pick up on. She feels that 27,000 jobs "pales into insignificance", as she put it. That is a net jobs increase of 27,000 jobs. I want people in the chamber and people in Scotland to know that the Labour Party leader is now reduced to saying that an increase of 27,000 jobs is, in her words, insignificant. The people of Scotland believe that 27,000 jobs are of great significance at the present moment.

I know that it is embarrassing for the Labour Party to have it pointed out in Parliament that its London leadership has decided to adopt wholesale the policies of George Osborne, but let us remember that when Johann Lamont talked

about a “something for nothing society”, she was not talking about corporation tax. She was talking about taking away people’s bus passes, about introducing tuition fees for students and about taking away free personal care. She was talking about reversing all the great social gains that this Parliament has delivered for the people of Scotland.

Finally, I note that Johann Lamont thinks that the folk behind me are a “gang”. I point out to her that, after the Aberdeen Donside by-election, this gang is bigger than her gang.

Secretary of State for Scotland (Meetings)

2. Ruth Davidson (Glasgow) (Con): I add my tributes and those of my party to those that the First Minister paid following the death of Peter Fraser. As a member of Parliament, in government and in his contribution to the law, he was a committed public servant. We feel his loss and our thoughts are with Fiona and his family at this time.

To ask the First Minister when he will next meet the Secretary of State for Scotland. (S4F-01492)

The First Minister (Alex Salmond): I have no plans to meet the secretary of state in the near future.

Ruth Davidson: Two weeks ago, I asked the First Minister about the scandal of vulnerable and desperately ill people having to pay for care that they should have received for free. This week, the Scottish Government announced a review into whether people are being denied funding for continuing healthcare. I welcome that, especially as new official figures show that the number of people receiving national health service funding for continuing care has gone down by 37 per cent in the past four years. However, we still do not know how many people have been affected or how much money they have had to spend. Will the First Minister tell us what work the Scottish Government is undertaking to establish the true extent of the issue?

The First Minister: As Ruth Davidson rightly says, Alex Neil has instigated the independent review to ensure that eligibility for NHS continuing healthcare is being assessed appropriately and consistently across Scotland. The review will be led by Dr Ian Anderson, who is a distinguished physician and past president of the Royal College of Physicians and Surgeons of Glasgow. The review will assess whether guidance is being followed and whether a consistent approach is being taken across Scotland, assess whether improvements are needed to raise awareness of NHS continuing healthcare among professionals, and consider whether an independent appeals process is required. That substantial step by the health secretary will enable us to make absolutely

sure that all patients in Scotland are getting the help and assistance to which they are entitled.

Ruth Davidson: I asked the First Minister how many people have been affected and how much money they have had to spend. In his answer, he talked of the welcome review, which will look at administration in the future, but it will do nothing to help those who have been affected in the past, including at least one family that was forced to sell the mother’s house to pay for her care when it is likely that it should have been covered by the NHS.

Two weeks ago, I asked the First Minister to institute a full audit for each health board to find the people who have been affected so that we can right this wrong. He failed to answer. The Scottish Government’s position is that anyone who feels that they may have been wrongly charged for their continuing care should come forward. Surely the First Minister must appreciate that many of those who have been affected will be among the people in society who are least able to do that. They are people with complex care needs and many will be residents in nursing homes. Some may be deceased. It is simply not good enough for the Government to put the onus on them or their surviving relatives, if they have any.

This is a systemic failure and the Government needs to fix it. The First Minister has already moved on the issue by announcing the review. Will he now commit to taking the further proactive steps that are needed to identify the potentially hundreds of ill and infirm people who have been forced to pay for care that should have been covered by our NHS?

The First Minister: I caution Ruth Davidson on a number of aspects. The steps that the Government has taken are good steps, as we are going to fulfil Alex Neil’s pledge to ensure that everyone in Scotland who is entitled to continuing care in the national health service receives it properly.

I remind her that every single patient is currently assessed. When Ruth Davidson asks these questions—as she has done previously—she seems to forget that each patient is currently assessed. The assessment is what is being reviewed, to ensure that it is being applied consistently across the health boards.

Around 72 individuals have contacted the Scottish Government since the publicity on the issue. Each and every one of those cases is being personally examined to see whether there has been any misapplication.

I point out to Ruth Davidson the fundamental difference between our country and society, which has free personal care, and one that does not. Many of the patients—I think three quarters of the

people—who are receiving continuing care are in hospital. Whether they have been defined as being eligible for continuing care does not affect the care that they are receiving, as they are in hospital, receiving their care in that fashion. There is a fundamental difference between a society that has free personal care and one that does not in respect of how people are categorised and the necessity for them to be categorised to get the benefits to which they are entitled.

We also separately classify NHS long-stay care in Scotland. Over the same period in which there has been a reduction in NHS continuing care, long-stay care has increased from 488 to 562 cases. How people are categorised within the Scottish health service involves a balance of opinion. Rather than jumping to conclusions and talking about hundreds of cases—or thousands, as Ruth Davidson did in her press statement yesterday—we should allow Dr Ian Anderson to review the matter to ensure that the categories are being applied consistently and appropriately across Scotland, and then act on his recommendations and results.

Let us remember that every single case is assessed, and that there are 77,000 vulnerable older people in Scotland who have the benefits of a society with free personal care.

Mike MacKenzie (Highlands and Islands) (SNP): Does the First Minister agree that this morning's announcement by the United Kingdom Government that there will be a specific islands contract for difference rate is very good news for our islands, for Scotland and for the UK, which will benefit from the significant generation capacity of our islands, and that credit is due to all Highlands and Islands MSPs, to the island councils and to the Scottish Government, who have worked together and campaigned for years on this important issue?

The First Minister: A huge and consistent theme throughout the period of this Administration, since 2007, has been getting justice for the islands on connection charges. The news is a tribute to the island councils and to local MSPs. The Parliament should record its thanks to Fergus Ewing, who proposed the joint study group with the UK Government, which has come up with a proposal to rectify the wrong.

I caution members as, at this stage, this is just a commitment in principle. There is no detail and we do not know whether the contracts for difference will be the same for all islands or whether there will be one for the island authorities. Nonetheless, this is important progress. The island communities of Scotland have massive renewable energy potential. A key aspect of unlocking that potential is to ensure that it is recognised in the energy pricing system. That has been accepted in

principle today, and I look forward to further co-operation with the Department of Energy and Climate Change and the other London departments to ensure that the commitment is brought to reality. I agree with Mike MacKenzie that the announcement is good news for our island communities.

Hugh Henry (Renfrewshire South) (Lab): Presiding Officer, you will be aware of claims made this week by a former senior examiner that the higher maths paper has been dumbed down. Previously, the team of senior examiners for higher maths resigned. Those people know the higher maths paper better than any bureaucrat or politician. Pupils, their families and teachers need to be assured of the integrity of higher maths. Will the First Minister order an investigation into what is going on with higher maths?

The First Minister: As the member should remember, and as I recall, the controversy last year was because the paper was too difficult, as opposed to its being “dumbed down”, as he puts it. We should hesitate before suggesting that the significant and welcome increase in the pass rates—not just for higher maths but across the range of examinable subjects—is due to anything other than the excellent performance of our pupils and the wonderful assistance of our teaching fraternity.

Spending Review 2015-16

3. John Mason (Glasgow Shettleston) (SNP): To ask the First Minister what effect the 2015-16 spending review will have on the Scottish Government's budget. (S4F-01504)

The First Minister (Alex Salmond): The spending plans announced yesterday by the Chancellor of the Exchequer mean that in 2015-16 Scotland's departmental expenditure limit budget will be reduced by a further £333 million in real terms compared with 2014-15, excluding the financial transactions—the loan finance—that require to be repaid to the Exchequer. The position is hugely challenging and means that over the period from 2010-11 to 2015-16 the Scottish Government's fiscal resource DEL will have been reduced in real terms by 8.9 per cent and conventional capital DEL by 26.6 per cent. Let me repeat that: over that period, there will in total have been a real-terms decrease of 8.9 per cent in the resource budget and 26.6 per cent in the capital budget. Those sobering figures indicate the extraordinary nature of the financial straitjacket in which austerity from Westminster has placed this Administration for Scotland.

John Mason: Does the First Minister agree that the chancellor is attempting to hide the cuts to the capital budget with loans that Scotland will have to pay back in due course and that that is fooling no

one? Does the First Minister further agree that next year's referendum offers Scotland the chance to choose a fairer future, free of Westminster's damaging economic policies that threaten this country's recovery?

The First Minister: John Mason is right on the button. With regard to what has been announced for two years' time, I point out that the financial transactions, which require to be repaid, and the Parliament's access for the first time to borrowing powers have been lumped together as if they were free and gratis gifts from the munificence of the Westminster treasury. However, the first is money that has to be paid back and the second is money that has to be borrowed in two years' time. David Mundell's demand on last night's "Newsnight Scotland" that this money, which is to be borrowed in two years' time, should be immediately used this year in the Scottish economy defies belief. I advise people to have a look at Gordon Brewer's demolition of David Mundell last night if they want to see the totally transparent nature of the Tory and Labour plans for continued austerity in Scotland.

China (Direct Air Link)

4. Roderick Campbell (North East Fife) (SNP): To ask the First Minister what economic benefits a direct air link to China would bring to Scotland. (S4F-01500)

The First Minister (Alex Salmond): This matter has huge potential. The net present value of a direct air link to China over a five-year period has been assessed at £41 million, which would be a boost for tourism and trade with one of the world's fastest growing economies. The European and External Relations Committee has highlighted that a direct link would be of substantial assistance in the development of Scotland's business trade with China, as well as helping Scotland to be more of a tourist destination for the Chinese market. This week, the Minister for External Affairs and International Development held constructive talks with the Civil Aviation Administration of China in Beijing at which all parties reiterated our desire for progress to be made.

Roderick Campbell: I welcome the Government's on-going commitment to establishing a direct air link with China, but does the First Minister agree that a substantial barrier to securing new international routes and, indeed, protecting existing domestic links is the United Kingdom Government's punitive approach to air passenger duty?

The First Minister: Of course it is—and every airline carrier and airport in Scotland agrees. The approach to air passenger duty is punitive and discriminatory. Incidentally, this is another tax where, according to analysis, reduction or

elimination would result in additional, not less, revenue and I hope that this Parliament will reiterate the strong support that it has expressed in the past for bringing air passenger duty under the Parliament's remit. What a contrast there is between the UK Government's air passenger duty and its discrimination against Scottish airports and the work of our transport minister in securing Inverness's links with London, which has paid off so handsomely in the past few days.

Assaults on Police Officers

5. Graeme Pearson (South Scotland) (Lab): To ask the First Minister what steps the Scottish Government is taking to reduce the number of assaults against police officers. (S4F-01493)

The First Minister (Alex Salmond): Assaults on the police officers who serve our communities are unacceptable and will not be tolerated. The Victims and Witnesses (Scotland) Bill, which was introduced to Parliament in February, contains proposals for a new financial penalty known as the restitution order, which will allow courts for the first time to make those who assault police officers pay directly to the services that support officers who have been assaulted in the course of their duties.

Graeme Pearson: No worker in Scotland should go to work expecting to be assaulted. Although crime in Scotland is at a 37-year low, statistics published this month indicate a significant increase in the number of assaults on police officers in the past 37 years. Indeed, it is estimated that the increase is over 50 per cent. This Government needs a plan for reducing the number of assaults on police officers and other workers who serve the public—can we see it?

The First Minister: I have laid out the hope and belief that restitution orders will support the general policy that protects not just police officers but other key public sector workers who put their safety on the line to help us all.

I have looked very closely at the question of police assaults, and particularly the contrast that was made in one of our newspapers between assaults in Scotland and assaults in the Metropolitan Police. We are examining that, because it is important to get to the basis of the statistics.

Last year, the number of recorded assaults—common and serious—of police officers in Scotland was 5,555. That is far too many, but the number compares with 7,316 in 2006-07, so there has been a downward trend over the past few years. Nonetheless, there is a contrast with a much lower number of assaults in the Metropolitan Police, and we have to examine that very carefully to see whether there is actually a substantial contrast or a definitional issue. As members

know—and as Graeme Pearson certainly knows—we record both common and serious assaults; we do not define just serious assaults.

When the analysis is completed, I will be very glad to arrange for Graeme Pearson to have a meeting with the minister to examine it in more detail and to look at our comprehensive plan to protect public service workers against assault.

Type 2 Diabetes

6. Murdo Fraser (Mid Scotland and Fife) (Con): To ask the First Minister what action is being taken to address the number of cases of type 2 diabetes. (S4F-01502)

The First Minister (Alex Salmond): We are maintaining a strong focus on preventing type 2 diabetes and its complications by trying to address the underlying risk factors. That includes supporting programmes for smoking cessation, healthy eating and promoting regular exercise. We are also investing this year to support the implementation of the diabetes action plan, which sets out an ambitious improvement programme for health boards across Scotland.

Murdo Fraser: The First Minister will be aware that an estimated 49,000 people have undiagnosed type 2 diabetes and that a further 620,000 are at a high risk of developing the condition. That is a ticking time bomb that has potentially devastating consequences for the health of individuals and the national health service. Will the First Minister commit his Government to fresh and urgent action? Specifically, will he ensure that diabetes is made a national clinical priority?

The First Minister: Murdo Fraser will know that the national strategy for tackling diabetes in the diabetes action plan places particular focus on the disease. It is worth stressing that the diabetes survey, which is the most comprehensive survey of its kind in the world, is providing valuable information, and each health board is reviewing the survey results and the managed clinical networks, which are the vehicles for improving diabetes services in every NHS board area across Scotland. It is also worth noting that, in view of recent inward investment decisions, Scotland will shortly host the research and development for diabetes of the whole Johnson & Johnson group in the world. In terms of our life sciences industry and finding ways to monitor, contain and cure the condition, that is a fundamental thing that Scotland should be proud of.

Make no mistake: diabetes initiatives are very much a priority for the Government. I am certain that the health minister will be delighted to speak to Murdo Fraser to see whether any further

initiatives can be planned to tackle that dreadful condition.

The Deputy Presiding Officer: Dave Stewart should be brief. Welcome back.

David Stewart (Highlands and Islands) (Lab): Thank you, Presiding Officer.

The First Minister will be aware that diabetes is the main cause of blindness in people of working age and that it accounts for half of non-traumatic lower limb amputations. Will he support a high-risk, targeted screening regime to find the hundreds of thousands of Scots who suffer from diabetes and do not know it? Will he join the crusade to eliminate Scotland's silent killer?

The First Minister: I, too, welcome the member back.

We will certainly examine that proposal. The diabetes survey is the most comprehensive survey of its kind in the world, but the issue of a screening programme could no doubt be further considered. That is actually part of the action plan that is going to the health boards. Perhaps the member would like to discuss the matter further with the health minister. I am sure that the member shares our pride that, in his area, there is the research and development for diabetes work across the world from Johnson & Johnson in the LifeScan facility.

First World War (Centenary)

The Deputy Presiding Officer (John Scott):

The next item of business is a members' business debate on motion S4M-06302, in the name of Richard Lyle, on the 100th anniversary of the first world war. The debate will be concluded without any question being put. I ask members who are leaving the chamber, and the people who are leaving the public gallery, to do so quickly and quietly.

Motion debated,

That the Parliament notes that 28 July 2014 will mark the 100th anniversary of the global war that was centred in Europe; recognises that, until the start of World War II in 1939, this was predominantly called the World War or the Great War; understands that many nations were involved in the war; pays tribute to the sacrifice made by all servicemen and women from 1914 until 1918; understands that 10% of the Scottish population, including many from Central Scotland, gave their lives in the conflict, and believes that by commemorating this war "we will remember them".

12:35

Richard Lyle (Central Scotland) (SNP): I thank members for supporting this members' business debate. I first became interested in the subject when I was a boy. My grandfather fought in the war, and his family preserved its memory through their purchase of a publication called "The Great War", which the Amalgamated Press produced after the war. The book that I have in my hand is one of a set of 12 that I possess. The first page reproduces this message:

"10-25PM. REUTERS TEL. GERMANY DECLARES WAR ON RUSSIA. ST PETERSBURG. AUG. 1 T GERMAN AMBASSADOR IN T NAME O HIS GOVT HANDED TO T FOREIGN MINISTRY A DECLARATION O WAR AT 7-30 THIS EVENING. REUTER. 10-27".

Next year will mark 100 years since the beginning of that conflict—the day on which people's lives, homes, attitudes and natures changed for ever. Until 1939, and the atrocities of Adolf Hitler, the first world war was known as the world war or the great war. Why? Because of the number of casualties, fatalities, nations and people involved. The United Kingdom, France, Russia, Germany, Austria-Hungary, Serbia, Italy, Belgium, Australia, Canada, India, New Zealand, South Africa, the United States and others were involved in the conflict. It truly was a world war.

Some 70 million military personnel, 60 million of whom were European, took part in the war. The war lasted four years, resulting in the loss of 16 million lives, with 20 million people being wounded. It is important to stress the number of

people who died. Sixteen million people lost their lives in that war—that is more than three times the population of this country.

Of course, we in Scotland played our part in the conflict, with nearly 26 per cent of our population—some 557,000 personnel—dying or becoming casualties. Many of those people came from my region, Central Scotland. They were defending their country and protecting us all. In contrast, 11 per cent of the British Army were casualties. That shows the part that Scotland played in the war. We could quite often be at risk of forgetting such a fact, but the most important of memorial services and statues act as an everlasting reminder that we should never forget the sacrifices that many made during the great war.

The reason behind the bloodshed and loss of life was that, over the four terrible years of the war, the nations that were involved made significant technological advances and created tanks, heavier guns, machine guns, flame-throwers, poison gas and aeroplanes that could bomb and strafe trench areas and land behind the lines—air war was in its infancy, but it was terrible—as well as aircraft carriers, heavy battleships and submarines. Members who have listened to that list will note that some, if not all, of those weapons are still in use today by our modern armies.

I highlight the high level of loss of life in our naval forces during the war, particularly in the battle of Jutland. Many ships were sunk, most notably HMS Invincible.

John Mason (Glasgow Shettleston) (SNP):

The member makes the point that one of the reasons for the great loss of life was advances in technology. How does he feel about the claim that there was a disdain on the part of some officers for the number of ordinary people who lost their lives?

Richard Lyle: It is a fact that it was felt that a position could be attacked but some officers were 26 miles behind the lines. I agree with the member's comment.

I spoke of the effects that the great war had, and I intend to highlight what I mean by that. In his study of wars since the 1400s, Evan Luard stated that

"the First World War transformed traditional attitudes to war. For the first time there was ... an almost universal sense that the deliberate launching of a war could now no longer be justified."

Commemoration is the honouring or preservation of a memory of an event or a person. Never has a word been more fitting than that: to honour and preserve. Never again should we stand back and allow ourselves to be involved in such a war or such bloodshed. The men and women of our armed forces who lost their lives in that war and others since deserve to be

remembered next year and to have their memory preserved.

In the light of that, I have been approached by a constituent, Mr Ian Thomson, who is keen to erect a memorial in mainland France to recognise the sacrifice of all Scottish forces—both women and men—who fought for the liberation of Europe in the first world war. I am keen to generate support for that project, as it has been brought to my attention that no such monument exists in mainland France. There are memorials that commemorate individual Scottish regiments, and I pay tribute to them, but there is not one that takes in the whole of the work done by the Scottish armed forces. That oversight should be corrected.

Mr Thomson has recently visited and been in contact with officials—in particular, the mayor—in the French town of Arras, as we hope to position the memorial near the town, where most Scottish regiments were involved in the battle that took place around Arras. We intend to establish a group to take that forward and hope to enlist the help of the Scottish people and the Scottish Government.

Many battles—too numerous to mention—were fought all over France. They included battles at Arras, Ypres, the Somme and Passchendaele. We have also to remember battlefields in Italy, Russia and Africa. All the personnel who died during the conflict should have a place in our hearts. It is my sincere hope that, with the 100th anniversary of the great war approaching, the people of Scotland will take time to remember the sacrifice that their countrymen and countrywomen made to ensure that they could live in freedom. With no remaining combat veterans from the first world war, we must not become complacent and forget what those great men and women did for us. It is important never to forget, so that we do not repeat the mistakes from the past.

I thank Mr Thomson for all his hard work in bringing the matter to my attention. I ask the Scottish Government what events are planned for next year to honour all the personnel who gave their all for freedom nearly 100 years ago. With your permission, Presiding Officer, I repeat the immortal words:

“At the going down of the sun and in the morning
We will remember them.”

12:43

Jim Eadie (Edinburgh Southern) (SNP): I congratulate my friend and colleague Richard Lyle on securing this important and timely debate on the 100th anniversary of the first world war. The war memorials that grace our cities, towns and villages testify to the sacrifice that was made by so many young men who went off to fight in foreign

fields, never to return to their native land. We should all welcome the emphasis that has been placed on restoring those memorials in the anniversary year, and I am glad that the Scottish Government is helping to honour the memory of all those who fought in the war, and particularly the young men who lost their lives or were injured.

Tens of thousands of men died in the trenches and are now buried in the fields of northern France and Flanders—casualties of the war that was meant to end all wars. Richard Lyle spoke eloquently about the huge loss of life. Here in Scotland, we are reminded by the historian Richard Finlay of the sacrifice that those men made. More than half of all men between the ages of 18 and 45 took part in the war. That is a colossal number of people, and behind every statistic lay a human story—a family torn apart by the loss of a loved one who was cut down in their prime: a father killed in battle leaving behind a widow and young children, or a son lost in the conflict. The impact of the war on families and communities was shattering; the war had an incalculable cost and impact on those affected.

