



The Scottish Parliament  
Pàrlamaid na h-Alba

## Official Report

# MEETING OF THE PARLIAMENT

Thursday 29 January 2015

Session 4

---

© Parliamentary copyright. Scottish Parliamentary Corporate Body

Information on the Scottish Parliament's copyright policy can be found on the website - [www.scottish.parliament.uk](http://www.scottish.parliament.uk) or by contacting Public Information on 0131 348 5000

---

Thursday 29 January 2015

CONTENTS

	Col.
<b>GENERAL QUESTION TIME</b> .....	1
Wave Energy Scotland (Objectives and Budget) .....	1
Organ Donations.....	2
North Ayrshire Economy.....	3
Carbon Taxes (Restoration-related Coal Production) .....	5
Autistic Spectrum Disorder (Employment Support).....	6
NHS Ayrshire and Arran (Meetings) .....	7
Roads in Rural Areas (Gritting) .....	8
<b>FIRST MINISTER'S QUESTION TIME</b> .....	10
Engagements.....	10
Secretary of State for Scotland (Meetings) .....	13
"Safeguarding Scotland's vulnerable children from child abuse" .....	16
Energy Jobs Task Force (Update).....	17
Science Education (Funding) .....	19
Mental Health Research (Funding).....	20
<b>EDUCATIONAL PSYCHOLOGISTS</b> .....	23
<i>Motion debated—[David Stewart].</i>	
David Stewart (Highlands and Islands) (Lab) .....	23
George Adam (Paisley) (SNP) .....	25
Malcolm Chisholm (Edinburgh Northern and Leith) (Lab) .....	26
Mary Scanlon (Highlands and Islands) (Con).....	27
Jenny Marra (North East Scotland) (Lab).....	29
Jim Hume (South Scotland) (LD).....	30
Mark Griffin (Central Scotland) (Lab).....	32
The Minister for Learning, Science and Scotland's Languages (Dr Alasdair Allan).....	33
<b>CHILCOT INQUIRY</b> .....	38
<i>Motion moved—[First Minister].</i>	
<i>Amendment moved—[Alex Fergusson].</i>	
The First Minister (Nicola Sturgeon).....	38
Alex Fergusson (Galloway and West Dumfries) (Con).....	41
Kezia Dugdale (Lothian) (Lab).....	44
Joan McAlpine (South Scotland) (SNP) .....	45
Willie Rennie (Mid Scotland and Fife) (LD) .....	47
Christina McKelvie (Hamilton, Larkhall and Stonehouse) (SNP) .....	49
Neil Bibby (West Scotland) (Lab) .....	50
Jim Eadie (Edinburgh Southern) (SNP) .....	52
James Kelly (Rutherglen) (Lab).....	53
Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (SNP) .....	55
Kenny MacAskill (Edinburgh Eastern) (SNP) .....	57
Mark Griffin (Central Scotland) (Lab).....	59
Chic Brodie (South Scotland) (SNP) .....	61
Alex Johnstone (North East Scotland) (Con) .....	63
Mary Fee (West Scotland) (Lab) .....	64
The Cabinet Secretary for Infrastructure, Investment and Cities (Keith Brown) .....	67
<b>COMMUNITY CHARGE DEBT (SCOTLAND) BILL: STAGE 1</b> .....	70
<i>Motion moved—[John Swinney].</i>	
The Deputy First Minister and Cabinet Secretary for Finance, Constitution and Economy (John Swinney).....	70
Kenneth Gibson (Cunninghame North) (SNP) .....	74
Alex Rowley (Cowdenbeath) (Lab).....	77
Gavin Brown (Lothian) (Con).....	79
Mark McDonald (Aberdeen Donside) (SNP) .....	81
Malcolm Chisholm (Edinburgh Northern and Leith) (Lab) .....	83
Kenny MacAskill (Edinburgh Eastern) (SNP) .....	85

Cameron Buchanan (Lothian) (Con) .....	87
John Mason (Glasgow Shettleston) (SNP).....	89
Sandra White (Glasgow Kelvin) (SNP).....	91
Richard Baker (North East Scotland) (Lab).....	92
Richard Lyle (Central Scotland) (SNP).....	93
Gavin Brown .....	95
Jackie Baillie (Dumbarton) (Lab) .....	97
The Minister for Local Government and Community Empowerment (Marco Biagi) .....	99
<b>COMMUNITY CHARGE DEBT (SCOTLAND) BILL: FINANCIAL RESOLUTION</b> .....	103
<i>Motion moved—[John Swinney].</i>	
<b>HEALTH AND SOCIAL CARE (SAFETY AND QUALITY) BILL</b> .....	104
<i>Motion moved—[Shona Robison].</i>	
<b>DECISION TIME</b> .....	105

---

# Scottish Parliament

Thursday 29 January 2015

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

## General Question Time

**The Presiding Officer (Tricia Marwick):** I see that everyone is watching the tennis today.

### Wave Energy Scotland (Objectives and Budget)

**1. Liam McArthur (Orkney Islands) (LD):** To ask the Scottish Government what progress it is making in setting the objectives and budget for wave energy Scotland. (S4O-03961)

**The Deputy First Minister and Cabinet Secretary for Finance, Constitution and Economy (John Swinney):** The objectives of wave energy Scotland can be found in the wave energy Scotland factsheet, a copy of which has been placed in the Scottish Parliament information centre.