We all have a duty to honour and remember the service of those who laid down their lives. We also have an obligation to preserve that history, so that future generations will never forget. We can do that in a number of ways. One way is through the preservation of sites of international importance that tell the war story. I am grateful to Edinburgh's *Evening News* for its campaign to preserve the site where thousands of soldiers from Edinburgh and across Lothian prepared and trained for life in the trenches. My constituent, the war veteran and inveterate fundraiser Tom Gilzean, recently described the trenches at Dregghorn as a

“monument to the sacrifice of millions ... the trenches should be kept for posterity as they are a monument to the men who served in them”.

We can all agree with those words.

My constituency has another important part of the story of the first world war. In 1983, Napier College bought the former Craiglockhart College of Education site, which the military requisitioned during the first world war for use as a hospital that served as a significant centre for the treatment of shell-shocked servicemen. In 1917, the poets Wilfred Owen and Siegfried Sassoon first met at that location, which is where some of Owen's and Sassoon's greatest war poetry was inspired and written. Their resulting friendship was to have a significant and lasting impact on English literature and on our view of war. I am fortunate to have the war poets collection housed today at Edinburgh Napier University in my constituency. That is a lasting and fitting legacy to those war poets that has a powerful message, which resonates still today.

As we remember the tremendous sacrifice and service of those men, we should also remember the role played by women. I recognise the efforts of my constituent Ian McFarlane to ensure suitable recognition for Dr Elsie Inglis, who was a war surgeon who set up volunteer hospital units—staffed entirely by women—that treated more than 300,000 wounded allied servicemen. Mr McFarlane has worked tirelessly to honour their memory and has succeeded in securing funding to stage an exhibition in this Parliament in honour of those remarkable women. The exhibition will feature the paintings of John Bellamy, who is one of Scotland's greatest living artists.

All those examples demonstrate how we continue to remember those who served in the war. They remind us of an important period in our history, which we must never forget and never repeat. The last words should be with Wilfred Owen, who reminds us of the horrors of war:

“My friend, you would not tell with such high zest
To children ardent for some desperate glory,
The old Lie: Dulce et decorum est
Pro patria mori.”

12:48

Hanzala Malik (Glasgow) (Lab): I thank Richard Lyle for securing today's debate. I am honoured to speak on the upcoming 100th anniversary of the first world war next year.

It is estimated that, with 300,000 recruits, Scotland had the largest proportion of volunteers in the United Kingdom. It is thought that Scotland lost more men per head of population than any other warring nation, with the exceptions of Serbia and Turkey. Scotland made a significant contribution to the war effort in men, women and materials, but we should not forget the soldiers from the Commonwealth, who were also heavily involved.

As Glasgow will host the Commonwealth games during the 100th anniversary, it is important that we take a moment to consider the people from Australia, New Zealand, Canada and the Indian subcontinent who fought and died in large numbers during the war. In particular, 1.5 million volunteers came from the Commonwealth group of nations in the Indian subcontinent. They won some 13,000 medals through their involvement in the war.

It is important to include sepoy—that means soldier—Khudadad Khan from Punjab, which is now in Pakistan, in our thoughts. He was the first of twelve men from the Indian subcontinent to receive the Victoria cross during the first world war. I ask also that we remember the 55,000 men and women from the African colonies of the British

empire who served and the 10,000 who died during the war effort.

We sometimes forget the horrors of war, but we must learn from that experience. I am an ex-territorial soldier—I used to be in the Royal Engineers. I assure members that I and the many who, unlike me, have practical experience do not wish to see war repeated.

War is a horrible evil of the human race. Every effort must be made to resolve issues around the world through dialogue rather than war. War leaves a lot of innocent people without loved ones and many innocent civilians die. We see that today in places such as Iraq, Afghanistan, Libya and Syria. Dialogue is important; we must support our politicians to engage. Last but not least, I want to ensure that, through our schools, our children are made aware of our past and recent history, of the horrors of war and of the positive results that can be gained through dialogue and talking to people.

I am grateful that the motion is before us, but I am saddened to learn that we do not have a memorial. We should have a memorial that recognises the contributions that all our serving men, women and children have made throughout history, so that we can mark the event annually and learn from our history. If we can do that, I have no problem in supporting the French effort.

12:52

Kenneth Gibson (Cunninghame North) (SNP): I, too, congratulate Richard Lyle on securing this important debate.

The great war undoubtedly changed the social, economic and political fabric of our nation. It was like nothing Scotland—or any nation—had experienced before. The magnitude of the conflict, the scale of the slaughter and the mechanised precision were completely new. The war also reached home in a way that it never had before, and the idea of the home front was born.

Volunteers streamed to the colours at the declaration of war, but the buoyant mood was not to last long as the horrible reality dawned and entire communities began losing brothers, fathers and sons in huge numbers. Scotland suffered appalling and horrendously disproportionate losses, sustaining 147,609 fatalities and 410,000 wounded—more than Australia, Canada and New Zealand combined—from the 690,000 Scots who served in the British Army, a casualty rate of 81 per cent. As Hanzala Malik said, only Serbia and Turkey suffered a higher proportion of military casualties.

Richard Lyle made Scotland's sacrifices clear: our losses represented 19 per cent of the British war dead at a time when Scotland had less than

9.5 per cent of Britain's population, while tens of thousands of other Scots perished serving valiantly in the London Scottish, Liverpool Scottish, Australian, Canadian, New Zealand, South African and other regiments raised throughout the empire. Every community in Scotland and countless Scottish families suffered grievously.

My maternal grandfather was gassed at the age of 18 a week before the armistice, and he died of emphysema at only 41. My paternal grandfather served in the Highland Light Infantry, one of only two men of 110 in his company who joined in 1914 to survive physically unscathed, although one can only imagine the psychological scars that he and so many others from that ruined generation suffered.

I want to focus on the sacrifices of just one family. Few families endured as much as the Mochrie family of Kilbirnie, the town in my Ayrshire constituency where I live. The Mochrie family had five brothers serving in the British Army, three of whom—19-year-old Private Robert Mochrie of the Royal Scots Fusiliers, 21-year-old Private Matthew Mochrie of the Cameronians, and 28-year-old Corporal James Mochrie of the Gordon Highlanders—were all tragically killed on the first day of the battle of Loos on 25 September 1915, along with many thousands of their compatriots.

There was no Scottish equivalent of "Saving Private Ryan", and their brother, 36-year-old Private Andrew Mochrie, also of the Cameronians, was killed at the battle of Arras on 9 June 1917.

John Mochrie, of the Nottinghamshire and Derbyshire Regiment, survived the conflict, as did his sister Euphemia, a nurse with the Army Auxiliary Corps. Her son William McKim was tragically killed serving on HMS Hood in the second world war. The McKim family still lives in Kilbirnie.

In Scotland, we still suffer to some extent not only from the human losses of the war but from those of the Spanish influenza outbreak, which also killed many hundreds of thousands of people throughout the UK and Europe, and from the economic consequences of the great war. In its aftermath, Scotland—which had been a bustling workshop of shipbuilding, railway manufacture, munitions, coal and steel during the war—was left with a huge overcapacity in each. Economic dislocation, recession, unemployment and poverty in the 1920s led to almost 10 per cent of our population emigrating overseas and thousands more moving south in the decade following the armistice.

It is hard to comprehend the suffering of those who fought and of their loved ones who waited anxiously at home during the conflict and in the

crisis of confidence that struck Scotland after the war was over. Many of us are the descendants of those who bravely fought and died for their country and of those who were lucky enough to return home—often maimed and traumatised—to an uncertain future. As Richard Lyle poignantly pointed out, it is our solemn duty to remember them and to commemorate their sacrifices, which were made for all of us.

The impact of the first world war in Scotland is hard to comprehend and gauge, but it certainly changed Scotland and the world for ever.

12:56

Alex Johnstone (North East Scotland) (Con):

I take the opportunity, as others have done, to thank Richard Lyle for bringing the issue before the Parliament. With the 100th anniversary of the war now so near, I am sure that this will not be the last time that we discuss issues relating to it.

In 1915, troops in the trenches were encouraged to look back across the previous century to the culmination of the peninsular war with the battle of Waterloo. Next year, we will look back over a 100-year gap and commemorate the bravery and sacrifice of those who willingly took up arms in defence of their country.

It is perhaps impossible for us truly to comprehend the horrors of the great war. Wilfred Owen has been quoted in the debate already. He described the war as

"the Winter of the world".

The sacrifices of our forefathers, which he described eloquently, are our shared heritage. The 2014 centenary, which will be commemorated around the world, will be a particularly poignant reminder of just how much we owe to a generation in which, too often, the personal hopes and aspirations of young men ended in the stinking mud of France and Flanders.

It is vital that we do not allow the scale or brutality of the war to fade from memory. That is why it is important that our young people play a key role in the commemoration. Visiting a battlefield or a war cemetery can be a deeply moving experience. I welcome the fact that the UK Government has already announced plans to commemorate the centenary on 4 August 2014, including a flagship scheme to give thousands of schoolchildren the opportunity to visit the great war battlefields and a £50 million fund to help to support community events.

I also welcome the comprehensive five-year commemoration announced by the Scottish Government and specially created by the distinguished members of the Scottish commemorations panel, which is led by former

Army chaplain Norman Drummond. The funding that the First Minister announced, which is targeted at refurbishing community war memorials and supporting secondary schools to carry out educational visits to battlefields of the western front, is also to be commended.

There can be little doubt that, as our young people visit the graves of the fallen and read the names and ages on the gravestones, it will not be lost on them—as it is not lost on anyone—how young those soldiers were when they lost their lives.

Ultimately, our own communities will lead the way in the commemorations. I look forward to taking part in those activities and reflecting on those who, in the words that appear on many a war memorial, gave their todays so that we might enjoy our tomorrows.

There is one aspect of today's debate that I cannot allow to pass without comment. It is true that the troops in the first world war were lions led by donkeys, but the suggestion that all the officers were hiding some distance away is not an accurate reflection of the history and the facts of the war.

Richard Lyle: Will the member take an intervention?

Alex Johnstone: I ask the member to let me complete my remarks.

It is true that the people who guided the conflict on the large scale were often in a protected position, but it is also the case that thousands of young officers—including another great war poet, Siegfried Sassoon—led their troops from the front and that many were themselves victims who gave their lives in service of their country. Let us not dwell on class differences that might be hidden in the history of the war. Let us remember all the courageous young men who gave their lives in northern France and Flanders so that we might enjoy our freedoms.

13:01

The Cabinet Secretary for Culture and External Affairs (Fiona Hyslop): I congratulate Richard Lyle on securing the debate, and I commend the excellent speeches that we have heard.

The motion concludes:

“by commemorating this war ‘we will remember them’.”

It is clear from the debate that we are all committed to ensuring that the sacrifice of so many people is truly recognised and respected.

The first world war was global in its impact. It involved the major powers and their colonies in

fighting across fronts in western and eastern Europe, Gallipoli, Palestine, Mesopotamia, Africa and the far east, and it claimed the lives of more than 16 million people across the globe.

Richard Lyle talked about the scale of the losses and Alex Johnstone reflected on the youth of many who died. Almost a million British lives were lost. Scottish communities bore tremendous losses—it has been estimated that more than a quarter of the Scots who fought in the first world war were killed. It is also estimated that Scotland lost about 100,000 men, in 10 Scottish regiments, out of a British total of 745,000 losses.

We must never forget our long and distinguished military history. I will be proud to attend the West Lothian armed forces day in Livingston on Saturday, to recognise the debt that we owe to our service personnel.

Remembrance is a key feature of our commemorations of the first world war. In March, I appointed the Scottish commemorations panel to advise on how we in Scotland mark the centenary of the war. On 23 May, the First Minister announced the key dates for Scottish commemoration, endorsing recommendations of the panel. The dates mark significant Scottish military involvement and tragic domestic incidents.

The tone that is adopted will be crucial. Our commemorations, especially those that mark the centenary of the outbreak of war, must be sensitively handled and relevant to all parts of Scotland and the Scots diaspora.

Scotland's programme will align with that of the UK Government. It is fitting that the UK-wide commemorations will begin on the morning of 4 August 2014 in Glasgow. There will be a special service for Commonwealth leaders at Glasgow cathedral, followed by a wreath-laying service at the city's cenotaph. Hanzala Malik mentioned the Commonwealth relationship.

The following weekend, Scotland will mark the outbreak of the war with a drumhead service in Edinburgh. The multifaith service will replicate services that were conducted on the front line, at which neatly piled drums draped with flags were used in place of an altar. More details about the service—and indeed about all the events that are planned—will follow in due course.

There will be recognition of Scotland's significant military contribution in relation to four key dates. On 25 April 2015, Scotland will remember those who stood alongside our ANZAC comrades at Gallipoli. On 25 September 2015 we will turn our attention to what historians call Scotland's battle—the battle of Loos, where 30,000 Scots served and Scots made up half the casualties. It was appropriate that Kenny Gibson

talked in such personal and human terms about the losses of the Mochrie family of Kilbirnie.

On 31 May 2015, we will commemorate the battle of Jutland. Although Britain lost more ships and men, Germany never again during the war seriously challenged British control of the North Sea. On 9 April 2017 we will focus on the battle of Arras, which saw the largest concentration of Scots to fight together during the war.

We will also remember two domestic incidents, to reflect the war's broad impact on Scotland. On 22 May 2015 we will commemorate the train crash at Quintinshill, near Gretna. The Leith-based 7th battalion Royal Scots Territorial Force was on its way to Liverpool and Gallipoli, and it lost 214 officers and men, with 246 people, mainly soldiers, being injured. The Quintinshill crash remains the worst British rail disaster.

On new year's day 2019, Scotland will also mark the loss of HMS *Iolaire*. The *Iolaire* was carrying many naval personnel returning home to Lewis from the Kyle of Lochalsh when she struck rocks half a mile from Stornoway, with the loss of 204 of the 285 men on board.

The end of the war will of course be marked in November 2018. We will reflect on the sacrifice of those who fought, those who lost loved ones, and those whose lives were changed for ever by the nature of war.

One of the objectives of the commemoration is to reflect on the domestic impact of the war in Scotland. Our commemorations will allow for a spirit of open inquiry as we seek to understand and remember, for example, the role of women, as highlighted by Jim Eadie, the people who disagreed with the war, and the range of social impacts that the war had on all our lives.

We will not just commemorate the war with national events. The First Minister announced on 14 January the establishment of a £1 million fund to enable war memorials to be restored. There are more than 5,000 war memorials in Scotland, with one in virtually every village and community across the country. The fund will help us to bring our memorials up to standard and ensure that they are at the heart of our four-year commemorations as we remember the sacrifice made by our local communities.

I was delighted to learn recently that the Commonwealth War Graves Commission plans to restore 12 graves in Motherwell's Globe cemetery, which is of course part of Mr Lyle's constituency area. I encourage support for public subscription for the new memorials such as the one proposed for Arras, which Mr Lyle referred to.

Hanzala Malik: I agree with the cabinet secretary that there are many memorials in

Scotland. I am particularly proud to see them in small villages and places where regiments were based at one time or another. However, what I would like to see is one single focal point for all our losses in Scotland. That would be a great gesture for our men, women and children who lost their lives. It is something to consider.

Fiona Hyslop: I would encourage Hanzala Malik to visit our Scottish national war memorial at Edinburgh castle.

Education will be a key focus of our commemorations. That is why the First Minister announced the fund for battlefields. On 20 May, he announced that a £1 million fund would be available for visits by every secondary school in Scotland. That would provide a subsidy of £2,000 per school and enable 20,000 students to visit the first world war battlefields during the next six years. It is vital that we help the next generation understand and explain to their friends the true significance of the conflict for Scotland and the wider world.

A range of activities are planned to support the centenary across Scotland. It is right that those are happening independently, so that our local communities feel free to commemorate as they see fit and in very personal ways.

A wide range of exhibitions are planned, and there will be school projects and a huge amount of activity to support genealogy and the sharing of family and community history. Tomorrow, the University of Edinburgh will launch its virtual history archive called "Scotland's war", which will provide an important resource. There is no shortage of fine work being carried out to create a fitting legacy from the centenary.

I am pleased also that the Heritage Lottery Fund has recently launched its centenary grants programme, enabling communities to explore their first world war heritage and deepen their understanding of the impact of the conflict.

I am sure that this Parliament will revisit the commemorations in years to come. It is our responsibility and our duty to remember. We will remember them.

13:08

Meeting suspended.

14:15

On resuming—

Business Motion

The Deputy Presiding Officer (Elaine Smith): Good afternoon. The first item of business this afternoon is consideration of business motion S4M-07171, in the name of Joe FitzPatrick, on behalf of the Parliamentary Bureau, which sets out a timetable for stage 3 consideration of the Scottish Independence Referendum (Franchise) Bill.

Motion moved,

That the Parliament agrees that, during stage 3 of the Scottish Independence Referendum (Franchise) 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 and 2 30 minutes.—[*Joe FitzPatrick.*]

Motion agreed to.

Climate Change (Report on Proposals and Policies)

The Deputy Presiding Officer (Elaine Smith):

The next item of business is a statement by Paul Wheelhouse on “Low Carbon Scotland: Meeting our Emissions Reduction Targets 2013-2027—The Second Report on Proposals and Policies” and “The Scottish Greenhouse Gas Emissions Annual Target 2011 Report”. The Minister will take questions at the end of his statement and therefore there should be no interventions or interruptions.

14:16

The Minister for Environment and Climate Change (Paul Wheelhouse): Today, I am publishing both the final version of the Scottish Government’s second climate change report on proposals and policies—RPP2—and the statutory report on the annual emissions reduction target for 2011. I set on record once again my thanks to the four parliamentary committees that scrutinised the draft RPP2, and to the many stakeholders who contributed their views to that process and who continue to keep the profile of climate change action high. WWF Scotland’s Twitter campaign earlier this month is the latest example of that and, as I have said, I am proud to live in a country where so many people care about climate change.

The two documents that I am publishing today tell two parts of the same story: our progress to date and our ambition for the future. The report on the annual target for 2011 shows that between 2010 and 2011, Scottish emissions fell sharply, by 9.9 per cent, to 51.3 megatonnes of carbon dioxide equivalent. That was the biggest single year-on-year decrease since regular reporting of emissions began in 1998. The fall is bigger than the increase that was experienced in 2010 as a result of the record cold weather that year.

Scotland’s target for 2011 requires that greenhouse gas emissions do not exceed 53.4 megatonnes. Our unadjusted emissions are some 2.1 megatonnes below that limit. However, our targets are measured using adjusted figures in the net Scottish emissions account, which factor in the emissions allowances that have been allocated to the Scottish installations that participate in the European Union emissions trading system—primarily our thermal power stations and other heavy industry. Using those adjusted figures, the net Scottish emissions account for 2011 was 54.25 megatonnes, which exceeded the annual target by 0.85 megatonnes.

To have missed the 2011 target is extremely disappointing, particularly given circumstances in which actual emissions—as opposed to adjusted

emissions—are at record levels below the 1990 baseline. Without wishing to get bogged down in technicalities, I note that the level of the emissions baseline is critically important. The Climate Change (Scotland) Act 2009 is framed in a way that requires emissions targets to be set in absolute terms—53.4 megatonnes, in the case of 2011. However, work is being carried out continually to improve the accuracy of the actual emissions data that we use—the greenhouse gas inventory. That means that, although the targets are fixed, in effect we have a floating baseline.

Circumstances have been such that our understanding of Scotland's emissions baseline has changed considerably in recent years. Revisions to the three editions of the greenhouse gas inventory that have been published since Parliament set the annual targets for 2010 to 2027 have added more than 2 million tonnes of extra emissions to almost every year since 1990, and in the region of 2.8 megatonnes to 1990 itself.

Those changes do not represent new emissions; rather, we have identified emissions that were not known about when Scotland's climate change targets were set, which has made reaching those targets much more challenging. However, the challenges posed by those changes in baseline should not mask the achievements that Scotland has made and continues to make.

Our adjusted net emissions have fallen by 25.7 per cent since 1990, which is considerably more than the 23.9 per cent envisaged for 2011 when the annual targets were originally set. Similarly, the annual targets for 2010 and 2011 require that net emissions reduce by 0.46 per cent year on year. The actual reported reduction was 2.9 per cent, which is more than six times as much. In fact, it is worth noting that, had the 2011 annual target been updated to reflect the higher baseline in the 2011 inventory, it would have been met with around 1.26 megatonnes to spare.

When we look across Europe we see that, on a like-for-like basis, Scotland has achieved greater cuts in emissions than any member state in the EU 15 and has significantly outperformed the average for the EU 27. The trend is going in the right direction. We are determined to do more and ensure that emissions fall even more quickly, to secure a truly low-carbon future. The package of proposals and policies set out in RPP2 and the commitment that they represent is an important part of that.

However, it is clear that the basis on which this Parliament set Scotland's climate change targets has changed significantly over the past few years. That is something that the Scottish Government will keep under review.

The impact of the latest data revisions is also felt in the level of emissions reported for 2010. Whereas last year we reported that the net Scottish emissions account for 2010 was 1.06 megatonnes above that year's annual target, the latest inventory has adjusted that up to 2.27 megatonnes. We set out in the draft RPP2 that we intended to compensate for the excess emissions in 2010 by delivering greater emissions cuts over the long term. Our approach remains the same for 2011 emissions and for the final version of RPP2.

Making the low-carbon transition is a long-term project, and, as I have indicated, the long-term trend is a good one. Our current policies, plus the proposals outlined in RPP2, have the potential to outperform our emissions targets to 2027 by more than 4 million tonnes of carbon dioxide equivalent, even before we factor in the impact that stronger action in Europe would have. If the EU were to increase its 2020 emissions target from 20 per cent to 30 per cent, the package of measures in RPP2 would have the potential to outperform our targets by more than 18 megatonnes of CO₂ equivalent.

Scotland's climate change targets were based on the assumption that the EU would make that move and, as a consequence, strengthen the cap on its emissions trading system. When this Parliament passed the Climate Change (Scotland) Act 2009, we were looking forward to the United Nations climate summit in Copenhagen, in the expectation that an international deal would be agreed that would precipitate the EU moving to a target of 30 per cent. As yet, unfortunately, the disappointment of Copenhagen and faltering progress at subsequent international climate change negotiations have prevented that move from happening. We believe that, given that it is set to overachieve against its 20 per cent target, the EU can, should and will improve its current position, and we will continue to press for that.

The final version of RPP2 that we are publishing today has been revised to take into account many of the recommendations that were made in respect of the draft version. The changes are too numerous to go through individually this afternoon, but they are set out in the written statement that I have laid alongside RPP2. I have also written to Rob Gibson, Murdo Fraser, Maureen Watt and Kevin Stewart, as conveners of the four committees that scrutinised the draft report.

RPP2 remains a broad-ranging and complex report but we have tried, where we can, to include more information to better explain the points of complexity. We have also responded to concerns that it was difficult to read across from RPP1, so we have added tables in the sectoral chapters summarising progress relating to the proposals and policies.

The importance of behaviour change was a subject that witnesses and committees returned to regularly during the scrutiny period. Clearly, any efforts to reduce Scotland's emissions depend heavily on the way people choose to consume goods and energy. Many of the policies and proposals in RPP2 seek to tackle behaviours in one way or another. Although it is not possible to detail each and every action, we have sought in the final document to give a better sense of the co-ordinated approach that the Scottish Government is taking.

The report now reflects the publication of the low-carbon behaviours framework and the way in which we are using the latest social science research in our new individual, social and material, or ISM, tool. This is a developing field and, given the strong interest in this work, I have committed to publishing a report in the autumn that will highlight the progress that we are making.

I mentioned that we have tried to improve clarity across RPP2. One aspect of the draft report that was criticised was that, although it contains three "technical potential" proposals in relation to housing, transport and rural land use that consider further emissions abatement in the 2020s, there are currently uncertainties about how best to achieve that abatement. It is reasonable, in a document that looks out to 2027, to include such elements of top-down modelling. However, I accept that, in an attempt to reflect that those measures are currently work in progress, the draft report probably included insufficient detail about the basis on which they had been made. The measures still represent work in progress, but we have sought to include more information about the modelling and assumptions that inform our analysis.

I turn now to what I believe is the most fundamental aspect of RPP2—that is, the package of proposals and policies itself.

Scotland's net emissions reduced by 25.7 per cent, or 18.7 million tonnes, in the 21 years between 1990 and 2011. Unadjusted emissions fell by 21 megatonnes—more than Northern Ireland's total emissions in 2011. As certain witnesses pointed out during the scrutiny of the draft report, those reductions were, in many ways, the easy part. Despite that, RPP2 details proposals and policies that have the potential to reduce Scotland's emissions by a further 23.5 million tonnes over the next 15 years. Any fair-minded person would acknowledge that that represents a significant gear change.

Some members of the Opposition have—for political convenience, one can only assume—dismissed the notion that Scotland's climate change targets have from the outset built in an assumption of a greater contribution from Europe.

The fact that that contribution has yet to happen, coupled with the changes that have been made to how our emissions are measured in the first place, has significantly moved the goalposts in the time since our climate change targets were set. Again, any fair-minded observer would recognise that.

However, RPP2 shows that, based purely on policies that the Scottish Government already has in place, we can achieve emissions reductions of 40.1 per cent in 2020—short of the 42 per cent target set in the Climate Change (Scotland) Act 2009, but only by less than the difference in emissions between 2010 and 2011. With the contribution of the additional proposals in RPP2, emissions could be cut by 43.3 per cent, even in the absence of higher EU ambition prior to 2020. If the EU strengthens its target to 30 per cent, as this Parliament anticipated in 2009, we could achieve a greenhouse gas emissions reduction of 47.1 per cent by 2020.

Some committees and stakeholders have called for RPP2 to be strengthened, for more measures to be added and for additional commitments to be made. I would respond that RPP2 shows how Scotland's climate change targets can be met and does so with a package of proposals and policies that are credible, deliverable and, importantly, fair. It would be easy to add speculative measures that we believe may have future potential but which are currently not well enough understood, even from a modelling perspective, to allow us to make anything more than an educated guess about the emissions abatement that they might deliver. To do that would not be credible, but that does not mean that we have shut the door on new opportunities.

When RPP1 was published, there was criticism that we did not ascribe specific emissions abatement to peatland restoration. We took the view at that time that the science was not sufficiently developed to make a reasonable estimate. Two years on, our understanding has increased greatly and peatland restoration therefore features as a full proposal in RPP2.

The Rural Affairs, Climate Change and Environment Committee highlighted the emissions abatement potential represented by marine ecosystems—so-called blue carbon. The draft RPP2 did not mention that, simply because our understanding of the emissions science in that area is in its infancy. It is still too early to estimate how much abatement blue carbon could offer, but we have amended RPP2 to signal that that is something that we are starting to look at. I hope that that can be developed further for RPP3, just as happened with peatland restoration between RPP1 and RPP2.

There have been calls to increase the rate at which we are retrofitting Scotland's housing stock

with insulation and other measures to help improve their energy efficiency. RPP2 sets out our ambitious plan to tackle fuel poverty, reduce carbon emissions and support jobs through our home energy efficiency programmes for Scotland. That work is supported by funding of around £200 million per year from the Scottish Government and energy companies—the funding is in line with the recommendations in the Economy, Energy and Tourism Committee report on fuel poverty in February 2012. As well as reducing emissions, those programmes will assist many vulnerable and low-income households. Scotland's performance in driving up insulation levels, working in partnership with local councils, has demonstrated our credibility in delivery.

There have also been calls on the Scottish Government simply to regulate more—to make people do things, rather than encourage them to do things. There is certainly a place for regulation, particularly where it helps to create market certainty for investors. For example, biodegradable municipal waste will be banned from going to landfill by the end of 2020—the first such ban anywhere the United Kingdom.

However, for behavioural change to be truly effective and long lasting, we need to offer the people of Scotland a fair deal, to help make low-carbon choices as attractive and easy as possible. I believe that the support that we are giving energy efficiency for homes and businesses, and waste and resource efficiency across the public and private sector, strikes that balance. We are coupling that with investment, both public and private, in decarbonising our energy and protecting and growing our natural carbon sinks.

The Scottish Government is facing a real-terms cut of more than 25 per cent in the amount of capital funding that is available to it between 2010-11 and 2014-15. There are many tough choices to make about where best to spend the money that Westminster decides to make available to us, but despite that, the Scottish Government has committed more than £1.1 billion to low-carbon action over the current spending review period.

We need to do more, of course, and RPP sets out where and how we can do more. Where opportunities arise to go further or faster, we will take them, and we will seek to secure whatever additional funding we can, even in difficult budget conditions, to add to the £1.1 billion that we have already committed.

I am therefore pleased to announce that, as an initial step, we will make available up to £2 million this year to carry out condition surveys to help accelerate local authorities' work to upgrade the energy efficiency of street lighting. I can also confirm that the Scottish Cabinet has agreed that the forthcoming budget in September will contain

additional funding for climate change action beyond the allocations already announced.

As I noted when we debated the draft report in March,

“RPP2 is the most comprehensive outline of measures for reducing national emissions that we know of anywhere.”—
[*Official Report*, 26 March 2013; c 18249.]

It shows how Scotland can meet its climate change targets despite the many challenges that we face. It underscores the Scottish Government's continuing commitment to this agenda, even when it appears to have fallen down some other Governments' list of political priorities—even those who aspired to be “the greenest Government ever”.

I urge members to endorse RPP2 and, rather than simply calling for more ideas and plans, to support the Scottish Government in working to deliver more and to build on our strong foundations.

Scotland can be proud of the progress that it has made and what it has achieved. RPP2 shows how we can achieve even more, going beyond the easy wins and taking on the challenge of making low carbon mainstream.

I look forward to tackling that challenge together with my ministerial colleagues, businesses and public sector organisations, non-governmental organisations, and families and individuals across Scotland. I hope that members across the chamber will join that effort positively and support the Government in working together for a low-carbon Scotland.

The Deputy Presiding Officer: The minister will now take questions on the issues that were raised in his statement. I intend to allow around 30 minutes for questions, after which we will move to the next item of business. I advise members that we are short of time this afternoon, so short and succinct questions and answers would be much appreciated.

Claire Baker (Mid Scotland and Fife) (Lab): I thank the minister for the advance copy of the statement and the documents, although, with the information running to more than 400 pages, this afternoon does not lend itself to proper scrutiny of this long-awaited and important document.

With its coming on the back of two missed emissions targets, there is a high expectation that RPP2 will get us back on track. The minister has repeated his excuses for the missed emissions targets, and has again claimed that we will meet the 2020 target, but we are clearly at risk of missing interim targets and increasingly playing catch up, making each subsequent target harder to reach.

RPP2 cannot be a plan to miss future targets; it must deliver on opportunities for better housing, more transport options, better air quality and sustainable growth.

It is not true to say that Parliament's support for the targets was dependent only on the EU target increasing. Certainly, that would make achieving them easier, but our targets were so radical and world leading because we were committed to delivering progress by this Parliament.

Stop Climate Chaos Scotland's response to RPP2 was that all policies and proposals had to be implemented, as well as the EU moving to a 30 per cent emissions reduction target, if Scottish climate change targets were to be met. Analysis suggests that the 2027 target would be achieved with policies and proposals alone, but that all earlier targets would be missed, which would make future targets more difficult to achieve. RPP2 repeats claims that 2027 targets will be met, but can the minister say what changes been made that will deliver earlier action and achieve interim targets?

The draft did not contain a single Scottish Government policy to reduce emissions from transport, and Scotland continues to exceed air-quality targets. Can the minister say what transport proposals have been changed to policies, so that we can make progress, particularly with regard to achieving modal shift, which is one of the biggest challenges within behavioural change, given that emissions from transport have stayed the same over the past 20 years?

What does the minister mean when he says that the basis on which the Parliament set the targets has changed significantly, and that that is something that the Scottish Government will keep under review?

Paul Wheelhouse: I will deal with the last question first. I know that Claire Baker has not had time to delve into all 400 pages of the report, but I think that it is obvious from the statement that I have given and the statement at the beginning of the report that the Climate Change (Scotland) Act 2009, which set the targets in absolute terms—the Parliament then went on to confirm targets up to 2027—did not allow for a mechanism for adjustment in the light of significant baseline revisions. As I understand it, when data started to be collected, emissions figures in Scotland were being revised downwards. However, they then started to be successively revised upwards and, in the last three sets of figures, under the greenhouse gas inventory, that revision has been significant. That has added 2.8 megatonnes to the 1990 baseline, and we missed the target in 2011 by only 0.8 megatonnes. If we were doing a really

bad job, we would have missed it by a bigger margin.

I am trying to get across the message that we have a significantly greater challenge to meet, and we need to have a cross-Parliament approach to tackling it. After all, one day—heaven help us—the Labour Party might be in power in Scotland and will need to deal with these issues.

We have already invested significantly in transport, as the member knows. However, I accept that transport is an area of the economy in which we have not made as much progress as we would have liked. The transport sector has a complete package in RPP2—it is important to look at it as a whole. The tables at the back of RPP2 show clearly that, together, all the policies and proposals that are described will allow us to meet each annual target from 2013 to 2027, albeit—and I appreciate this point—in circumstances in which the EU moves its target to 30 per cent. As I said in my statement, we are looking to recover any missed targets in the period up to 2020 and beyond, when we will move to actual emissions data. The full impact of the Government's investment in and support for renewable energy will then kick in, as the tables demonstrate.

I apologise if I have missed any of Claire Baker's points. I am happy to engage with her—as I do positively with all members—on progress towards our climate change targets.

Jamie McGrigor (Highlands and Islands) (Con): I take the minister's point that Scotland's targets were built on the assumption of a greater contribution from Europe, which is slow in coming. Nevertheless, the minister will be aware that Stop Climate Chaos Scotland has said that it is

“very disappointed that the second climate change target in a row has been missed”.

Does the minister understand the concern that the draft RPP2 does not focus enough on the specific policy changes that will be required to reduce emissions, particularly in transport? Is he confident that those changes will be embedded in the final report and that he has the support of all his ministerial colleagues for achieving future targets?

I welcome the minister's comments on peatland restoration. What action is he taking to ensure that significant peatland restoration measures, which are currently limited in scope and extent, are achieved in the new Scotland rural development programme?

I also welcome the fact that some progress has been made on more homes having energy efficient ratings, but we still have a significant way to go, as the existing homes alliance Scotland has pointed out. Does he agree that an increased use

of the green council tax discount could help to achieve further progress in the area? Will he do all that he can within the Government to promote awareness and uptake of the scheme?

Paul Wheelhouse: On the transport challenge and whether all colleagues are signed up to the agenda, the Cabinet's agreement to prioritise, or at least to support, additional funding measures in the 2014-15 budget is a clear signal that it realises the scale of the challenge. I hope that the fact that the targets are becoming more difficult to achieve reassures the stakeholders out there, the public and colleagues across the chamber that we have an absolute commitment to achieving our targets despite the fact that we recognise the technical difficulties. We are showing ambition and are determined to achieve the absolute targets that we have set for ourselves as a Parliament.

As the member knows, we have an opportunity to restore our peatlands further on a significant scale. We have put the technical potential options in the document, which sets out a target for 21,000 hectares per annum. However, as I have said all along—and as the member recognised in his question—important details need to be filled in, such as what shape the SRDP will take; as time goes by, we are getting more detail about what that might look like. The peatland plan needs to be developed in partnership with land managers, the private and public sectors and NGOs. We need to understand the impacts that peatland can have on climate change emissions.

The take-up of the green council tax discount has to date been limited, but I am happy to reconsider the issue and see whether there is any way in which we can further influence take-up.

Rob Gibson (Caithness, Sutherland and Ross) (SNP): As a necessary part of behaviour change, all members should be able to identify from their constituencies fair contributions to meeting the targets. In my case, the Scottish Government has stepped up from proposals to policies on peatland restoration, which I very much welcome. Does the minister agree that peatland restoration is part of the preventative spend agenda and that there are, in other constituencies, many other parts of the agenda to be found, which members could champion?

Paul Wheelhouse: I agree with Rob Gibson, who has been a long-standing and passionate campaigner for peatland, as has Jamie McGrigor. He is absolutely right to identify peatland as an excellent example of preventative spend and how we can use the natural environment to protect ourselves from the damaging effects of climate change on biodiversity through adaptation, flood prevention and sequestration of carbon dioxide. There are probably few better constituencies for that policy to be deployed in than Rob Gibson's. I

am happy to continue to work with him to address the issue. The Scottish Government is developing with Scottish Natural Heritage a peatland plan for Scotland; I look forward to taking forward those proposals.

Claudia Beamish (South Scotland) (Lab): The minister has acknowledged the criticism of the draft report's three "technical potential" proposals in relation to housing, transport and rural land use that might provide emissions abatement in the 2020s. In view of the uncertainties, can he clarify what modelling and assumptions inform the further analysis in the final document? Will he acknowledge the need to ensure that current policies are robust enough to ensure that we do not miss any more targets? Does he acknowledge how essential funding is for research into blue carbon and other developing issues?

Paul Wheelhouse: On the issues that Claudia Beamish fairly raises, we recognise the criticism that has been made about the lack of detail, which we have tried to address in the final document. Regarding peatlands—the proposal that is most closely relevant to my portfolio—as I said to the Rural Affairs, Climate Change and Environment Committee and as we have just discussed, we had a number of uncertainties both about the actual technical potential of peatland to sequester carbon and about the funding mechanisms that might be required to stimulate investment from private sector landowners in landscape-scale or ecosystem-scale projects, which will obviously be very important. There were also issues surrounding the SRDP funding mechanism. The final document provides more detail that I hope will add flesh to the bones of the three proposals.

We are trying to do more work on blue carbon. I will certainly look at the research opportunities on what is, like peatlands, clearly an emerging possibility, although it will have to go through a similar process. I am happy to work with Claudia Beamish on that matter, which I know she also raised in committee.

Maureen Watt (Aberdeen South and North Kincardine) (SNP): This week, the UK Committee on Climate Change warned the United Kingdom that it is not on track to meet its targets to cut greenhouse gas emissions. That is despite the fact that the UK greenhouse gas emissions targets are lower than Scotland's and do not include aviation and shipping. What can the Scottish Government do to encourage the UK Government to meet its targets?

Paul Wheelhouse: Maureen Watt raises an important point because, under the current constitutional situation, UK policy impacts on Scotland in a number of areas. The Committee on Climate Change's progress report sends an

important message to the coalition Government to increase its action on climate change.

I was interested to note that the Committee on Climate Change acknowledged that Scotland and other devolved Administrations continue to lead the UK in several important areas, including in power, housing and waste. I suggest that the UK Government might consider whether it can learn from the approach that Scotland has taken in those areas.

Most notably, the Scottish Government recognises the unease that the current electricity market reform is causing in the renewable energy and renewables investment sector. We urge the UK Government to move quickly to provide the detail that is required to restore certainty to the market. The Scottish Government has worked closely with the UK Government throughout the electricity market reform process to ensure that it capitalises on Scotland's energy potential and that it delivers for all technologies—in particular, the less mature technologies.

Rhoda Grant (Highlands and Islands) (Lab): The minister will be aware of concerns about the lack of steps to reduce emissions from our housing stock and to tackle fuel poverty, but he has shied away from using building standards to effect a change. The Scottish Government also voted down amendments to the Land and Buildings Transaction Tax (Scotland) Bill that would have incentivised insulation in fuel-inefficient buildings. What steps will he take to ensure that there is a step change in energy efficiency in our private housing stock?

Paul Wheelhouse: As Rhoda Grant should probably know, Scotland is already making substantial progress in housing. We have made great progress in the number of properties that are insulated and in other improvements to tackle fuel poverty more generally, to which I have alluded.

A number of initiatives are being deployed at UK level to encourage energy company investment in housing energy efficiency. Those initiatives, such as the green deal, point to the greater potential support that could be provided in Scotland. From work that is being done to evaluate the impact of those measures, it looks as though for every £1 that the Government puts in, £3 is invested from elsewhere. There are good opportunities for Scotland to exploit that route for funding. A sign of our commitment is that we have backed energy efficiency in Scotland with £79 million in 2013-14. That will lever in extra money from energy companies to create a total contribution of, we believe, up to £200 million a year.

Chic Brodie (South Scotland) (SNP): Given that the latest renewable energy statistics confirm that 2012 was another record year for renewables

generation in Scotland, does the minister agree that Scotland's leadership in renewable energy is a huge success story, as we seek to reduce the impact of our greenhouse gas emissions?

Paul Wheelhouse: Chic Brodie will not be surprised to hear that my answer is yes. In order to meet our long-term climate change targets, we will need fundamental change in how we generate energy. Scotland's abundant renewables resources have given us a strong starting point, and this Government is determined that Scotland will realise that potential.

We have set an ambitious target, on which we are making very good progress, to generate the equivalent of 100 per cent of our electricity needs from renewable sources by 2020. As Chic Brodie will know, the provisional figures show that take-up rose to 39 per cent in 2012. We now know that the challenge is even greater, which is why we have set a new target to achieve by 2030 carbon intensity of 50g of CO₂ per kilowatt hour of electricity that is generated in Scotland. Our modelling shows that successful delivery of the 100 per cent renewable electricity target and the progressive deployment of carbon capture and storage in the 2020s means that our new decarbonisation target could be hit a little earlier—perhaps closer to 2027. The carbon intensity of the grid, which was 347g of CO₂ per kilowatt hour in 2010, dropped to 289g of CO₂ per kilowatt hour in 2011.

Jim Hume (South Scotland) (LD): I, too, thank the minister for advance sight of his statement. The document that has been published today says that the Rural Affairs, Climate Change and Environment Committee commented that

“the final RPP2 should give a more robust and policy focussed assessment of how carbon emissions will be reduced across the Rural Land Use sector.”

However, the table on page 240 of the final report—which is identical to the table in the draft report—includes the proposals for “Additional technical potential”, “Developments in agricultural technology”, and “90 per cent Uptake of Fertiliser Efficiency Measures”. Those proposals, which look to the future, amount to 41 per cent of proposals and policies. Are those reasonable, or fanciful, estimates?

Paul Wheelhouse: Clearly, Jim Hume will not be surprised to hear me say that the estimates in the document are reasonable; I am hardly likely to stand up and say anything else.

In fairness, his point is important. I addressed that matter last week when I spoke at the Quality Meat Scotland breakfast at the Royal Highland Show. There are a number of ways in which we can get the message across to farmers, which is a means to reduce emissions in the sector further. I

know that there are a lot of issues related to nitrogen use and there is an important message in RPP2 about what we can do, as a society, to further reduce nitrogen use in our farming.

We are also concerned that there may be a further baseline revision to the greenhouse gas inventories resulting from increased methane potency. We will keep that under review, but we are committed to delivering lower emissions in the agriculture sector.

I congratulate the agricultural community on lowering emissions by more than 29 per cent by 2011, which is a significant contribution to our progress on climate change.

Roderick Campbell (North East Fife) (SNP): Given that—even as Scotland endeavours to reduce its emissions—climate change is impacting on the world's poorest communities, will the minister update Parliament on Scotland's role in championing climate justice?

Paul Wheelhouse: Mr Campbell is quite right that climate justice is an extremely important aspect of the Scottish Government's policy. We are tackling the need for higher ambition not only in Europe, but across the globe, by sending out a message on the benefits to the economy. There is also a moral message; we are a global community and the countries that have contributed least to the climate problem are suffering the most from its impacts.

This Government has invested £3 million in a climate justice fund. In November last year, I was pleased to award in the first round £2.5 million to four projects in Malawi and one in Zambia that are dedicated to improving the availability of clean drinking water and to tackling the gender issues that arise from women having to find water daily. Those are extremely important projects that set an example to developing nations about what developed countries are willing to put back for the damage that we have caused to the global environment. I look forward to further rounds of activity for the fund.