The operational costs of wave energy Scotland will be clarified as the model is developed, and significant funds will be made available from within the Scottish energy budget. Highlands and Islands Enterprise is currently preparing a business plan for wave energy Scotland, which will set out the strategy and governance arrangements and the range of skills and staff numbers needed for optimal effectiveness. We will announce the budget as soon as HIE has assessed the activities that require to be resourced. We expect the process to be concluded soon.

**Liam McArthur:** The cabinet secretary will be aware that, shortly after Pelamis's decision to go into administration, Aquamarine Power announced its decision to scale back its operations. Those were two hammer blows for the wave energy sector.

Aquamarine Power has been successful in achieving a number of important milestones in the development of its Oyster device. Support from the marine renewables commercialisation fund, overseen by the Carbon Trust, has been important to some of that success. However, there is currently no clarity whether agreed funding from the Carbon Trust is going to be released for works that have already been completed. That situation presents serious challenges for the company.

I ask Mr Swinney to advise us when a decision is likely to be made. Will he or the energy minister undertake to engage directly with the Carbon Trust

to ensure that staff at Aquamarine Power are advised of the decision at the earliest opportunity?

**John Swinney:** First, I endorse the point that Mr McArthur makes about the significant achievements that have been made in the sector. It is a challenging sector and none of us could suggest otherwise, but there have been significant achievements made, which is why we have brought forward the wave energy Scotland proposal, as a means to ensure that those achievements are developed further. We are determined to ensure that what has been achieved can be protected and enhanced in the Scottish interest.

I will ask the energy minister to engage directly on his specific point about the Carbon Trust. If there is anything that we can do to assist the situation, we will ensure that it is done. I reiterate the point that I made in my first answer, which is that the Government is committed to ensuring that we make advances on those questions, and I will ensure that Parliament is kept up to date on the progress of wave energy Scotland.

**Malcolm Chisholm (Edinburgh Northern and Leith) (Lab):** How many of the highly skilled people who were working at Pelamis—in my constituency—before its sad demise have been offered employment by wave energy Scotland?

**John Swinney:** I cannot give Mr Chisholm a definitive answer on that point because we are currently taking forward the preparations for wave energy Scotland. Those issues will be clarified once the business planning process is concluded by Highlands and Islands Enterprise. As I indicated in my response to Mr McArthur, we will of course keep Parliament up to date on those questions.

I assure Mr Chisholm, whom I know has pursued the issue vigorously on behalf of his constituents, that the wellbeing of and opportunities for those individuals are uppermost in the Government's thinking at this time.

### Organ Donations

**2. Colin Beattie (Midlothian North and Musselburgh) (SNP):** To ask the Scottish Government what progress the national health service is making toward meeting the demand for organ donations. (S4O-03962)

**The Minister for Public Health (Maureen Watt):** In 2013, the Scottish Government published "A Donation and Transplantation Plan for Scotland 2013-2020". The plan sets out the ways in which the Government and the NHS plan to improve donation and transplantation in Scotland.

The plan builds on the very good progress made over the preceding five years. Since we started a programme of improvement, we have seen a 96 per cent increase in deceased organ donation and a 63 per cent increase in transplants, and the waiting list for a transplant has fallen by 25 per cent. Currently, 41 per cent of the Scottish population is on the NHS organ donor register, which is the highest percentage of any of the United Kingdom countries.

We have invested in the organ donation infrastructure in our hospitals by appointing additional specialist nurses and clinical leads for organ donation in every intensive care unit across the country. Organ donation committees have been established in all mainland NHS boards, with links established to the island boards. They are responsible for overseeing donation activity in their hospitals. We have also strengthened the Scottish organ retrieval team, which maximises the number of transplants by ensuring the timely and high-quality retrieval of organs from hospitals around the country.

**Colin Beattie:** The minister will be aware of public sensitivity over organ donations. What plans are there to continue to heighten awareness and participation by the public in that vital service?

**Maureen Watt:** Our document “A Donation and Transplantation Plan For Scotland 2013-2020” sets out our plans for the next few years. We will continue to run high-profile multimedia campaigns that are designed to raise awareness of organ donation; urge people to discuss their organ donation wishes with their families; and encourage them to join the register.

We will continue our targeted work with black, Asian and minority ethnic communities, building on what we have learned from the peer educator project that has been undertaken in Glasgow. In schools, we will continue to promote the use of our organ donation teaching resource pack, which was developed in line with curriculum for excellence. It has been highly evaluated by pupils and teachers and is available in an easy-to-use e-book format.

Our plan also sets out our intention to undertake a full consultation on potential approaches to increasing organ donation in Scotland.