It is worth highlighting that we are holding an international conference on climate change on 9 October in Edinburgh, where we hope to drive further the climate justice agenda on the back of our work in Scotland.

Alex Fergusson (Galloway and West Dumfries) (Con): I was pleased that the minister acknowledged the role that business plays in progressing the targets, and that he will work with businesses on that. Will he expand a little on what discussions he has had, particularly with small businesses, to ensure that, while we work together to achieve the targets, we do not engulf small businesses in extra red tape and regulation?

Paul Wheelhouse: Alex Fergusson raises an important point. We have established groups, such as the 2020 group, that deal for the most part with large companies. I appreciate that small and medium-sized enterprises in many cases face different issues.

We are working through our individual, social and material—ISM—and other behavioural change models to try to understand what influences businesses' decisions on their use of resources and how to become more energy efficient. We have put together a new package—called resource efficient Scotland—to help businesses to move towards a low-carbon transition. I look forward to developing that work.

Much behavioural work needs to be done. We are doing primary research on how we can influence behaviour in different parts of society—individuals, communities, businesses and specialist areas such as agriculture. We need to give businesses a mixture of altruistic messages and messages about how we can help them to reduce their reliance on resources and thereby reduce their costs.

Jim Eadie (Edinburgh Southern) (SNP): Does the minister accept that transformational change is required in the housing sector to achieve the ambitious emissions-reduction targets that have been agreed by the Parliament? What further assurance can he provide that the target of 100,000 homes with some form of individual or community renewable heat technology will be achieved by 2020? What further discussions has he had with the UK Government on incentives for microrenewables to enable many more people to heat their homes in an energy-efficient way?

Paul Wheelhouse: That is an important question. We have set out proposals to update our renewable heat target in the latest renewable heat report for 2012, which the Scottish ministers—specifically, Mr Ewing—published on 18 June 2012. That shows that we need more renewable heat to deliver our 11 per cent target. We will take a comprehensive look at how we can maximise renewable heat in Scotland to achieve that increased ambition through a heat generation policy statement.

The Scottish Government was disappointed in the UK Government's delay to the renewable heat incentive. The Minister for Energy, Enterprise and Tourism, Mr Ewing, has raised that directly with Greg Barker on several occasions. In the interim, I welcome the increase in the UK Government's renewable heat premium payment vouchers.

The Scottish Government will continue to make interest-free home renewables loans available to householders to install renewables technologies. We also look to make available £50 million from

the warm homes fund from 2012 to 2015 to help councils and social landlords to develop renewable energy projects that will help to alleviate fuel poverty.

There is also work being done by the Energy Saving Trust, which estimates that there had been 10,800 microheat technologies installations by 2012 and that, in 2011, a total of about 20,000 homes used some form of renewable heat.

Alison Johnstone (Lothian) (Green): I thank the minister for early sight of his statement.

Upgraded policies are few and far between in the document. On transport, for example, there is not a single idea from the Scottish Government that has the status of “policy”. Will the minister make clear what the Scottish Government will do to reduce road emissions that it is not required to do by the European Union?

The Government’s own expert committee is urging expansion of the loan scheme to get district heating projects under way, so why does financing remain at only £5 million over several years?

Paul Wheelhouse: On the things that we are not being required to do by others, I point Alison Johnstone to the investment that we are making. I appreciate her point, which she made clearly in the pedal on Parliament event, that she does not feel that enough is being invested in active travel, but we are investing £58 million over the spending review period on active and sustainable travel.

In Scotland, we have a different agenda on subsidy for public transport to that of our colleagues south of the border and we are doing much more to try to deliver transport improvements. It is worth saying that emissions have fallen in transport now for three or, possibly, four years. I appreciate that that is the area in which we are most vulnerable to accusations that we have not made enough progress on emissions abatement, but we are making progress. I hope that Alison Johnstone will welcome that and take it forward.

I will happily come back to her on the point about what we are doing on funding for district heating and see whether we can take anything further forward.

Colin Beattie (Midlothian North and Musselburgh) (SNP): Changes in the baseline data mean that Scotland is now trying to cut emissions by more than was the case from the original baseline when we passed the Climate Change (Scotland) Act 2009. What can the Scottish Government do to highlight to our neighbours in the EU that Scotland has actually increased its ambitions for tackling climate change?

Paul Wheelhouse: Colin Beattie raises an important point. As I said in my statement, the baseline has moved and the annual targets have stayed the same, which means that if we are to achieve our absolute targets—which we still aim to do by 2020—we will have to reduce our emissions by 44.2 per cent. In remaining committed to that target—despite the change in the baseline—we are already increasing our ambition. That should come across loud and clear.

When I have travelled to the EU environment council, I have been genuinely pleased—as I was when I travelled to the United Nations climate change conference in Doha last year—at the level of recognition of Scotland’s climate change ambitions and achievements.

Despite the difficult negotiations on the EU emissions trading system, much good work on climate change is going on throughout Europe. Scotland can hold its head high in that company. I refer members to table 1.1 of RPP2, which shows how Scotland compares with other nations. Scotland, with a 29.6 per cent reduction in unadjusted emissions, is ahead of every EU 15 country and is well ahead of the EU 27 average.

Malcolm Chisholm (Edinburgh Northern and Leith) (Lab): I hear what the minister is saying about significant reductions since 1990. However, is not it the case that there have been no reductions in transport emissions over that period, that in the draft RPP2 there was not a single policy to reduce transport emissions, and that the UK Committee on Climate Change has said that it is necessary for the Scottish Government urgently to translate proposals into policies?

The minister made general remarks about transport in response to Alison Johnstone and Claire Baker. Can he name proposals in the draft RPP2 that are now policies? In particular, are there demand-reduction measures, to bring about modal shift?

Paul Wheelhouse: I recognise Malcolm Chisholm’s long-standing interest in the matter and I realise that he is asking a genuine question. I recognise that the UK Committee on Climate Change made points about our needing to move faster to ensure that our detailed policies are implemented and achieve their abatement potential. However, it is worth pointing out that David Kennedy said:

“Scotland has made good progress in delivering on emission reduction measures to date. This lays the foundations for meeting ambitious Scottish emissions targets and building a low-carbon economy in Scotland with the benefits that this will bring.”

The Committee on Climate Change recognises the progress that we are making.

On converting proposals to policies, I am sure that Malcolm Chisholm, who is a sophisticated reader of documents such as the one that we are considering, appreciates that not all measures in RPP2 have to be firm policies from the start. We know that in the period to 2027 we will face a number of uncertainties—not least, there will be at least four Scottish Parliament elections between now and then. We do not know what political direction Scotland will take or what the wider framework will be for funding from Europe and other sources.

As I said, the Cabinet has agreed to look at additional funding support, above and beyond the measures in the report. I look forward to seeing what comes forward.

Point of Order

14:57

Willie Rennie (Mid Scotland and Fife) (LD):
On a point of order, Presiding Officer.

In March, during a debate on policing, the Cabinet Secretary for Justice told the Parliament:

“High-level agreement on corporate functions was reached at the SPA board meeting on 18 January. There was further dialogue on the detail and staff designations were agreed at the SPA board meeting last Friday”—

that is, 8 March—

“I am sure that all members will join me in welcoming that agreement.”—[*Official Report*, 13 March 2013; c 17671.]

Within the past hour, we learned from the chairman of the Scottish Police Authority—here, in Parliament—that the arrangements were agreed only yesterday and that the SPA has still not finalised the role description for its chief executive, let alone started recruiting. We know that the interim chief executive resigned in February and that as a result the SPA must recruit a second interim chief executive.

The position is the exact opposite of the orderly situation that the justice secretary described. I do not think that Parliament would have voted to support the justice secretary’s welcome in March if he had been clear with us about the turmoil in the organisation.

Is there time this afternoon for the justice secretary to come to Parliament to explain himself? [*Interruption.*]

The Deputy Presiding Officer (Elaine Smith):
Order, please.

As Mr Rennie is no doubt aware, that is not a matter for me. However, I am sure that the Scottish ministers will have heard his point of order. It is for ministers to respond to the points that he has made, if they wish to do so.

Willie Rennie has the opportunity to raise the matter with his business manager, who is able to raise the issue at the next Parliamentary Bureau meeting, in relation to future business.

Scottish Independence Referendum (Franchise) Bill: Stage 3

14:58

The Deputy Presiding Officer (Elaine Smith):

The next item of business is stage 3 proceedings on the Scottish Independence Referendum (Franchise) Bill. In dealing with the amendments, members should have: the bill as amended at stage 2, SP bill 24A-revised; the marshalled list, SP bill 24A-ML; and the groupings, SP bill 24A-G.

The division bell will sound and proceedings will be suspended for five minutes for the first division of the afternoon. The period of voting for the first division will be 30 seconds; thereafter, I will allow a voting period of one minute for the first division after a debate.

Section 2—Those entitled to vote in an independence referendum

The Deputy Presiding Officer: Group 1 is on the eligibility of convicted prisoners to vote. Amendment 1, in the name of Alison McInnes, is grouped with amendments 4, 2, 3, 5 and 7.

Alison McInnes (North East Scotland) (LD): My amendments in the group offer two alternative options, which look to allow some prisoners to vote in the referendum.

The European Court of Human Rights has ruled that the United Kingdom's blanket ban on prisoners voting in elections is contrary to the European convention on human rights. Only four other countries in Europe—Armenia, Bulgaria, Estonia and Russia—impose a blanket ban. The Joint Committee on the Draft Voting Eligibility (Prisoners) Bill at Westminster has confirmed that the draft bill would apply to national and local elections and local referendums. Far from being a progressive beacon on this issue, Scotland is well behind the curve.

There is clear and growing support for giving at least some prisoners the vote from those who have worked closely with our prison and rehabilitation services and from human rights associations. The Scottish Youth Parliament and the Scottish Trades Union Congress have added their voice to calls to amend the Scottish Independence Referendum (Franchise) Bill.

More important than all that, though, is that it is the right thing to do. We send people to prison as punishment, but we can measure success only by considering the way in which offenders re-enter the community. Therefore, surely prison is about rehabilitation. It is about re-engaging prisoners with society, preparing them to take on the

responsibilities of citizenship and giving them the tools to make a meaningful contribution to the community.

Allowing some prisoners to vote on the future of our country sends a powerful message that we are serious about giving them a role in society upon release. If we keep the blanket ban, we risk isolating them still further.

Amendment 1 would pave the way for the other substantive amendments in the group, and the two direct alternatives—amendments 2 and 3. Amendment 2 would give the vote to prisoners serving less than four years, reflecting the current law, which makes a distinction between short-term and long-term sentences, with four years being the dividing line.

I acknowledge that some members who might be open to the general principle of opening up the vote to some prisoners would be uncomfortable with the four-year cut-off. Amendment 3 is a direct alternative to amendment 2 that would likely grant the vote to around 400 prisoners, specifically those serving very short sentences of six months or less.

I would welcome support for the amendments.

I move amendment 1.

Patrick Harvie (Glasgow) (Green): I am glad that we have the opportunity to return to this subject, which was debated at some length at stage 2, at which stage the Referendum (Scotland) Bill Committee considered a range of options including allowing prisoners to vote based on the length of their service; allowing prisoners to vote who were coming to the end of their prison term; allowing prisoners to vote based on the type of offence that they have committed; and—what I would call the full franchise option—simply repealing the ban on prisoners voting altogether.

Now we have the opportunity to reconsider some of those options. Alison McInnes's amendments 2 and 3 specify length of sentence. My amendment 4 returns to the argument for a repeal of the ban on prisoners voting altogether. Margo MacDonald's amendment 7 seeks to address the issue through sentencing guidelines.

I would like the chamber to recognise that this is not simply the whim of a small number of MSPs. I am pretty sure that only a small number of MSPs will vote for any of these amendments and I do not expect suddenly to change everyone's mind, but it is important that these arguments are put on the record because of the breadth of non-parliamentary support that they have attracted.

We have had evidence from the Howard League for Penal Reform, the Prison Reform Trust, Sacro and a range of academics, such as Professors Fergus McNeill, Mike Nellis and Alec Spencer, as

well as written evidence from the Quakers. Although at its most recent general assembly the Church of Scotland was not able to adopt a formal position, the convener of the church and society council continues to support the argument and intends to return to the debate within the church later in the year.

It is important to recognise the arguments that have been put on a point of principle: what is prison for? Generally we expect that there are three purposes of prison: protecting society, punishing offenders and rehabilitation. Which of those purposes is served by the blanket ban on prisoners voting?

I defy anyone to tell me that it is genuinely a source of punishment and that the inability to vote in elections or in referendums is genuinely perceived as punishment by offenders. Does it protect society? It is inconceivable that an offender poses a greater threat to society when they are in prison simply by virtue of having a vote.

The third purpose of prison is rehabilitation, which can be served only by underlining to convicted prisoners that they are going to return to society and we expect them to behave as a part of society—by underlining the importance of citizenship and the understanding that democratic participation is a right. The Prison Reform Trust says:

“We believe that there is a clear and unambiguous case for reform. This rests on the conviction that voting is not a privilege. It is a basic human right. It is certainly not a reward to be granted to those whom the Government has judged morally decent.”

The trust points out that

“The UK is out of step with all but five member states of the Council of Europe, as well as with the majority of developed nations throughout the world.”

The position in the UK and in Scotland is not a normal one; it is not a mainstream one. As well as the other organisations that I have mentioned, the Scottish Trades Union Congress has written to members to argue against a restrictive interpretation of the right to vote. There is a clear case for reform, and for sending the message that prisoners are expected to return to society as participants in society, including in the democratic process.

I find it bizarre that the Government continues to be determined to resist change on this matter despite a theoretical commitment to incorporating the European convention on human rights at the heart of a written constitution for Scotland. If the Government wants to put human rights at the heart of a written constitution for Scotland—which I would welcome—it has implicitly accepted that convicted prisoners will have the right to vote in elections. If that is the case, there is no rational

argument for a more restrictive approach to referendum franchise than to electoral franchise. I look forward to the Deputy First Minister and Cabinet Secretary for Infrastructure, Investment and Cities responding to that argument—if Mr Swinney has not distracted her too much in the past few moments.

The Deputy Presiding Officer: Contributions must be shorter or I will be unable to call everyone who wishes to speak.

Margo MacDonald (Lothian) (Ind): I pick up where Patrick Harvie left off. If we are serious about this being an advanced legislature and our body of law being better than we have had, we must consider what improvements we would make—certainly from prisoners’ point of view—were we to resist banning prisoners from voting.

This situation may be the result of a peculiar shyness on the part of members. Most members in here are quite bold—we are new and cutting edge—and yet, on this matter, such members automatically say, “Oh no, we couldn’t give prisoners the vote. The public wouldn’t like that.”

I have not spoken to a huge number of people but I can say, hand on heart, that everyone I have spoken to about this agrees on the middle road, if you like. They do not want to think of axe murderers and people who have committed dreadful crimes being allowed to vote, because that is taking part in society in a privileged way, and such prisoners have forfeited that privilege. However, they think it too much to deprive people of the vote who are in prison for less time and for less serious crimes against society. Those prisoners should be encouraged to take part in society and to see the error of their ways.

We will be falling down on the objectives that we have set ourselves if we do not consider this issue very seriously. Remember that we do not need to take all the decisions ourselves—we are asking for guidelines. I am prepared to trust the Scottish Law Commission to come up with guidelines that judges and the general public can live with.

The Deputy Presiding Officer: I ask for brief contributions, please.

Stewart Maxwell (West Scotland) (SNP): Fundamentally, there are two arguments here. I still remain unconvinced, even though those who lodged the amendments made those arguments very eloquently.

On the legal position, the Law Society of Scotland said in a letter to us:

“Prisoner voting cases have all been based on alleged breaches of ECHR Article 3 Protocol 1 (A3P1) which states,

‘The High Contracting Parties undertake to hold free elections at reasonable intervals by secret ballot, under

conditions which will ensure the free expression of the opinion of the people in the choice of the legislature.”

That is the important point. The Law Society went on to say:

“A3P1 does not govern voting in referenda but only in elections for the ‘choice of the legislature’. Accordingly the European Court of Human Rights jurisprudence relating to prisoner voting rights ... do not apply to the referendum.”

I accept that there are two points. There is also the principle, which Patrick Harvie spoke about. However, when someone is found guilty of a crime, judges have a decision to make: they have to decide on the length of the sentence and they have to decide whether it should be a custodial or a non-custodial sentence. In making that decision, judges will take into account a number of factors, including the impact of a custodial sentence on the individual and, of course, their family. They realise that imposing a custodial sentence has an impact in a number of ways.

Patrick Harvie said that voting is a right, not a privilege. That is an interesting use of words. The fact is that we take away a number of rights from individuals when we sentence them to a custodial sentence: we remove the right to liberty, the right to a family life and the right to vote, to name but a few. The issue is not that voting is a privilege—it is a right; and as a society, when we impose custodial sentences, we remove from individuals not just their right to vote but their right to liberty and their right to a family life, for example. Judges and sheriffs are well aware of the impact of imposing a custodial sentence, and I prefer to leave the decision to them.

When it comes to the principle, the dividing line is not between the rights of short-term prisoners and the rights of long-term prisoners; it is between those who are in prison and those who are not in prison.

The Deputy Presiding Officer: I must hurry you along.

Stewart Maxwell: I believe that we have got the position just about right as the bill stands, and I urge the chamber to reject the amendments in this group.

James Kelly (Rutherglen) (Lab): I draw members’ attention to my entry in the register of members’ interests. My brother is Tony Kelly, who is a practising solicitor.

I oppose all the amendments in the group. Those who are in favour of extending the franchise to some groups of prisoners advance the argument that a ban achieves no purpose and punishes people from deprived and disadvantaged communities. Some areas of my constituency are deprived and disadvantaged. When I look at examples of lower-level offences, I think of the

woman who has been harassed by antisocial behaviour and threatened with a gun, who is off work through stress. [*Interruption.*] I also think of the pensioners who have been conned out of their savings by a fraudulent rogue trader. The victims of such crimes would think that prison serves a purpose and that the people who inflicted those crimes on them should lose the right to participate in the referendum. It is important that we give the victims of crime a voice in the debate. They would not applaud MSPs for granting prisoners a vote in the referendum.

Alison McInnes: Will the member take an intervention?

James Kelly: I am sorry, but I am short of time.

The route that Margo MacDonald’s amendment 7 proposes is a dangerous route to go down, in that it would allow consideration to be given to special events or special circumstances. The court already takes into account social work reports and family circumstances. Sending someone to prison will be the last option. Therefore, I do not accept amendment 7.

On the legal arguments about ECHR compliance, the Deputy First Minister tells us that she has taken into account all the legal considerations and that the arguments on case law are clear. However, she has not advanced a legal rationale. It would be good if she could substantiate the Government’s position by saying more about the legal arguments.

In summary, we reject all the amendments in the group and we would like more detail to be provided to back up the Government’s legal case.

Margo MacDonald: Before Ms Goldie speaks, I would like to apologise to the Presiding Officer, Mr Kelly and the chamber—I forgot to turn off my phone.

The Deputy Presiding Officer: Thank you very much. Will all members please remember to switch off their mobile phones when they are in the chamber?

15:15

Annabel Goldie (West Scotland) (Con): I admire the tenacity of Alison McInnes and Patrick Harvie in pursuing the inclusion of their amendments in the bill. They have certainly done their best to expound their arguments and articulate their positions.

However, my problem is one of fundamental principle. In my opinion, if a court considers prison to be an appropriate sentence for an accused, suspension of liberty rightly involves suspension of franchise. I realise that Alison McInnes and Patrick

Harvie may disagree with that view, but it is the view that I take.

Both of those members called on evidence in aid of their argument by referring to various witnesses who support their view. However, no reference was made to another important body of evidence, which is the court of public opinion. An extensive poll that was carried out last year showed that 63 per cent of respondents felt that no prisoners should be allowed to vote in elections. I do not think that we should disregard what is a fairly powerful expression of the public view.

I realise that Margo MacDonald's amendment 7 is well intended, but again I find it flawed in both principle and rationale. If a judge is determining the sentence for a convicted accused, I want that judge to consider the crime, the victim, the particular circumstances of the accused and—as James Kelly said—any ancillary material such as a social work report.

I do not consider it relevant for the judge to consider whether or not an accused will lose the right to vote. The loss of the right to vote is not a mitigating factor in sentencing, but a consequence of an individual's transgression against society. I am therefore unable to support any of these amendments.

Nicola Sturgeon: I thank all those members who have ensured that we have had a full and thorough debate on the issue. I recognise that differences of opinion exist, that there are arguments on both sides of the debate and that those who advocate change are putting forward arguments that are based on conviction and stem from principle.

I am sure that, beyond the referendum, we will debate the issue again, both here and elsewhere. It is right that Parliament has heard the debate aired in such detail, and that we have the opportunity to do so again today.

The amendments that Alison McInnes and Patrick Harvie have lodged seek to change the provisions in the bill that prevent convicted prisoners from voting in the referendum while detained in prison. They seek to do so in various ways, all of which are intended to allow some convicted prisoners who are still serving prison sentences to vote in the referendum.

All these amendments were previously lodged at stage 2 and rejected by the committee. As I have said previously—and as I assure Margo MacDonald—I have taken and considered the matter very seriously. However, the Government does not believe that convicted prisoners should be able to vote while they are detained in custody.

The position that we have taken in the bill is consistent with current arrangements. Convicted prisoners do not currently have the right to vote in elections, and they will not have the right to vote in the referendum. The franchise is a crucial part of the referendum, and a consistent position on the issue is key. It is also important that the issue is settled well in advance of the referendum and put to rest with the passage of the bill.

The legal position is clear. The ECHR does not apply to referendums, and case law backs that up. The Law Society of Scotland and legal experts agree on that point, and on the fact that any challenge would not be likely to be successful.

Although I welcome James Kelly's support for the Government's position, it is slightly unfortunate that he cannot simply bring himself to say that he backs the position of the Scottish National Party Government, preferring instead to try to pretend that there is some lack of clarity around the legal position. The legal position is clear, and that fact was narrated in the committee's stage 1 report.

There may come a day—and today would be as good a day as any—when the Labour Party can simply say, without equivocation, that the SNP Government has got it right. I live in hope that we get to that position before the end of today's proceedings.

Aside from those practical arguments, and the clear legal position, the Government opposes these amendments on principle. The principle that a convicted prisoner loses certain rights for the duration of their custodial sentence is a fundamental and long-standing part of the prison process.

Custodial sentences are handed down by judges and by sheriffs who look at each case on its merits and decide, based on all the circumstances that are laid out before them, whether or not a custodial sentence is suitable and what the appropriate length of that sentence should be. Where such a sentence is imposed, that determines the matter. That approach achieves clarity and is both consistent and principled.

Patrick Harvie: Perhaps the cabinet secretary slightly overstates the long-standing nature of the current situation. For example, under the Forfeiture Act 1870, prisoners in the middle of the 20th century serving sentences of less than 12 months were entitled to vote. I will have one more stab at asking the cabinet secretary to explain. If on principle she supports ECHR and its consequent provision that prisoners—at least some—are able to vote in elections, why is it that a referendum franchise ought to be more restrictive than an electoral franchise?

Nicola Sturgeon: I do not believe that prisoners should get to vote in elections; what I do believe is that we have to accept the implications of ECHR. However, ECHR does not mandate that prisoners should be allowed to vote in referenda, because it specifically applies to elections to national legislatures. If I personally do not believe in a particular position, then I do not think that it is consistent or sensible for me to want to argue for going beyond the ECHR position.

Margo MacDonald: Surely the ECHR position is not about the particular vote but about the principle of voting, which means that if we can vote in one way to elect a member, we can vote in another way.

Nicola Sturgeon: I agree to an extent with Margo MacDonald, but the point that I am making is that in principle I do not believe that prisoners should have the right to vote. I have heard some people say that the Scottish Government's commitment to reducing short-term sentences and ensuring that prison is used only where that is appropriate somehow means that we should take a different view on this issue; on the contrary, the fact that our position is that prison should be used only where appropriate means that where a judge does decide that a prison sentence is appropriate, then certain consequences should flow from that prison sentence. One of those consequences is that the prisoner loses the right to vote for the duration of the custodial part of their sentence. I think that Stewart Maxwell summed the argument up absolutely perfectly, because this is not a debate between short sentences and long sentences: the distinction here is whether a judge sees fit to send somebody to prison or not—that is the basis of the principle.

So, for all those reasons, the Government's position remains as set out in the bill, and I will not accept the amendments that have been lodged by Alison McInnes and Patrick Harvie.

Margo MacDonald's amendment 7 seeks to impose an obligation on the Scottish sentencing council to provide guidelines to the courts. I do not think that it is for our courts to have guidelines given to them in this area. It is a responsibility of this Parliament to legislate for or—what I want to see—against prisoners voting. It is our responsibility and I believe that we should execute it.

The act that sets out the sentencing council—the Criminal Justice and Licensing (Scotland) Act 2010—allows ministers to ask the council to propose guidelines in particular, but it is worth stressing that it is for the council to decide how to respond to that request, which can include rejecting it. As an alternative, Margo MacDonald has suggested that if the sentencing council is not established in time, the Scottish Law Commission

could be required to develop and submit guidelines. However, the Law Commission was established to consider proposals for law reform, and I do not think that it would be appropriate for it to engage in sentencing guidelines.

For all those reasons, I cannot accept amendment 7. I ask members to oppose all amendments in this group and to maintain the position taken by the Scottish Government that convicted prisoners, while in prison, should not be entitled to vote in the referendum.

The Deputy Presiding Officer: Many thanks. I ask Alison McInnes to wind up and indicate whether she intends to press or withdraw amendment 1.

Alison McInnes: The right to vote is a fundamental right in a fair and free democratic society. We must not remove that right lightly or, indeed, arbitrarily. The referendum vote will be a landmark vote, given its potential to bring about significant change. We have an opportunity to do something different here in Scotland today, because we do not need to uphold the UK blanket ban in this case. Today, we have a chance to show Scotland as a progressive nation.

The Labour member referred to the victims of crime, but the best way in which to support them is to do everything that we can to put a stop to reoffending. What I propose would be a small step towards that, because we want to encourage offenders to engage with their communities and to feel part of society.

I will press amendment 1 and I urge members to show support for some of the amendments.

The Deputy Presiding Officer: The question is, that amendment 1 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

We will have a five-minute suspension, followed by a 30-second division.

15:24

Meeting suspended.

15:29

On resuming—

The Deputy Presiding Officer: Before we progress, I advise members that we require more time than has been provided to allow us to complete our consideration of amendments to the bill. I am therefore minded to accept a motion without notice under rule 9.8.5A, that the time limit

for consideration of amendments to the bill be extended to 40 minutes.

Motion moved,

That, under Rule 9.8.5A, the time limit for consideration of amendments be extended to 40 minutes.—[*Joe FitzPatrick.*]

Motion agreed to.

The Deputy Presiding Officer: I should also remind members that, under rule 9.8.5B, I will use the discretion that is available to me to move decision time tonight to 4.40 pm.

We proceed with the division on amendment 1.

For

Finnie, John (Highlands and Islands) (Ind)
Harvie, Patrick (Glasgow) (Green)
Hume, Jim (South Scotland) (LD)
Johnstone, Alison (Lothian) (Green)
MacDonald, Margo (Lothian) (Ind)
McInnes, Alison (North East Scotland) (LD)
Rennie, Willie (Mid Scotland and Fife) (LD)
Urquhart, Jean (Highlands and Islands) (Ind)

Against

Adam, George (Paisley) (SNP)
Adamson, Clare (Central Scotland) (SNP)
Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)
Allard, Christian (North East Scotland) (SNP)
Baillie, Jackie (Dumbarton) (Lab)
Baker, Claire (Mid Scotland and Fife) (Lab)
Baker, Richard (North East Scotland) (Lab)
Beamish, Claudia (South Scotland) (Lab)
Beattie, Colin (Midlothian North and Musselburgh) (SNP)
Biagi, Marco (Edinburgh Central) (SNP)
Bibby, Neil (West Scotland) (Lab)
Boyack, Sarah (Lothian) (Lab)
Brodie, Chic (South Scotland) (SNP)
Brown, Gavin (Lothian) (Con)
Brown, Keith (Clackmannanshire and Dunblane) (SNP)
Burgess, Margaret (Cunninghame South) (SNP)
Campbell, Aileen (Clydesdale) (SNP)
Campbell, Roderick (North East Fife) (SNP)
Carlaw, Jackson (West Scotland) (Con)
Chisholm, Malcolm (Edinburgh Northern and Leith) (Lab)
Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
Constance, Angela (Almond Valley) (SNP)
Crawford, Bruce (Stirling) (SNP)
Cunningham, Roseanna (Perthshire South and Kinross-shire) (SNP)
Davidson, Ruth (Glasgow) (Con)
Dey, Graeme (Angus South) (SNP)
Doris, Bob (Glasgow) (SNP)
Dornan, James (Glasgow Cathcart) (SNP)
Dugdale, Kezia (Lothian) (Lab)
Eadie, Helen (Cowdenbeath) (Lab)
Ewing, Annabelle (Mid Scotland and Fife) (SNP)
Ewing, Fergus (Inverness and Nairn) (SNP)
Fabiani, Linda (East Kilbride) (SNP)
Fee, Mary (West Scotland) (Lab)
Ferguson, Patricia (Glasgow Maryhill and Springburn) (Lab)
Fergusson, Alex (Galloway and West Dumfries) (Con)
Findlay, Neil (Lothian) (Lab)
FitzPatrick, Joe (Dundee City West) (SNP)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Gibson, Kenneth (Cunninghame North) (SNP)
Gibson, Rob (Caithness, Sutherland and Ross) (SNP)
Goldie, Annabel (West Scotland) (Con)
Grahame, Christine (Midlothian South, Tweeddale and

Lauderdale) (SNP)
Grant, Rhoda (Highlands and Islands) (Lab)
Gray, Iain (East Lothian) (Lab)
Griffin, Mark (Central Scotland) (Lab)
Henry, Hugh (Renfrewshire South) (Lab)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Hyslop, Fiona (Linlithgow) (SNP)
Johnstone, Alex (North East Scotland) (Con)
Keir, Colin (Edinburgh Western) (SNP)
Kelly, James (Rutherglen) (Lab)
Kidd, Bill (Glasgow Anniesland) (SNP)
Lamont, John (Ettrick, Roxburgh and Berwickshire) (Con)
Lochhead, Richard (Moray) (SNP)
Lyle, Richard (Central Scotland) (SNP)
MacAskill, Kenny (Edinburgh Eastern) (SNP)
MacDonald, Angus (Falkirk East) (SNP)
MacDonald, Gordon (Edinburgh Pentlands) (SNP)
Macdonald, Lewis (North East Scotland) (Lab)
Mackay, Derek (Renfrewshire North and West) (SNP)
MacKenzie, Mike (Highlands and Islands) (SNP)
Malik, Hanzala (Glasgow) (Lab)
Marra, Jenny (North East Scotland) (Lab)
Martin, Paul (Glasgow Provan) (Lab)
Mason, John (Glasgow Shettleston) (SNP)
Matheson, Michael (Falkirk West) (SNP)
Maxwell, Stewart (West Scotland) (SNP)
McAlpine, Joan (South Scotland) (SNP)
McCulloch, Margaret (Central Scotland) (Lab)
McDonald, Mark (Aberdeen Donside) (SNP)
McDougall, Margaret (West Scotland) (Lab)
McGrigor, Jamie (Highlands and Islands) (Con)
McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)
McLeod, Aileen (South Scotland) (SNP)
McLeod, Fiona (Strathkelvin and Bearsden) (SNP)
McMahon, Michael (Uddingston and Bellshill) (Lab)
McMahon, Siobhan (Central Scotland) (Lab)
McMillan, Stuart (West Scotland) (SNP)
McNeil, Duncan (Greenock and Inverclyde) (Lab)
McTaggart, Anne (Glasgow) (Lab)
Milne, Nanette (North East Scotland) (Con)
Mitchell, Margaret (Central Scotland) (Con)
Neil, Alex (Airdrie and Shotts) (SNP)
Pearson, Graeme (South Scotland) (Lab)
Pentland, John (Motherwell and Wishaw) (Lab)
Robertson, Dennis (Aberdeenshire West) (SNP)
Robison, Shona (Dundee City East) (SNP)
Russell, Michael (Argyll and Bute) (SNP)
Salmond, Alex (Aberdeenshire East) (SNP)
Scanlon, Mary (Highlands and Islands) (Con)
Scott, John (Ayr) (Con)
Smith, Drew (Glasgow) (Lab)
Smith, Liz (Mid Scotland and Fife) (Con)
Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
Stewart, David (Highlands and Islands) (Lab)
Stewart, Kevin (Aberdeen Central) (SNP)
Sturgeon, Nicola (Glasgow Southside) (SNP)
Swinney, John (Perthshire North) (SNP)
Thompson, Dave (Skye, Lochaber and Badenoch) (SNP)
Torrance, David (Kirkcaldy) (SNP)
Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
Wheelhouse, Paul (South Scotland) (SNP)
White, Sandra (Glasgow Kelvin) (SNP)
Wilson, John (Central Scotland) (SNP)

The Deputy Presiding Officer: The result of the division is: For 8, Against 105, Abstentions 0.

Amendment 1 disagreed to.

Amendment 4 moved—[Patrick Harvie].

The Deputy Presiding Officer: The question is, that amendment 4 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

For

Finnie, John (Highlands and Islands) (Ind)
Harvie, Patrick (Glasgow) (Green)
Hume, Jim (South Scotland) (LD)
Johnstone, Alison (Lothian) (Green)
MacDonald, Margo (Lothian) (Ind)
McInnes, Alison (North East Scotland) (LD)
Rennie, Willie (Mid Scotland and Fife) (LD)
Urquhart, Jean (Highlands and Islands) (Ind)

Against

Adam, George (Paisley) (SNP)
Adamson, Clare (Central Scotland) (SNP)
Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)
Allard, Christian (North East Scotland) (SNP)
Baillie, Jackie (Dumbarton) (Lab)
Baker, Claire (Mid Scotland and Fife) (Lab)
Baker, Richard (North East Scotland) (Lab)
Beamish, Claudia (South Scotland) (Lab)
Beattie, Colin (Midlothian North and Musselburgh) (SNP)
Biagi, Marco (Edinburgh Central) (SNP)
Bibby, Neil (West Scotland) (Lab)
Boyack, Sarah (Lothian) (Lab)
Brodie, Chic (South Scotland) (SNP)
Brown, Gavin (Lothian) (Con)
Brown, Keith (Clackmannanshire and Dunblane) (SNP)
Burgess, Margaret (Cunninghame South) (SNP)
Campbell, Aileen (Clydesdale) (SNP)
Campbell, Roderick (North East Fife) (SNP)
Carlaw, Jackson (West Scotland) (Con)
Chisholm, Malcolm (Edinburgh Northern and Leith) (Lab)
Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
Constance, Angela (Almond Valley) (SNP)
Crawford, Bruce (Stirling) (SNP)
Cunningham, Roseanna (Perthshire South and Kinross-shire) (SNP)
Davidson, Ruth (Glasgow) (Con)
Dey, Graeme (Angus South) (SNP)
Doris, Bob (Glasgow) (SNP)
Dornan, James (Glasgow Cathcart) (SNP)
Dugdale, Kezia (Lothian) (Lab)
Eadie, Helen (Cowdenbeath) (Lab)
Ewing, Annabelle (Mid Scotland and Fife) (SNP)
Ewing, Fergus (Inverness and Nairn) (SNP)
Fabiani, Linda (East Kilbride) (SNP)
Fee, Mary (West Scotland) (Lab)
Ferguson, Patricia (Glasgow Maryhill and Springburn) (Lab)
Fergusson, Alex (Galloway and West Dumfries) (Con)
Findlay, Neil (Lothian) (Lab)
FitzPatrick, Joe (Dundee City West) (SNP)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Gibson, Kenneth (Cunninghame North) (SNP)
Gibson, Rob (Caithness, Sutherland and Ross) (SNP)
Goldie, Annabel (West Scotland) (Con)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Grant, Rhoda (Highlands and Islands) (Lab)
Gray, Iain (East Lothian) (Lab)
Griffin, Mark (Central Scotland) (Lab)
Henry, Hugh (Renfrewshire South) (Lab)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Hyslop, Fiona (Linlithgow) (SNP)
Johnstone, Alex (North East Scotland) (Con)
Keir, Colin (Edinburgh Western) (SNP)

Kelly, James (Rutherglen) (Lab)
Kidd, Bill (Glasgow Anniesland) (SNP)
Lamont, John (Ettrick, Roxburgh and Berwickshire) (Con)
Lochhead, Richard (Moray) (SNP)
Lyle, Richard (Central Scotland) (SNP)
MacAskill, Kenny (Edinburgh Eastern) (SNP)
MacDonald, Angus (Falkirk East) (SNP)
MacDonald, Gordon (Edinburgh Pentlands) (SNP)
Macdonald, Lewis (North East Scotland) (Lab)
Mackay, Derek (Renfrewshire North and West) (SNP)
MacKenzie, Mike (Highlands and Islands) (SNP)
Malik, Hanzala (Glasgow) (Lab)
Marra, Jenny (North East Scotland) (Lab)
Martin, Paul (Glasgow Provan) (Lab)
Mason, John (Glasgow Shettleston) (SNP)
Matheson, Michael (Falkirk West) (SNP)
Maxwell, Stewart (West Scotland) (SNP)
McAlpine, Joan (South Scotland) (SNP)
McCulloch, Margaret (Central Scotland) (Lab)
McDonald, Mark (Aberdeen Donside) (SNP)
McDougall, Margaret (West Scotland) (Lab)
McGrigor, Jamie (Highlands and Islands) (Con)
McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)
McLeod, Aileen (South Scotland) (SNP)
McLeod, Fiona (Strathkelvin and Bearsden) (SNP)
McMahon, Michael (Uddingston and Bellshill) (Lab)
McMahon, Siobhan (Central Scotland) (Lab)
McMillan, Stuart (West Scotland) (SNP)
McNeil, Duncan (Greenock and Inverclyde) (Lab)
McTaggart, Anne (Glasgow) (Lab)
Milne, Nanette (North East Scotland) (Con)
Mitchell, Margaret (Central Scotland) (Con)
Neil, Alex (Airdrie and Shotts) (SNP)
Paterson, Gil (Clydebank and Milngavie) (SNP)
Pearson, Graeme (South Scotland) (Lab)
Robertson, Dennis (Aberdeenshire West) (SNP)
Robison, Shona (Dundee City East) (SNP)
Russell, Michael (Argyll and Bute) (SNP)
Salmond, Alex (Aberdeenshire East) (SNP)
Scanlon, Mary (Highlands and Islands) (Con)
Scott, John (Ayr) (Con)
Smith, Drew (Glasgow) (Lab)
Smith, Liz (Mid Scotland and Fife) (Con)
Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
Stewart, David (Highlands and Islands) (Lab)
Stewart, Kevin (Aberdeen Central) (SNP)
Sturgeon, Nicola (Glasgow Southside) (SNP)
Swinney, John (Perthshire North) (SNP)
Thompson, Dave (Skye, Lochaber and Badenoch) (SNP)
Torrance, David (Kirkcaldy) (SNP)
Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
Wheelhouse, Paul (South Scotland) (SNP)
White, Sandra (Glasgow Kelvin) (SNP)
Wilson, John (Central Scotland) (SNP)

The Deputy Presiding Officer: The result of the division is: For 8, Against 105, Abstentions 0.

Amendment 4 disagreed to.

Section 2—Offenders in prison etc not to be entitled to vote

Amendment 2 moved—[Alison McInnes].

The Deputy Presiding Officer: The question is, that amendment 2 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

For

Finnie, John (Highlands and Islands) (Ind)
 Harvie, Patrick (Glasgow) (Green)
 Hume, Jim (South Scotland) (LD)
 Johnstone, Alison (Lothian) (Green)
 MacDonald, Margo (Lothian) (Ind)
 McInnes, Alison (North East Scotland) (LD)
 Rennie, Willie (Mid Scotland and Fife) (LD)
 Urquhart, Jean (Highlands and Islands) (Ind)

Against

Adam, George (Paisley) (SNP)
 Adamson, Clare (Central Scotland) (SNP)
 Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)
 Allard, Christian (North East Scotland) (SNP)
 Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Baker, Richard (North East Scotland) (Lab)
 Beamish, Claudia (South Scotland) (Lab)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Biagi, Marco (Edinburgh Central) (SNP)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Brodie, Chic (South Scotland) (SNP)
 Brown, Gavin (Lothian) (Con)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Burgess, Margaret (Cunninghame South) (SNP)
 Campbell, Aileen (Clydesdale) (SNP)
 Campbell, Roderick (North East Fife) (SNP)
 Carlaw, Jackson (West Scotland) (Con)
 Chisholm, Malcolm (Edinburgh Northern and Leith) (Lab)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Constance, Angela (Almond Valley) (SNP)
 Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perthshire South and Kinross-shire) (SNP)
 Davidson, Ruth (Glasgow) (Con)
 Dey, Graeme (Angus South) (SNP)
 Doris, Bob (Glasgow) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Dugdale, Kezia (Lothian) (Lab)
 Eadie, Helen (Cowdenbeath) (Lab)
 Ewing, Annabelle (Mid Scotland and Fife) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fabiani, Linda (East Kilbride) (SNP)
 Fee, Mary (West Scotland) (Lab)
 Ferguson, Patricia (Glasgow Maryhill and Springburn) (Lab)
 Fergusson, Alex (Galloway and West Dumfries) (Con)
 Findlay, Neil (Lothian) (Lab)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gibson, Rob (Caithness, Sutherland and Ross) (SNP)
 Goldie, Annabel (West Scotland) (Con)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (East Lothian) (Lab)
 Griffin, Mark (Central Scotland) (Lab)
 Henry, Hugh (Renfrewshire South) (Lab)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Johnstone, Alex (North East Scotland) (Con)
 Keir, Colin (Edinburgh Western) (SNP)
 Kelly, James (Rutherglen) (Lab)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lamont, John (Ettrick, Roxburgh and Berwickshire) (Con)
 Lochhead, Richard (Moray) (SNP)
 Lyle, Richard (Central Scotland) (SNP)

MacAskill, Kenny (Edinburgh Eastern) (SNP)
 MacDonald, Angus (Falkirk East) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 Macdonald, Lewis (North East Scotland) (Lab)
 Mackay, Derek (Renfrewshire North and West) (SNP)
 MacKenzie, Mike (Highlands and Islands) (SNP)
 Malik, Hanzala (Glasgow) (Lab)
 Marra, Jenny (North East Scotland) (Lab)
 Martin, Paul (Glasgow Provan) (Lab)
 Mason, John (Glasgow Shettleston) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 Maxwell, Stewart (West Scotland) (SNP)
 McAlpine, Joan (South Scotland) (SNP)
 McCulloch, Margaret (Central Scotland) (Lab)
 McDonald, Mark (Aberdeen Donside) (SNP)
 McDougall, Margaret (West Scotland) (Lab)
 McGrigor, Jamie (Highlands and Islands) (Con)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)
 McLeod, Aileen (South Scotland) (SNP)
 McLeod, Fiona (Strathkelvin and Bearsden) (SNP)
 McMahan, Michael (Uddingston and Bellshill) (Lab)
 McMahan, Siobhan (Central Scotland) (Lab)
 McMillan, Stuart (West Scotland) (SNP)
 McNeil, Duncan (Greenock and Inverclyde) (Lab)
 McTaggart, Anne (Glasgow) (Lab)
 Milne, Nanette (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Neil, Alex (Airdrie and Shotts) (SNP)
 Paterson, Gil (Clydebank and Milngavie) (SNP)
 Pearson, Graeme (South Scotland) (Lab)
 Pentland, John (Motherwell and Wishaw) (Lab)
 Robertson, Dennis (Aberdeenshire West) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Russell, Michael (Argyll and Bute) (SNP)
 Salmond, Alex (Aberdeenshire East) (SNP)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, John (Ayr) (Con)
 Smith, Drew (Glasgow) (Lab)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Stewart, David (Highlands and Islands) (Lab)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Thompson, Dave (Skye, Lochaber and Badenoch) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
 Wheelhouse, Paul (South Scotland) (SNP)
 White, Sandra (Glasgow Kelvin) (SNP)
 Wilson, John (Central Scotland) (SNP)

The Deputy Presiding Officer: The result of the division is: For 8, Against 106, Abstentions 0.

Amendment 2 disagreed to.

Amendment 3 moved—[Alison McInnes].

The Deputy Presiding Officer: The question is, that amendment 3 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

For

Finnie, John (Highlands and Islands) (Ind)
 Harvie, Patrick (Glasgow) (Green)
 Hume, Jim (South Scotland) (LD)
 Johnstone, Alison (Lothian) (Green)

MacDonald, Margo (Lothian) (Ind)
 McInnes, Alison (North East Scotland) (LD)
 Rennie, Willie (Mid Scotland and Fife) (LD)
 Urquhart, Jean (Highlands and Islands) (Ind)

Against

Adam, George (Paisley) (SNP)
 Adamson, Clare (Central Scotland) (SNP)
 Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)
 Allard, Christian (North East Scotland) (SNP)
 Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Baker, Richard (North East Scotland) (Lab)
 Beamish, Claudia (South Scotland) (Lab)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Biagi, Marco (Edinburgh Central) (SNP)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Brodie, Chic (South Scotland) (SNP)
 Brown, Gavin (Lothian) (Con)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Burgess, Margaret (Cunninghame South) (SNP)
 Campbell, Aileen (Clydesdale) (SNP)
 Campbell, Roderick (North East Fife) (SNP)
 Carlaw, Jackson (West Scotland) (Con)
 Chisholm, Malcolm (Edinburgh Northern and Leith) (Lab)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Constance, Angela (Almond Valley) (SNP)
 Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perthshire South and Kinross-shire) (SNP)
 Davidson, Ruth (Glasgow) (Con)
 Dey, Graeme (Angus South) (SNP)
 Doris, Bob (Glasgow) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Dugdale, Kezia (Lothian) (Lab)
 Eadie, Helen (Cowdenbeath) (Lab)
 Ewing, Annabelle (Mid Scotland and Fife) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fabiani, Linda (East Kilbride) (SNP)
 Fee, Mary (West Scotland) (Lab)
 Ferguson, Patricia (Glasgow Maryhill and Springburn) (Lab)
 Fergusson, Alex (Galloway and West Dumfries) (Con)
 Findlay, Neil (Lothian) (Lab)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gibson, Rob (Caithness, Sutherland and Ross) (SNP)
 Goldie, Annabel (West Scotland) (Con)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (East Lothian) (Lab)
 Griffin, Mark (Central Scotland) (Lab)
 Henry, Hugh (Renfrewshire South) (Lab)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Johnstone, Alex (North East Scotland) (Con)
 Keir, Colin (Edinburgh Western) (SNP)
 Kelly, James (Rutherglen) (Lab)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lamont, John (Ettrick, Roxburgh and Berwickshire) (Con)
 Lochhead, Richard (Moray) (SNP)
 Lyle, Richard (Central Scotland) (SNP)
 MacAskill, Kenny (Edinburgh Eastern) (SNP)
 MacDonald, Angus (Falkirk East) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 Macdonald, Lewis (North East Scotland) (Lab)
 Mackay, Derek (Renfrewshire North and West) (SNP)
 MacKenzie, Mike (Highlands and Islands) (SNP)
 Malik, Hanzala (Glasgow) (Lab)
 Marra, Jenny (North East Scotland) (Lab)

Martin, Paul (Glasgow Provan) (Lab)
 Mason, John (Glasgow Shettleston) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 Maxwell, Stewart (West Scotland) (SNP)
 McAlpine, Joan (South Scotland) (SNP)
 McCulloch, Margaret (Central Scotland) (Lab)
 McDonald, Mark (Aberdeen Donside) (SNP)
 McDougall, Margaret (West Scotland) (Lab)
 McGrigor, Jamie (Highlands and Islands) (Con)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)
 McLeod, Aileen (South Scotland) (SNP)
 McLeod, Fiona (Strathkelvin and Bearsden) (SNP)
 McMahan, Michael (Uddingston and Bellshill) (Lab)
 McMahan, Siobhan (Central Scotland) (Lab)
 McMillan, Stuart (West Scotland) (SNP)
 McNeil, Duncan (Greenock and Inverclyde) (Lab)
 McTaggart, Anne (Glasgow) (Lab)
 Milne, Nanette (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Neil, Alex (Airdrie and Shotts) (SNP)
 Paterson, Gil (Clydebank and Milngavie) (SNP)
 Pearson, Graeme (South Scotland) (Lab)
 Pentland, John (Motherwell and Wishaw) (Lab)
 Robertson, Dennis (Aberdeenshire West) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Russell, Michael (Argyll and Bute) (SNP)
 Salmond, Alex (Aberdeenshire East) (SNP)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, John (Ayr) (Con)
 Smith, Drew (Glasgow) (Lab)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Stewart, David (Highlands and Islands) (Lab)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Thompson, Dave (Skye, Lochaber and Badenoch) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
 Wheelhouse, Paul (South Scotland) (SNP)
 White, Sandra (Glasgow Kelvin) (SNP)
 Wilson, John (Central Scotland) (SNP)

The Deputy Presiding Officer: The result of the division is: For 8, Against 106, Abstentions 0.

Amendment 3 disagreed to.

Amendment 5 moved—[Patrick Harvie].

The Deputy Presiding Officer: The question is, that amendment 5 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

For

Finnie, John (Highlands and Islands) (Ind)
 Harvie, Patrick (Glasgow) (Green)
 Hume, Jim (South Scotland) (LD)
 Johnstone, Alison (Lothian) (Green)
 MacDonald, Margo (Lothian) (Ind)
 McInnes, Alison (North East Scotland) (LD)
 Rennie, Willie (Mid Scotland and Fife) (LD)
 Urquhart, Jean (Highlands and Islands) (Ind)

Against

Adam, George (Paisley) (SNP)
 Adamson, Clare (Central Scotland) (SNP)

Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)
 Allard, Christian (North East Scotland) (SNP)
 Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Baker, Richard (North East Scotland) (Lab)
 Beamish, Claudia (South Scotland) (Lab)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Biagi, Marco (Edinburgh Central) (SNP)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Brodie, Chic (South Scotland) (SNP)
 Brown, Gavin (Lothian) (Con)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Burgess, Margaret (Cunninghame South) (SNP)
 Campbell, Aileen (Clydesdale) (SNP)
 Campbell, Roderick (North East Fife) (SNP)
 Carlaw, Jackson (West Scotland) (Con)
 Chisholm, Malcolm (Edinburgh Northern and Leith) (Lab)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Constance, Angela (Almond Valley) (SNP)
 Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perthshire South and Kinross-shire) (SNP)
 Davidson, Ruth (Glasgow) (Con)
 Dey, Graeme (Angus South) (SNP)
 Doris, Bob (Glasgow) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Dugdale, Kezia (Lothian) (Lab)
 Eadie, Helen (Cowdenbeath) (Lab)
 Ewing, Annabelle (Mid Scotland and Fife) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fabiani, Linda (East Kilbride) (SNP)
 Fee, Mary (West Scotland) (Lab)
 Ferguson, Patricia (Glasgow Maryhill and Springburn) (Lab)
 Fergusson, Alex (Galloway and West Dumfries) (Con)
 Findlay, Neil (Lothian) (Lab)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gibson, Rob (Caithness, Sutherland and Ross) (SNP)
 Goldie, Annabel (West Scotland) (Con)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (East Lothian) (Lab)
 Griffin, Mark (Central Scotland) (Lab)
 Henry, Hugh (Renfrewshire South) (Lab)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Johnstone, Alex (North East Scotland) (Con)
 Keir, Colin (Edinburgh Western) (SNP)
 Kelly, James (Rutherglen) (Lab)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lamont, John (Ettrick, Roxburgh and Berwickshire) (Con)
 Lochhead, Richard (Moray) (SNP)
 Lyle, Richard (Central Scotland) (SNP)
 MacAskill, Kenny (Edinburgh Eastern) (SNP)
 MacDonald, Angus (Falkirk East) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 Macdonald, Lewis (North East Scotland) (Lab)
 Macintosh, Ken (Eastwood) (Lab)
 Mackay, Derek (Renfrewshire North and West) (SNP)
 MacKenzie, Mike (Highlands and Islands) (SNP)
 Malik, Hanzala (Glasgow) (Lab)
 Marra, Jenny (North East Scotland) (Lab)
 Martin, Paul (Glasgow Provan) (Lab)
 Mason, John (Glasgow Shettleston) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 Maxwell, Stewart (West Scotland) (SNP)
 McAlpine, Joan (South Scotland) (SNP)
 McCulloch, Margaret (Central Scotland) (Lab)
 McDonald, Mark (Aberdeen Donside) (SNP)

McDougall, Margaret (West Scotland) (Lab)
 McGrigor, Jamie (Highlands and Islands) (Con)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)
 McLeod, Aileen (South Scotland) (SNP)
 McLeod, Fiona (Strathkelvin and Bearsden) (SNP)
 McMahan, Michael (Uddingston and Bellshill) (Lab)
 McMahan, Siobhan (Central Scotland) (Lab)
 McMillan, Stuart (West Scotland) (SNP)
 McNeil, Duncan (Greenock and Inverclyde) (Lab)
 McTaggart, Anne (Glasgow) (Lab)
 Milne, Nanette (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Neil, Alex (Airdrie and Shotts) (SNP)
 Paterson, Gil (Clydebank and Milngavie) (SNP)
 Pearson, Graeme (South Scotland) (Lab)
 Pentland, John (Motherwell and Wishaw) (Lab)
 Robertson, Dennis (Aberdeenshire West) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Russell, Michael (Argyll and Bute) (SNP)
 Salmond, Alex (Aberdeenshire East) (SNP)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, John (Ayr) (Con)
 Smith, Drew (Glasgow) (Lab)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Stewart, David (Highlands and Islands) (Lab)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Thompson, Dave (Skye, Lochaber and Badenoch) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
 Wheelhouse, Paul (South Scotland) (SNP)
 White, Sandra (Glasgow Kelvin) (SNP)
 Wilson, John (Central Scotland) (SNP)

The Deputy Presiding Officer: The result of the division is: For 8, Against 107, Abstentions 0.

Amendment 5 disagreed to.

After section 3

Amendment 7 moved—[Margo MacDonald].

The Deputy Presiding Officer: The question is, that amendment 7 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

For

Finnie, John (Highlands and Islands) (Ind)
 Harvie, Patrick (Glasgow) (Green)
 Hume, Jim (South Scotland) (LD)
 Johnstone, Alison (Lothian) (Green)
 MacDonald, Margo (Lothian) (Ind)
 McInnes, Alison (North East Scotland) (LD)
 Rennie, Willie (Mid Scotland and Fife) (LD)
 Urquhart, Jean (Highlands and Islands) (Ind)

Against

Adam, George (Paisley) (SNP)
 Adamson, Clare (Central Scotland) (SNP)
 Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)
 Allard, Christian (North East Scotland) (SNP)
 Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Baker, Richard (North East Scotland) (Lab)

Beamish, Claudia (South Scotland) (Lab)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Biagi, Marco (Edinburgh Central) (SNP)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Brodie, Chic (South Scotland) (SNP)
 Brown, Gavin (Lothian) (Con)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Burgess, Margaret (Cunninghame South) (SNP)
 Campbell, Aileen (Clydesdale) (SNP)
 Campbell, Roderick (North East Fife) (SNP)
 Carlaw, Jackson (West Scotland) (Con)
 Chisholm, Malcolm (Edinburgh Northern and Leith) (Lab)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Constance, Angela (Almond Valley) (SNP)
 Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perthshire South and Kinross-shire) (SNP)
 Davidson, Ruth (Glasgow) (Con)
 Dey, Graeme (Angus South) (SNP)
 Doris, Bob (Glasgow) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Dugdale, Kezia (Lothian) (Lab)
 Eadie, Helen (Cowdenbeath) (Lab)
 Ewing, Annabelle (Mid Scotland and Fife) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fabiani, Linda (East Kilbride) (SNP)
 Fee, Mary (West Scotland) (Lab)
 Ferguson, Patricia (Glasgow Maryhill and Springburn) (Lab)
 Fergusson, Alex (Galloway and West Dumfries) (Con)
 Findlay, Neil (Lothian) (Lab)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gibson, Rob (Caithness, Sutherland and Ross) (SNP)
 Goldie, Annabel (West Scotland) (Con)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (East Lothian) (Lab)
 Griffin, Mark (Central Scotland) (Lab)
 Henry, Hugh (Renfrewshire South) (Lab)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Johnstone, Alex (North East Scotland) (Con)
 Keir, Colin (Edinburgh Western) (SNP)
 Kelly, James (Rutherglen) (Lab)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lamont, John (Ettrick, Roxburgh and Berwickshire) (Con)
 Lochhead, Richard (Moray) (SNP)
 Lyle, Richard (Central Scotland) (SNP)
 MacAskill, Kenny (Edinburgh Eastern) (SNP)
 MacDonald, Angus (Falkirk East) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 Macdonald, Lewis (North East Scotland) (Lab)
 Macintosh, Ken (Eastwood) (Lab)
 Mackay, Derek (Renfrewshire North and West) (SNP)
 MacKenzie, Mike (Highlands and Islands) (SNP)
 Malik, Hanzala (Glasgow) (Lab)
 Marra, Jenny (North East Scotland) (Lab)
 Martin, Paul (Glasgow Provan) (Lab)
 Mason, John (Glasgow Shettleston) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 Maxwell, Stewart (West Scotland) (SNP)
 McAlpine, Joan (South Scotland) (SNP)
 McCulloch, Margaret (Central Scotland) (Lab)
 McDonald, Mark (Aberdeen Donside) (SNP)
 McDougall, Margaret (West Scotland) (Lab)
 McGrigor, Jamie (Highlands and Islands) (Con)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)
 McLeod, Aileen (South Scotland) (SNP)

McLeod, Fiona (Strathkelvin and Bearsden) (SNP)
 McMahon, Michael (Uddingston and Bellshill) (Lab)
 McMahon, Siobhan (Central Scotland) (Lab)
 McMillan, Stuart (West Scotland) (SNP)
 McNeil, Duncan (Greenock and Inverclyde) (Lab)
 McTaggart, Anne (Glasgow) (Lab)
 Milne, Nanette (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Neil, Alex (Airdrie and Shotts) (SNP)
 Paterson, Gil (Clydebank and Milngavie) (SNP)
 Pearson, Graeme (South Scotland) (Lab)
 Pentland, John (Motherwell and Wishaw) (Lab)
 Robertson, Dennis (Aberdeenshire West) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Russell, Michael (Argyll and Bute) (SNP)
 Salmond, Alex (Aberdeenshire East) (SNP)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, John (Ayr) (Con)
 Smith, Drew (Glasgow) (Lab)
 Smith, Liz (Mid Scotland and Fife) (Con)
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 Stewart, David (Highlands and Islands) (Lab)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Thompson, Dave (Skye, Lochaber and Badenoch) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
 Wheelhouse, Paul (South Scotland) (SNP)
 White, Sandra (Glasgow Kelvin) (SNP)
 Wilson, John (Central Scotland) (SNP)

The Deputy Presiding Officer: The result of the division is: For 8, Against 107, Abstentions 0.

Amendment 7 disagreed to.

Schedule 2—Canvass form

The Deputy Presiding Officer: Group 2 is on register of young voters: canvass form. Amendment 6, in the name of the cabinet secretary, is the only amendment in the group. I ask the cabinet secretary to speak to and move the amendment as briefly as possible.

Nicola Sturgeon: Schedule 2 contains the young voter registration form that will be used in the autumn 2013 canvass. The form, which was developed by the Scottish Government in line with Electoral Commission guidelines and in consultation with electoral registration officers, has been subject to rigorous independent testing and found to be clear and easily understood. At stage 2, I lodged a number of minor amendments to the form arising from the testing process and comments by EROs.

Amendment 6 seeks to make one further change to the form. During stage 1, several witnesses commented that it would be helpful to include on the canvass form information about the possibility of registering anonymously or through a declaration of local connection. At stage 2, I advised the committee that the Scottish Government was considering whether it would be best to communicate such information on the form

itself or in guidance. As it is crucial that individuals know what options might be available if there are any concerns that inclusion on the register of young voters could affect the young voter's personal safety, or if the young voter does not wish to register with their current address, amendment 6 seeks to insert an additional paragraph to the guidance notes on the back of the registration form, making it clear that other registration options might be available to young voters in such circumstances. The amendment's wording has been developed in consultation with EROs and directs individuals to discuss any concerns with them.

Of course, amending the form goes only so far in raising awareness of these important facilities for registering anonymously or with a separate address, so Scottish Government officials will continue to work with EROs over the summer on how to promote awareness of the arrangements.

I move amendment 6.

The Deputy Presiding Officer: I will take a brief comment from Annabel Goldie.

Annabel Goldie: I am not accustomed to taking credit for anything, but I think that I highlighted at committee concerns about the structure of the canvass form. If I were being picky, I might say that this information should be placed at the beginning of the form; however, I will not be. I am very pleased about this change to the canvass form; it is good to have the amendment and I will support it.

The Deputy Presiding Officer: I call Patricia Ferguson for a brief contribution.

Patricia Ferguson (Glasgow Maryhill and Springburn) (Lab): I do not want to use up the chamber's time unnecessarily by going over the arguments that the committee had but will simply say that we, too, welcome this change. We think that it provides necessary safeguards and additional information for young people who might otherwise be left vulnerable and unable to access a voting facility.

The Deputy Presiding Officer: Do you wish to wind up, cabinet secretary?

Nicola Sturgeon: No.

Amendment 6 agreed to.

The Deputy Presiding Officer: That ends consideration of amendments.

Scottish Independence Referendum (Franchise) Bill

The Deputy Presiding Officer (Elaine Smith):

The next item of business is a debate on motion S4M-07109, in the name of Nicola Sturgeon, on the Scottish Independence Referendum (Franchise) Bill.

15:40

The Deputy First Minister and Cabinet Secretary for Infrastructure, Investment and Cities (Nicola Sturgeon): I am very pleased to open the stage 3 debate on the Scottish Independence Referendum (Franchise) Bill and to fulfil the Scottish Government's commitment to extend the referendum franchise to all 16 and 17-year-olds.

The bill is a crucial first step towards next year's historic poll and in the journey towards a referendum that is designed, built and made here in Scotland, and I thank everyone who has been involved in its development. In particular, I pay tribute to the thorough and detailed scrutiny of the Referendum (Scotland) Bill Committee, which has been invaluable in shaping an important piece of legislation. I am extremely grateful to the committee's convener, members and clerks for their very constructive contributions. I also thank my bill team and officials for the incredible amount of hard work that they have done on the bill. The bill has, of course, been introduced and has progressed through the Parliament to a very tight timescale, and has progressed in the latter stages in parallel with the Scottish Independence Referendum Bill.

In addition to the Government's formal consultation, which sought views on the full range of referendum issues, including the franchise, we have sought detailed views from experts in electoral administration and child protection on the more specific aspects of taking forward our proposals. The key contributors whom I want to thank include electoral registration officers, returning officers, the Electoral Management Board for Scotland, the Electoral Commission, Scotland's Commissioner for Children and Young People, the Scottish Information Commissioner, Young Scot and the Scottish Youth Parliament, which has campaigned hard for the extension of the franchise to 16 and 17-year-olds. It can take great credit and pride from its achievement in seeing the bill pass through the Scottish Parliament, assuming that it does so later on.

The help and advice of all those organisations have proved invaluable in shaping the legislation. That help and advice started with their comments and responses to our targeted consultation

exercise in December and continued right through the bill's development and parliamentary progress. I thank them for their thorough and constructive scrutiny and for their willingness to engage and share their considerable knowledge and expertise.

I hope that members who have been involved in the bill's progress will acknowledge that we have listened carefully to the range of views that have been expressed and that, where it was appropriate to do so, we have amended our proposals accordingly.

As members are aware, the bill sets out who will be able to vote in the referendum next year. As members are also aware, the franchise is based on the franchise for local government and Scottish Parliament elections, as that most closely reflects residency in Scotland. It is absolutely right that those who live in Scotland should be able to vote on its future and have a say on the matters that affect them. The key difference, of course, is the extension of the franchise to 16 and 17-year-olds. Young people have a significant stake in this country's future, and it is absolutely right that they have the opportunity to vote on 18 September next year.

It has been a long-standing policy of the Government that the voting age should be lowered to 16. The bill provides a detailed, workable and practical framework that allows 16 and 17-year-olds to register to vote in the referendum. It provides that a young voter registration form will be sent to every household in Scotland this year along with the annual household canvass. Those forms will collect details of all young people who will be eligible to vote in the referendum whose details would not otherwise be captured by the canvass. As I said in the debate on the last amendment that we debated, the form has been independently tested and the results of that testing were that it is clear, intelligible and easy to use. The testing report recommended a variety of minor changes to the form, which we took on board at stage 2, but generally the form was found to work well, and no eligible young voters were missed.

In recognition of the fact that we need to treat the details of those who are not yet 16 with particular care, the bill provides for the creation of a separate register of young voters to hold the data collected on the young voter registration forms. Access to that register will be strictly controlled. I note that all members agreed to that as the bill progressed through Parliament.

As I have said, the bill has benefited enormously from the input of stakeholders and the bill committee. The majority of the amendments that I lodged at stage 2 were a direct result of comments from stakeholders or were based on the results of the independent testing of the form. For example, EROs told us that it was important to specify the

date of the end of the canvass for the register of young voters in the legislation, because that would provide clarity about when the canvass period for young voters ends and rolling registration begins, and that it was important to bring that into line with the canvass period for the local government register. Therefore, I lodged amendments to that effect at stage 2, which were accepted by the committee. I also lodged a number of amendments regarding the young voter form, which resulted from the testing process. Those changes were aimed at ensuring that the form will be as clear, intelligible and easy to use as possible.

Further, earlier this afternoon, I proposed a final change to the form. Scotland's Commissioner for Children and Young People and the Scottish Information Commissioner stressed the importance of young people knowing that alternative routes of registration might be open to them if there are any concerns at all that inclusion in the register might affect their personal safety. They suggested that a sentence might be added to the form to achieve that, which was a suggestion that was included in the committee's stage 1 report. That is why the amendment that was debated and agreed to this afternoon was lodged. The amendment makes it clear that individuals can use a previous address to register, or can register anonymously if there are concerns about their personal safety. Importantly, it also suggests that they contact their electoral registration officer to discuss any concerns.

The next household canvass, which begins in the autumn of this year, will see young voters being asked to register for the first time. EROs will collate that information into a register of young voters, upon which, as I have already said, there will be strict access controls.

I assure Parliament that we and the Electoral Commission will continue to work closely with EROs to ensure that the collection of data for the register of young voters is as efficient and effective as possible. I am sure that we will return to this point during the passage of the Scottish Independence Referendum Bill, but the referendum will be run to the highest standards of fairness and transparency, and the efficacy of the registration process plays a vital part in that.

Although the bill's main focus has been the extension of the franchise to 16 and 17-year-olds, we have also had a robust debate around the rights or otherwise of prisoners to vote in the referendum. As I said earlier, I want to thank members who have ensured that we have had a thorough debate on the issue. Although I took a different view, I respect the views of those who advocated change. I understand and appreciate that they did so from a position of principle.

Although I hope that the passing of the bill today will settle the matter for the purposes of the referendum, I have no doubt that the issue will be debated again with regard to elections in this place and elsewhere.

This bill is an important milestone. It marks the first stage in legislating for a referendum on Scotland's constitutional future. Those of us who passionately advocate a yes vote do so because we believe that the responsibility for the decisions that shape our country and the lives of the people who live here should rest here in Scotland. It is entirely consistent with that principle of responsibility that our 16 and 17-year-olds, who assume many of the responsibilities of adulthood, should have the right to participate in the referendum and play their part in determining the country's future.

The bill determines the franchise for the referendum, which will be consistent with the franchise for elections to this Parliament, which is right and proper. In addition, it lowers the voting age for the referendum to 16, recognising the vital stake that young people have in the future of our country. I believe that the proposals in the bill are a practical and workable way to allow every eligible voter aged 16 or over to vote in the referendum next year.

It therefore gives me enormous pleasure to move,

That the Parliament agrees that the Scottish Independence Referendum (Franchise) Bill be passed.

15:49

Patricia Ferguson (Glasgow Maryhill and Springburn) (Lab): As Parliament knows, this bill has been subject to an expedited process, so that the electoral registration canvass can begin in the autumn. It has been possible for the committee to meet that exacting timetable only because of the co-operation of witnesses and the excellent work of the committee clerks and their colleagues in the Scottish Parliament information centre, who have supported the committee every step of the way. The committee advisers have also been extremely helpful, as has been all the evidence that we have received over the past few months during our deliberations.

The bill, like all legislation, has improved as it has passed through Parliament. The bill that we will vote on this afternoon has been strengthened by changes that have been made as a result of contributions to the consultation and, I hope, proper scrutiny by the committee. As legislators, we would all do well to remember that admitting that something can be done better or that there is still room to improve legislation is not a sign of weakness in Government. Indeed, the strongest

Governments are those that can openly discuss issues and realise that they do not always get it right first time. There will be times when political points have to be made on issues, but on matters such as the protection of young people, for example, we have a common agenda. I am pleased that the Deputy First Minister has recognised that this afternoon.

Scottish Labour strongly supports the principle of giving 16 and 17-year-olds the vote and believes that that right should be extended to all elections. If anyone had any doubt about the ability of young people to listen to the debate, engage in the arguments and come to sensible conclusions, they had only to listen to the excellent contributions of the young people who gave evidence to the committee to be reassured on that point. There are, nevertheless, challenges inherent in extending the vote to 16 and 17-year-olds, particularly those who are vulnerable for whatever reason, and much of the committee's focus was on ensuring that the bill offers them the necessary safeguards and protections. I believe that it now does that. I welcome the advice that has been offered by stakeholders and the testing that has been carried out to ensure the clarity of the canvass forms.

The committee was reassured that service personnel will have the same opportunity to exercise their franchise as they have in elections to the Scottish Parliament. There remains the issue, however, of the children of service personnel who cannot make a service declaration but who will, on this occasion, be old enough to vote. I realise that that is likely to be a small group of people, but I think that it is right that the effort is made to ensure that they can vote. It is a matter of principle and should be pursued. I hope that the necessary provisions can be made during the passage of the Scottish Independence Referendum Bill, to which this bill is closely allied. I also look forward to hearing from the Electoral Commission, electoral registration officers and the Ministry of Defence about how they will work together to ensure that service personnel are encouraged to participate.

I am pleased that the Scottish Government lodged an amendment at stage 2 that picked up the points that were made in evidence by members of the Scottish Youth Parliament about cut-off dates being incorporated into the young voters registration form. I had proposed a slightly different way of achieving that end, but I happily accept the cabinet secretary's version.

Awareness raising was a key element of our deliberations, because it is in everyone's interest, regardless of their views on separation, to ensure that voters are informed and prepared when they go to vote. We should also aim to ensure that their

experience of the process is a positive one. The committee noted that the Electoral Commission has a budget of £1.8 million for advertising and that it was satisfied that it could work with that arrangement. I am grateful to the Electoral Commission for providing yesterday a note of its current plans. I particularly welcome the fact that it has recognised that September 2014 will be a time of transition for many young people who will be leaving home to take up places at university and that it will be important for them to be aware of the provisions concerning proxy votes, because they are likely to be registered at their home address but perhaps living at a new address connected to their university at the time of the referendum. I also welcome the Electoral Commission's commitment to keep Parliament informed of progress on its plans.

The only issue on which there was a clear political difference in the committee was prisoner voting. The arguments have largely been rehearsed here today in the debate on amendments. I want to be clear about this: Scottish Labour thinks that the issue should be subject to debate, but we believe that the debate must take place in the correct context. We cannot consider voting without looking at the purpose of prison and whether prison is solely a punishment or should, as we believe, have a strong and meaningful role in rehabilitating prisoners.

As we know, there is currently a blanket ban on prisoner voting, and we have heard today arguments in favour of lifting the ban for this referendum only and in certain cases. Those arguments centred on the idea that prisoners serving shorter sentences should be allowed to vote, with prospective cut-off points of six months and four years being suggested. However, in 2011-12, 11 murderers and eight people found guilty of rape were given sentences of up to four years. In the same year, 73 per cent of those imprisoned for common assault, which includes domestic violence, were given sentences of less than six months. I believe that the debate must also be informed by a critical consideration of sentencing policy. In the curtailed scrutiny process that we were involved in, there was insufficient time to have the kind of debate that would be needed before such a change could be considered, but I look forward to the day when that debate takes place.

To those of us on the Labour benches, it is disappointing that the cabinet secretary was unwilling to share any legal advice that she might have on the issue. We have raised this point before, but I make no apologies for raising it again. Ms Sturgeon has been content to quote the committee's legal advice, which suggests that the position on prisoner voting is compliant with the European convention on human rights, but she

presumably has her own legal advice, as she had made up her mind before the committee had even asked for evidence. I know that the cabinet secretary will maintain that ministers do not discuss legal advice, but they can do so when it is in the public interest. I believe that this is one case in which the public interest would be best served by hearing the advice that shaped the Government's assertion that ECHR compliance is not a threat to the bill.

The Deputy Presiding Officer (John Scott): You should be drawing to a close now, please.

Patricia Ferguson: We may take a different view from the Government on what would be a desired outcome from next year's referendum, but we agree that young people should be able to take part in that referendum, not least because, as they said to us in committee, they will have to live with its consequences for the longest time.

15:56

Annabel Goldie (West Scotland) (Con): Today represents the final stage of phase 1 of an important legislative process that will culminate in the referendum on 18 September next year. I echo Patricia Ferguson in thanking all those who have been involved in the process in whatever capacity. In aggregate, their evidence has helped the whole process of scrutiny and improvement of the bill.

Although the issues at stake in the referendum are immense and are already being debated passionately, deciding who is entitled to vote is also of profound importance. Broadly speaking, I think that deploying the existing franchise for local government and Scottish Parliament elections is sensible, but using as significant an occasion as the referendum on Scotland's future as a testbed for extending the franchise to 16 and 17-year-olds is, in my opinion, premature and misjudged. As I observed during the stage 1 debate, I do not deny that there is a debate to be had about the franchise and the age at which it is obtained, but little if any value can be extrapolated from the limited experience in Scotland of such an extension, given the dismal turnout levels for the health board elections. If there is a desire to look at age levels for elections—or, for that matter, when people may first drive a car, purchase alcohol or hold a firearms licence—a broader debate and more widespread consultation would have been sensible.

Being mischievous, I observe that the First Minister is not a man to make decisions without a reason, nor is he averse to a promising punt. I can surmise only that his enthusiasm for extending the franchise was because he envisaged wide-eyed innocence and unquestioning sentiment embracing and promoting his separatist agenda

and fanning the yes vote. However, the young people seem to be having the last laugh, because a recent poll suggests that 60 per cent of them will reject independence. Notwithstanding their commendable common sense, I still feel that extending the franchise for the referendum is premature. I realise that I am a lone voice on this issue, but my dissent, which is noted in the committee's stage 1 report and in my party's opposition to the bill at stage 1, will be reflected by my voting against the bill at decision time.

However, recognising that the bill will be enacted, I want to make some constructive comments. It is essential that these enfranchised young people have access to information. Given that many of them will still be at school, it is paramount that local authorities understand the difference between the legitimate provision of information provided by balanced debate, and partisan propaganda. The first can be responsibly provided by properly balanced panel discussion in schools or by referring young people to the main campaigning entities, Better Together and Yes Scotland, but the second—partisan propaganda—is completely unacceptable. I recognise that it would be wrong for the Scottish Government to intrude on local government territory by imposing guidelines, but local authorities must demonstrate their resolve by opposing anything that reeks of influence or coercion by setting out a code of practice for their schools that underpins neutrality and minimises disruption to learning.

Turning to more specific aspects of the bill, section 3 prohibits convicted prisoners who are held in a penal institution from voting. We have to some extent rehearsed that issue when we discussed the amendments. Suffice it to say that I agree with the Scottish Government's view on the issue and, given the recent rulings by the European Court of Human Rights, which questions such a blanket prohibition, it was right to deal with the matter in the bill. However, as I have said, there is a fundamental principle underpinning the prohibition of votes for prisoners: if a court considers prison to be an appropriate sentence for an accused, then the suspension of liberty rightly also involves suspension of franchise.

I was interested in the discussion that surrounded the risk of legal challenge on that issue. However, based on the evidence that the committee received from the Scottish Government and other witnesses, including the Law Society of Scotland, the prospect of a successful challenge seems extremely remote.

In conclusion, I will refer to a couple of the bill's technical points that interested me during the committee's evidence. First, the Deputy First Minister confirmed that she had been reassured by the Cabinet Office at Westminster that

individual voter registration would not start until after the referendum. I would be grateful for clarification on whether progress has been made at Westminster with the necessary statutory instrument to achieve that outcome. Secondly, as I have said, I was worried that the canvass form did not make it sufficiently clear to the adult completing the form that the address of a young person does not need to be disclosed. I therefore welcome the Scottish Government's amendment on that that was passed earlier; it is a welcome improvement to the bill.

16:02

Bruce Crawford (Stirling) (SNP): On many occasions since the establishment of this Parliament in 1999, I have been very proud of what we have achieved through the legislation that we have passed. That includes the legislation to ban smoking in public places, the passing into law of minimum alcohol pricing, the abolition of tuition fees to remove the tax on learning, the far-reaching land reform legislation and the global-leading Climate Change (Scotland) Act 2009. I will also feel the same pride at decision time as I did when we held firm on issues such as section 28 or on the legislation on the use of dogs for the hunting of foxes.

This is another day when we will pass into law a bill that shows Scotland standing out from the crowd as a progressive and forward-looking nation—not necessarily unique or better than anyone else but, more important, prepared to do things our own way and to make a clear statement on our values and how we value our most important resource: our people. That is how important this piece of legislation is—it says to the young people of Scotland that we value them, that we recognise their contribution to society and that we also recognise that they deserve a say in one of the most important decisions this country will make in more than 300 years.

Disappointingly, as we have heard, there are those who say that young people are not ready to make such important decisions at the age of 16. Although I respect their viewpoint, I say to them that it was not 16 or 17-year-olds who have taken us into wars that have led to countless and needless deaths; it was not 16 or 17-year-olds who introduced legislation that has led to civil unrest in the streets; and it was not 16 or 17-year-olds who created a society where so many people live in poverty, which is incredible in this day and age.

Annabel Goldie: Will the member give way?

Bruce Crawford: I am sorry, but I only have three minutes.

Those decisions were taken and their outcomes created by mature and supposedly wise and experienced adults. Those of us who are older would do well to remember that age does not bring wisdom, the ability to learn from experience or the capacity to avoid calamitous decisions.

I am convinced that most young people in this country are ready and able to participate in debate. Given that they are the people who will be affected for the longest period by the results, they deserve to help to shape the outcome of their own country. If a person is of an age when they could go out into the world of work and pay their dues to society through taxation, they should be given the franchise and be able to vote.

I invite the Tories, even at this late juncture, to join the main stream of progressive Scotland as we vote through this bill. Otherwise, they will be stuck in the same place that they have been stuck for a long, long time.

16:05

John Pentland (Motherwell and Wishaw (Lab)): When I spoke in the stage 1 debate on the bill, I was supportive of its general principles but not without some reservations. In many ways, little has changed: I am still supportive but seek assurances.

I welcome the vote for 16 and 17-year-olds and the measures to protect personal data. However, I still believe that 16 and 17-year-olds should be able to vote in all elections, not just the referendum.

There are many Scottish people living outside Scotland who, I am sure, would like to vote in the referendum but would not normally vote in elections here. I recognise that such Scots enjoy the benefits of being part of the United Kingdom as well as maintaining their Scottish identity, so it is likely that they would bolster support for the UK. However, I also understand the difficulties that including them would present in establishing the legitimacy of the referendum.

Therefore, for the sake of a clear result, the best response to their dissatisfaction will be a resounding rejection of separatism and the disruption that it would bring to those who have strong ties with the other nations of the UK and who recognise the interdependence that binds them.

As a constituency MSP with a busy main street office, I am quickly made aware of differences in opinions and the real issues that affect constituents' lives. I have to say that no constituent has expressed any opinion on prisoners voting. Regardless of whether they have been prisoners, they are more concerned about

the bread and butter issues, such as housing, education, jobs and putting food on the table. I suspect that most constituents support the exclusion of prisoners. Allowing prisoners to vote is not a major issue in my constituency, and I doubt that it would even be an issue for many prisoners.

I am prepared to accept the Scottish Government's proposal to exclude prisoners from voting as long as it does not affect the legitimacy of the referendum. However, like James Kelly and Patricia Ferguson, I feel that, given the importance of the legal issue and our commitment as a Parliament and nation to complying with the ECHR, ministers need to tell us the legal basis that supports their view that the bill is ECHR compliant. Ideally, in her closing speech, the cabinet secretary will remove all doubt and promise to make that available.

16:08

Stuart McMillan (West Scotland) (SNP): This is truly a momentous day. Irrespective of which side of the debate members are campaigning for, at decision time they will shatter the ceiling placed on 16 and 17-year-olds in Scotland. Next year's referendum will allow 16 and 17-year-olds the right to vote and, as Donald Dewar once said, I like that.

The doubters who suggest that 16 and 17-year-olds should not have the vote and those who have reluctantly agreed to the decision have had many chances to amend the electoral law that governs the whole of the UK. They have consistently failed to stand up for the voting rights of 16 and 17-year-olds, and I am delighted that the Scottish Parliament will, yet again, lead the way with that hugely important reform. Sixteen and 17-year-olds have the right to have their voices heard and their votes counted.

Issues were raised on how best to deal with engaging and informing 16 and 17-year-olds about the referendum—that is, informing them about how they should register and providing them with information that is clear and unambiguous but not partisan to any side of the debate.

The first issue to be dealt with is engaging with younger people to enthuse them about registering. All members anticipate a higher turnout than usual next year, but that will happen only if both sides try to engage and offer their own positive prospectus for the nation.

Secondly, ensuring that information is provided to our younger citizens and that they have a role to play in the future of Scotland is, quite rightly, a role for the Electoral Commission. It is neutral and unbiased, and in what is already a hotly contested debate it can be the vehicle that provides clarity

about not the politics or the rhetoric but the process for the people who will register to vote for the first time.

During the committee's deliberations, Rob Gibson talked about the need to ensure that the Electoral Commission develops, as we said at paragraph 137 of our stage 1 report,

"a detailed delivery plan to promote effective joint working, to clarify what it expects from others, and to ensure an appropriate degree of consistency across Scotland."

Without a doubt, the Electoral Commission has a central role to play in working with other organisations to facilitate the referendum. I have confidence in the commission.

The Scottish Parliament is maturing. We are ready and prepared to take the next step on our journey towards becoming a normal independent country, and 16 and 17-year-olds will play their part in that. Next year, 16 and 17-year-olds—and all Scotland—will have an important choice to make. Will we choose hope over fear? Prosperity over austerity? Responsibility in Holyrood over the irresponsibility of Westminster?

I like that 16 and 17-year-olds will vote next year, and I look forward to the yes vote in the referendum.

16:11

Alison McInnes (North East Scotland) (LD): The passing of the bill today will finalise two major decisions. One represents a progressive change for the future. The other reflects illiberal entrenchment in the past.

I am as delighted as other members are that we are giving 16 and 17-year-olds the right to have their say on the country's future. The Liberal Democrats want to create a fair society, and it has long been our policy to lower the voting age. We hope that today's move will be the first step towards allowing 16 and 17-year-olds to vote in all elections in the UK.

I am deeply disappointed by the position of the majority of members on prisoner voting. Outside this Parliament, there is a growing consensus on the matter, which has been stubbornly ignored by three parties in the Parliament. There is not yet consensus on which prisoners should vote, but there is consensus that it is simply wrong to continue to deprive every person in prison of the fundamental right to participate in our democracy.

It is correct that we punish offenders, but our primary aim must be to rehabilitate them. If we are serious about that and about reducing reoffending, we must ensure that prisoners are more engaged with society.

Voting is not a duty that we impose on people; nor is it a privilege that can be revoked at the slightest cause. It is a fundamental right of every member of a free and fair society, which we should not remove lightly.

All too often during our debates on the matter, I have heard opponents fall back on the argument that the situation should stay as it is because that is how it is. I say this: it is up to members of this Parliament to decide how it should be. We could have decided that there is a better way of determining whether to take away a fundamental right. Instead, Scottish National Party, Labour and Conservative members chose to stay rooted in the past.

Prison will achieve results only if we use it to give offenders the tools that will help them to make a meaningful contribution to the community after they are released. Excluding prisoners, particularly short-term prisoners, from voting, will reinforce prisoners' sense of isolation and further alienate them from society.

We have missed a chance with this bill. The Parliament has taken the opportunity to open its arms to the country's young people. We have told them that the referendum is about their future, so they should be a part of it. However, we have turned our backs on another opportunity. We could have sent the message to some of the people who will be in prison on 18 September 2014 that, even though people have done wrong, we have not given up on them and we want to give them a chance to play a part in our society.

16:13

Annabelle Ewing (Mid Scotland and Fife) (SNP): I am pleased to have been called to speak in the debate on the Scottish Independence Referendum (Franchise) Bill. I am a member of the Referendum (Scotland) Bill Committee and I thank the clerks for their sterling hard work throughout our scrutiny of the bill. I also thank all the witnesses who took the time to give evidence to the committee. Their evidence very much informed the committee's work.

It is important to note, for the record, that the committee worked in a constructive way. Although there are key differences in members' positions, the committee has always operated in a pragmatic and respectful manner, under the wise convener'ship of Bruce Crawford MSP—I hope that that earns me some brownie points in the committee.

For my part, I am absolutely delighted to be speaking in this debate as a lifelong supporter of the cause of Scotland. This is indeed a key moment for our Parliament and our country and one that will certainly make it into the history

books. Just 14 short years after our Parliament here in Edinburgh was reconvened, we are now democratically engaged in setting the framework, as far as franchise issues are concerned, for the referendum on the independence of our country.

Many people over the years have imagined that we would arrive at this juncture. It is an absolute privilege to be part of this historic process today.

In agreeing the terms of the franchise for the independence referendum, we have laid down a clear marker for the kind of Scotland that we wish to see. By extending the vote to 16 and 17-year-olds, we are saying to young people, "You are important. You are part of society. You have a role to play. We value you." That is a very important message indeed. There were no more enthusiastic witnesses before our committee than the young representatives themselves.

It is appropriate on this day for me to quote my mother, Winnie Ewing, following her sensational victory in the Hamilton by-election in November 1967, when she famously said:

"Stop the world, Scotland wants to get on."

With the passing of the bill this afternoon, I would say that Scotland is nearly there.

16:16

Patrick Harvie (Glasgow) (Green): I echo the thanks of my fellow committee members to our clerks and witnesses and to everyone else who contributed to the process.

I am naturally disappointed that we are not using this bill to take two progressive steps on the question of the franchise, but I want to address my remarks to the step that we have chosen to take—on votes at 16. I am not sure that I can do it the same justice that Bruce Crawford did, who I think addressed the issue extremely well a few minutes ago.

With every school visit that I go on, every question-and-answer session I take part in with young visitors to the Parliament, and every opportunity I have to engage with young people in youth work projects or in communities in Glasgow or elsewhere, I am more and more convinced that 16 and 17-year-olds have exactly the same spectrum of passion and apathy, interest and disinterest, and ideas and confusion as every other age group.

Members who go out knocking on doors and talk to people of all age groups at election time would probably reflect on the diversity of our entire electorate. I do not believe that there is any justification for the assumption that 16 and 17-year-olds are any less able or any more able to

take part in this referendum; they are as diverse as every other age group.

Given the arguments that have been made on taxation, participation in other areas of public life, work, marriage—on which we have seen a bill introduced today—and all the other personal life choices that 16-year-olds are able to make in our society, I can see no justification for opposing this opportunity to reduce the voting age to 16 for the referendum.

Those who say that the age should be reduced for all elections are absolutely right, and it is by ensuring a high turnout among 16 and 17-year-olds in the referendum that we will put that case. I hope that young people, like everybody else, choose to vote yes and choose to live the rest of their lives in an independent Scotland that can achieve far more for them and for their communities.

Whichever choice young people make—and whichever choice Scotland as a whole makes—we will make the case for reducing the voting age to 16 for all elections, whether in Scotland or in the UK, if we achieve a strong turnout. We must be focused on promoting participation in this process—not just the opportunity to vote but real participation. We must encourage young people to exercise the right to vote that we are giving them today.

16:19

Annabel Goldie: I hope that this debate—I am pleased to have played a role in stimulating some sort of debate—has disturbed part of the consensus. What I said was intended not as a polemic but simply to introduce a bit of contrary thought to the process.

The point that I was going to make to Mr Crawford when he courteously refused my request to intervene was that, while I accept the consistency of what he is arguing for, I do not know the answer to the question whether, if we are giving young people of 16 and 17 the vote, we should let them buy alcohol. Do we give them firearms licences? Do we allow them to drive motor cars? No one has clarified those aspects to me. Perhaps that debate is for another day.

One important area that time constraints meant that I could not dwell on in my opening speech is the right of our armed forces personnel to exercise their vote. In fairness, I accept that the Deputy First Minister has listened to concerns that emerged at the committee and I know that she is working with her Westminster counterparts to facilitate every possibility that armed forces personnel outwith Scotland can exercise their vote on such an important issue.

A related anxiety is about ensuring that 16 and 17-year-olds who are abroad with their armed forces parents are given the same opportunity. I know that the Scottish Government is investigating that. If there is an update on that, I would very much appreciate hearing about it.

The process that the bill envisages involves the need for information, the encouragement to vote and then, on the day of voting, access to appropriate facilities. I was struck by the briefing that we received yesterday from the NUS Scotland. It made some excellent points and pointed out that

“It is vital that comprehensive efforts are made to educate young people who will be eligible to vote at the time of the referendum about how to register, and ensure they have the information and tools needed to take part in this historic vote”.

That is absolutely right.

The NUS also makes the interesting point that it would support

“the unbiased promotion of referendum participation in schools and colleges”.

I agree, provided that such promotion is unbiased. It goes on to say that it

“would like to see polling places open on college and university campuses for the referendum.”

I have a great deal of sympathy with that, because the referendum will take place at what could be a critical transitional point for some students. The Electoral Commission also picked up that issue in its briefing.

Another aspect that I will dwell on is whether there could be a useful tandem between the NUS and the Electoral Commission. A lot of the Electoral Commission’s briefing involves cross-references, and some themes are repeated by the NUS and the Electoral Commission. Such a tandem might be helpful.

The Electoral Commission’s briefing talked about what it was doing to improve awareness among 15 to 17-year-olds. It is very encouraging that it says that it has been

“working with educational bodies including the Association of Directors of Education in Scotland ... Education Scotland and School Leaders Scotland”.

Could that extend to the NUS? Could the Electoral Commission enter into discussion with the NUS about a fruitful conjoined set of proposals to increase information to voters, to heighten awareness of what is necessary to register to vote and to facilitate people’s ability on polling day to cast their vote on such an important occasion?

16:24

James Kelly (Rutherglen) (Lab): I echo the comments of Annabelle Ewing and others in support of the clerks and all who have worked on the bill to get it to the stage at which it will be passed shortly by Parliament. I also support Annabelle Ewing’s comments about Bruce Crawford, who has competently and ably chaired the committee and kept all of us rowdy MSPs under control, which is a challenge at times.

As Patricia Ferguson, Patrick Harvie and others have said, we are passing a significant piece of legislation. The bill is part of the process as we move towards the referendum in September 2014. It will extend the franchise to 16 and 17-year-olds, which I know will excite many young people throughout Scotland; it will undoubtedly encourage them to participate in the referendum. I am sure that people on both sides of the debate agree that we hope that, post the referendum—whatever the result—the young people who participated in it will be more motivated to take part in the political process in the future. The quality of the young people who gave evidence to the committee reinforces the view of the many who support the extension of the franchise.

Annabel Goldie raised important points about awareness raising and the role of schools. When I talk to young people who are coming up to the age of 16 and who will vote in the referendum, I find that they are very excited about the prospect. To an extent, they also find it quite daunting, in that they have a big decision to make. There is a quest for more information, not just about the process but about the politics on the two sides of the argument. It is important that we raise awareness and that provision is made for information to be supplied in schools. That process should be properly controlled and the information should be appropriately balanced.

As others have said, the legislative process has been accelerated. I am not often a great fan of that, but I acknowledge that it was necessary in this case. As the Deputy First Minister pointed out, the annual canvass will start in the autumn. Never has a canvass been so important; we must ensure that not just 16 and 17-year-olds but as many people as possible are registered to take part in this important vote on the future of Scotland. It is important that the correct processes are put in place. Electoral registration officers have an extremely important role to play in making available the right forms and information.

It was interesting that Annabel Goldie mentioned the NUS briefing. Students will present a big issue, because many will leave home for the first time in around September 2014 and might do so without registering for postal votes. Therefore, the process of proxy vote registration and rolling

registration is important. We must ensure that those young people are aware of the options that are available to them if they move to a college or university that is some distance away from where they currently live, because we want as many people as possible to be registered to vote.

A concern that many people had about the bill related to data protection issues and the potential for data to be published on young people who have not reached the age of 16. However, the committee has done a robust job of checking the processes. People can be reassured by the final product that the Government has produced and the feed-in that the committee has had, which will ensure that young people are properly looked after as far as data protection is concerned.

I do not want to rerun the debate on prisoners voting, although I say to Alison McInnes that it was an important debate to have. There has undoubtedly been a lot of discussion of the issue, and I welcome—*[Interruption.]* Were you advising me to wind up, Presiding Officer?

The Deputy Presiding Officer: I was advising the cabinet secretary of how long she might have to speak. You have another 30 seconds or thereby.

James Kelly: Okay—30 seconds or thereabouts.

To sum up, I reassure the Deputy First Minister that we support the bill and its provisions in relation to prisoners voting. I would like to see more information on the legal arguments, but we will vote strongly for the bill at 20 minutes to 5, as we recognise that it is an important step in the process leading to the referendum in 2014.

16:30

Nicola Sturgeon: I thank all members who have taken part in the debate.

I begin by highlighting a few issues of process that have been raised. Patricia Ferguson rightly acknowledged that the bill has progressed through an expedited process; that fact underlines my expression of gratitude to all those who have played their part in developing and improving the bill on such a challenging timescale.

Patricia Ferguson was also right to say that the bill has improved during the process. The Government listened to the representations and suggestions that were made. We always do so, but in the context of this bill I was particularly mindful of our shared responsibility not just to extend the franchise to young people, but to protect their data and safety. That has not been an easy balance to strike, but in my view the bill gets it right. I agree with James Kelly's statement that the committee helped in no small measure to

achieve the balance in the bill that I hope we will pass today.

I will not rehash the debate on prisoner voting, which I am sure Alison McInnes, who has fought a worthy battle on the issue, will understand. However, I will make one point. Alison McInnes said that the right to vote is a fundamental right, but I argue that liberty is, too. When a judge decides that a person deserves to be in prison, that person loses that fundamental right to liberty; it is also right that they lose the right to vote.

We have heard what is becoming a familiar refrain from Labour, which—to sum it up—is, “Publish your legal advice.” I say politely—while not, I hope, breaking the consensus that we are enjoying today—that that argument is diversionary, and is also becoming a bit tired. In addition, a former minister who makes such an argument ignores the long-standing convention in that regard, of which former ministers are as aware as we are.

Patricia Ferguson: Will Nicola Sturgeon take an intervention?

Nicola Sturgeon: I was going to move on to a consensual point, but I will take the intervention.

Patricia Ferguson: I do not want to break the consensus either, but I make the point to the Deputy First Minister that the reason why we are so keen to find out a bit more about legal advice that may have been obtained on the issue is that we know that there are cases that are waiting to go to court, and we want to ensure that the Government is on the right track. We are sure that the ECHR covers the issue, but we want to know that the Government has done the homework that goes along with that. That is all.

Nicola Sturgeon: The Government always does its homework, and on this issue—perhaps more than on many others—the legal position is clear. A legal challenge would be very unlikely to succeed.

It sounded at times as if Labour's argument was intended to create an artificial point of difference between it and the Government. However, I welcome James Kelly's statement in summing up—I think that I am quoting him directly—that the SNP Government is right. I welcome that approach, and I hope to hear much more of it in future debates.

Annabel Goldie raised the issue of individual voter registration. The draft Electoral Registration and Administration Act 2013 (Transitional Provisions) Order 2013 confirms that individual electoral registration will not commence in Scotland until after the referendum. The draft order is currently undergoing pre-legislative scrutiny and is likely to be laid in July, and we

understand that it will be made towards the end of the year. I hope that that gives Annabel Goldie the assurance that she seeks.

Annabel Goldie also—along with Patricia Ferguson—raised the issue of the children of service voters. The bill contains arrangements for services personnel that are identical to those for local government and Scottish Parliament elections. As is the case for other polls, however, there is no provision for eligible children of services personnel to make a services declaration.

The committee asked the Government to look specifically at the options for those young people. We have done so, and I reported back to the committee on 4 June. We have spoken to the Electoral Commission, the UK Government and registration officers, and I have sent a fairly detailed note to the committee that sets out that although the numbers that we have been able to obtain are not conclusive, they indicate strongly that the issue is likely to apply to—if any—only a very small number of young people.

The broad conclusion that we have reached is that a new route could be created to registration of young voters, which would create an additional category that would apply to young people who are in that situation. However, we are also of the view that that is a substantial change to the registration process and that we are required to give it detailed and careful consideration. Service declarations do not form part of the annual canvass, so the issue can be dealt with on a longer timetable to allow progression of the bill in time for October. We have therefore not proposed changes at this stage, but we will give the issue further consideration over the summer and will report back to the committee. In the meantime, I will welcome any views that the committee is able to offer as we take forward consideration of the Scottish Independence Referendum Bill.

I want to devote the rest of my remarks to the centrepiece of the bill, which is, of course, the extension of the franchise to 16 and 17-year-olds. We have heard some excellent and very eloquent speeches during the debate from Bruce Crawford, Annabelle Ewing, Stuart McMillan, Patrick Harvie and others. I believe, as I know many people across the chamber do, in votes for 16-year-olds for all elections. I look forward to the day when this Parliament can legislate to achieve that—something that will be one of the many gains of Scotland's becoming independent. However, in the meantime, it is right that we extend the franchise when we can. I believe that it is absolutely right that we extend the franchise for the independence referendum.

Politics can occasionally be cynical, and in what has been a very good debate we perhaps heard some of that cynicism in Annabel Goldie's

suggestion that the move to extend the franchise is a ploy by the Scottish Government to exploit what she described as the “wide-eyed innocence” of the young. However, I hope very much that she and I are both living proof that wide-eyed innocence is not the sole preserve of the young. My serious point is that in the same speech Annabel Goldie also speculated that young people would not vote for independence. I simply and politely suggest that she cannot have it both ways. The point that I want to make is this: young people, like everyone else, will make up their own minds on how to vote in the referendum. Patrick Harvie was absolutely right: they are as diverse as any other age group and as able to make up their minds as any other age group.

The point of principle is that regardless of how 16 and 17-year-olds vote as individuals, it is absolutely right that, as a group that has the right to marry and to raise children, they also have the right to vote in the referendum to shape the future of our country. I am very proud that this Parliament will afford them that right when we come to vote in a few moments.

We will all spend a great deal of time and energy trying to persuade young people and everybody else to vote the way we want them to vote, but I am very confident that for young people who are on their own personal journey to independence, the argument that Scotland should take responsibility for its own decisions, which will allow us to build a country that is wealthier and fairer—a country that, as Winnie Ewing so famously said, would speak with its own voice in the world—will have enormous appeal to young people and to the population generally. It is the argument that I believe will win the day.

It gives me great pleasure now to ask that members support the motion and approve the Scottish Independence Referendum (Franchise) Bill.

Parliamentary Bureau Motions

16:36

The Deputy Presiding Officer (John Scott): The next item of business is consideration of five Parliamentary Bureau motions.

Motions moved,

That the Parliament agrees that—

Mark McDonald be appointed to replace David Torrance as a member of the Economy, Energy and Tourism Committee;

Mark McDonald be appointed to replace David Torrance as a member of the Health and Sport Committee; and

David Torrance be appointed to replace Adam Ingram as a member of the Public Petitions Committee.

That the Parliament agrees that David Torrance be appointed to replace James Dornan as the Scottish National Party substitute on the Equal Opportunities Committee.

That the Parliament agrees that the Debt Arrangement Scheme (Scotland) Amendment Regulations 2013 [draft] be approved.

That the Parliament agrees that the Registration of Social Workers and Social Service Workers in Care Services (Scotland) Regulations 2013 [draft] be approved.

That the Parliament agrees that the Equal Opportunities Committee be designated as the lead committee in consideration of the Marriage and Civil Partnership (Scotland) Bill at stage 1.—[*Joe FitzPatrick.*]

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

Decision Time

16:39

The Deputy Presiding Officer (John Scott): There are six questions to be put as a result of today's business. The first question is, that motion S4M-07109, in the name of Nicola Sturgeon, on the Scottish Independence Referendum (Franchise) Bill, be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

For

Adam, George (Paisley) (SNP)
 Adamson, Clare (Central Scotland) (SNP)
 Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)
 Allard, Christian (North East Scotland) (SNP)
 Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Baker, Richard (North East Scotland) (Lab)
 Beamish, Claudia (South Scotland) (Lab)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Biagi, Marco (Edinburgh Central) (SNP)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Brodie, Chic (South Scotland) (SNP)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Burgess, Margaret (Cunninghame South) (SNP)
 Campbell, Aileen (Clydesdale) (SNP)
 Campbell, Roderick (North East Fife) (SNP)
 Chisholm, Malcolm (Edinburgh Northern and Leith) (Lab)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Constance, Angela (Almond Valley) (SNP)
 Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perthshire South and Kinross-shire) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Doris, Bob (Glasgow) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Dugdale, Kezia (Lothian) (Lab)
 Eadie, Helen (Cowdenbeath) (Lab)
 Eadie, Jim (Edinburgh Southern) (SNP)
 Ewing, Annabelle (Mid Scotland and Fife) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fabiani, Linda (East Kilbride) (SNP)
 Fee, Mary (West Scotland) (Lab)
 Ferguson, Patricia (Glasgow Maryhill and Springburn) (Lab)
 Findlay, Neil (Lothian) (Lab)
 Finnie, John (Highlands and Islands) (Ind)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gibson, Rob (Caithness, Sutherland and Ross) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (East Lothian) (Lab)
 Griffin, Mark (Central Scotland) (Lab)
 Harvie, Patrick (Glasgow) (Green)
 Henry, Hugh (Renfrewshire South) (Lab)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hume, Jim (South Scotland) (LD)
 Hyslop, Fiona (Linlithgow) (SNP)
 Johnstone, Alison (Lothian) (Green)
 Keir, Colin (Edinburgh Western) (SNP)
 Kelly, James (Rutherglen) (Lab)
 Kidd, Bill (Glasgow Anniesland) (SNP)

Lamont, Johann (Glasgow Pollok) (Lab)
 Lochhead, Richard (Moray) (SNP)
 Lyle, Richard (Central Scotland) (SNP)
 MacAskill, Kenny (Edinburgh Eastern) (SNP)
 MacDonald, Angus (Falkirk East) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 Macdonald, Lewis (North East Scotland) (Lab)
 Macintosh, Ken (Eastwood) (Lab)
 Mackay, Derek (Renfrewshire North and West) (SNP)
 MacKenzie, Mike (Highlands and Islands) (SNP)
 Malik, Hanzala (Glasgow) (Lab)
 Marra, Jenny (North East Scotland) (Lab)
 Martin, Paul (Glasgow Provan) (Lab)
 Mason, John (Glasgow Shettleston) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 Maxwell, Stewart (West Scotland) (SNP)
 McAlpine, Joan (South Scotland) (SNP)
 McCulloch, Margaret (Central Scotland) (Lab)
 McDonald, Mark (Aberdeen Donside) (SNP)
 McDougall, Margaret (West Scotland) (Lab)
 McInnes, Alison (North East Scotland) (LD)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)
 McLeod, Aileen (South Scotland) (SNP)
 McLeod, Fiona (Strathkelvin and Bearsden) (SNP)
 McMahan, Michael (Uddingston and Bellshill) (Lab)
 McMahan, Siobhan (Central Scotland) (Lab)
 McMillan, Stuart (West Scotland) (SNP)
 McNeil, Duncan (Greenock and Inverclyde) (Lab)
 McTaggart, Anne (Glasgow) (Lab)
 Neil, Alex (Airdrie and Shotts) (SNP)
 Paterson, Gil (Clydebank and Milngavie) (SNP)
 Pearson, Graeme (South Scotland) (Lab)
 Pentland, John (Motherwell and Wishaw) (Lab)
 Rennie, Willie (Mid Scotland and Fife) (LD)
 Robertson, Dennis (Aberdeenshire West) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Russell, Michael (Argyll and Bute) (SNP)
 Salmond, Alex (Aberdeenshire East) (SNP)
 Smith, Drew (Glasgow) (Lab)
 Smith, Elaine (Coatbridge and Chryston) (Lab)
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Stewart, David (Highlands and Islands) (Lab)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Thompson, Dave (Skye, Lochaber and Badenoch) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Urquhart, Jean (Highlands and Islands) (Ind)
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
 Wheelhouse, Paul (South Scotland) (SNP)
 White, Sandra (Glasgow Kelvin) (SNP)
 Wilson, John (Central Scotland) (SNP)

Against

Brown, Gavin (Lothian) (Con)
 Carlaw, Jackson (West Scotland) (Con)
 Davidson, Ruth (Glasgow) (Con)
 Fergusson, Alex (Galloway and West Dumfries) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Goldie, Annabel (West Scotland) (Con)
 Johnstone, Alex (North East Scotland) (Con)
 Lamont, John (Ettrick, Roxburgh and Berwickshire) (Con)
 McGrigor, Jamie (Highlands and Islands) (Con)
 Milne, Nanette (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Smith, Liz (Mid Scotland and Fife) (Con)

The Deputy Presiding Officer: The result of the division is: For 103, Against, 12, Abstentions 0.

Motion agreed to,

That the Parliament agrees that the Scottish Independence Referendum (Franchise) Bill be passed.

The Deputy Presiding Officer: The next question is, that motion S4M-07173, in the name of Joe FitzPatrick, on committee membership, be agreed to.

Motion agreed to,

That the Parliament agrees that—

Mark McDonald be appointed to replace David Torrance as a member of the Economy, Energy and Tourism Committee;

Mark McDonald be appointed to replace David Torrance as a member of the Health and Sport Committee; and

David Torrance be appointed to replace Adam Ingram as a member of the Public Petitions Committee.

The Deputy Presiding Officer: The next question is, that motion S4M-07174, in the name of Joe FitzPatrick, on substitutions on committees, be agreed to.

Motion agreed to,

That the Parliament agrees that David Torrance be appointed to replace James Dornan as the Scottish National Party substitute on the Equal Opportunities Committee.

The Deputy Presiding Officer: The next question is, that motion S4M-07175, in the name of Joe FitzPatrick, on approval of a Scottish statutory instrument, be agreed to.

Motion agreed to,

That the Parliament agrees that the Debt Arrangement Scheme (Scotland) Amendment Regulations 2013 [draft] be approved.

The Deputy Presiding Officer: The next question is, that motion S4M-07176, in the name of Joe FitzPatrick, on approval of a Scottish statutory instrument, be agreed to.

Motion agreed to,

That the Parliament agrees that the Registration of Social Workers and Social Service Workers in Care Services (Scotland) Regulations 2013 [draft] be approved.

The Deputy Presiding Officer: The final question is, that motion S4M-07177, in the name of Joe FitzPatrick, on designation of a lead committee, be agreed to.

Motion agreed to,

That the Parliament agrees that the Equal Opportunities Committee be designated as the lead committee in consideration of the Marriage and Civil Partnership (Scotland) Bill at stage 1.

The Deputy Presiding Officer: That concludes decision time. I wish you all a good recess, and I close the meeting.

Meeting closed at 16:42.

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