### North Ayrshire Economy

**3. Kenneth Gibson (Cunninghame North) (SNP):** To ask the Scottish Government what steps it is taking to grow the North Ayrshire economy. (S4O-03963)

**The Deputy First Minister and Cabinet Secretary for Finance, Constitution and Economy (John Swinney):** The Government is committed to growing the North Ayrshire economy and creating employment opportunities by working

closely with a range of delivery partners, including our enterprise agencies and North Ayrshire Council.

We have invested in health, education and connectivity infrastructure across North Ayrshire. We are supporting specific initiatives such as the enterprise area in Irvine, which has created more than 250 jobs. Our regeneration capital grant fund is supporting projects in Millport, Saltcoats and Ardrossan with the aim of creating 178 jobs and 14 training places. That kind of support is contributing to the recent significant improvement in North Ayrshire's youth and overall employment rate.

**Kenneth Gibson:** The cabinet secretary will be aware that Ayrshire has had particular difficulties following the loss of more than half its manufacturing jobs, amounting to 14,500 jobs lost in the decade to 2007 when the Labour Prime Minister Tony Blair was in office.

Does the cabinet secretary agree that North Ayrshire is becoming increasingly attractive for investments in the chemical manufacturing sector, with GlaxoSmithKline alone investing £95 million in the past three years, and that important infrastructure developments such as the Dalry bypass—the proposal for which has just undergone a public local inquiry—are vital to help to grow the North Ayrshire economy further?

**John Swinney:** I agree very much with Mr Gibson. As a matter of fact, I had one of my regular meetings with GSK just yesterday to discuss the sustained investment that the company has made in Irvine, which has created high-value employment in the North Ayrshire economy.

I am keen to find ways in which we can follow that very positive experience with GSK by encouraging other major employers to recruit and locate in North Ayrshire. It is welcome news that the public local inquiry into the Dalry bypass has concluded, and the reporter will now consider all the evidence. I look forward to hearing the outcome of the inquiry, and ministers will take decisions in the context of that outcome.

**The Presiding Officer:** Alex Rowley has requested to speak. I take it that your question is on the North Ayrshire economy, Mr Rowley?

**Alex Rowley (Cowdenbeath) (Lab):** Yes, it is on the economy—thank you, Presiding Officer.

**The Presiding Officer:** On the North Ayrshire economy?

**Alex Rowley:** I welcome the investment in the North Ayrshire economy. [*Laughter.*] Does the Deputy First Minister acknowledge that this week's announcement from Tesco will have a devastating

effect on many economies, not least that of Kirkcaldy?

**John Swinney:** If I may say so, I thought that Mr Rowley's question was a triumph of parliamentary procedure—although it is not for me to judge on such matters.

In all seriousness, I say to Mr Rowley that the announcement about Kirkcaldy is the most significant, and the most serious, of Tesco's announcements for Scotland. I had a discussion by telephone this morning with the leader of Fife Council, Councillor David Ross, on the implications of that decision. I have pledged to work jointly with Councillor Ross to advance the concerns that have been expressed about the local economy, and I have had representations from David Torrance to encourage me to do so. The Government will do all that it can to work in partnership with Fife Council to address what I recognise is a serious blow to the Kirkcaldy economy.

**The Presiding Officer:** You may say Mr Rowley's question was a triumph, cabinet secretary. I could not possibly comment.

#### **Carbon Taxes (Restoration-related Coal Production)**

**4. Adam Ingram (Carrick, Cumnock and Doon Valley) (SNP):** To ask the Scottish Government what progress is being made with the proposal to exempt restoration-related coal production from carbon taxes. (S4O-03964)

**The Deputy First Minister and Cabinet Secretary for Finance, Constitution and Economy (John Swinney):** Members will be aware of the outstanding legacy of surface mine restoration following the liquidation of the coal sector's two largest companies—ATH Resources and Scottish Resources Group—in 2013 and, in turn, the major problem facing the councils concerned in dealing with the restoration legacy. With the correct controls in place, the innovative proposal to which Mr Ingram refers could provide a funding solution for the restoration of legacy opencast coal sites in Scotland and in other parts of the United Kingdom.

Mr Ewing had a discussion yesterday with the UK energy minister, Matthew Hancock, to discuss the proposal and pressed for prompt consideration of the issue by the UK Treasury. The proposal is worthy of serious and detailed consideration, and Mr Ewing obtained agreement from Mr Hancock to work closely to explore it.

**Adam Ingram:** I thank the cabinet secretary for that answer, which is good news. However, he will be aware that failed opencast companies have left a bitter legacy in affected communities, including mistrust regarding permissions for coal extraction.

What reassurance can the cabinet secretary provide that the proposal from Hargreaves Services, if approved by the Treasury, will deliver the full restoration that we seek and not more of the same problems?

**John Swinney:** I acknowledge the significant and serious issues that Mr Ingram raises and has raised persistently on behalf of his constituents who have been adversely affected by the opencast issue. The key comment that I made in my original answer included the words

"With the correct controls in place".

I reassure Mr Ingram and his constituents that, by ensuring that the proper and effective controls are put in place to avoid a situation whereby we just have a repeat of the unacceptable legacy that we have had, we will be able to use the proposal from Hargreaves to rectify what is clearly a serious issue for Mr Ingram's constituents.

We will continue to engage in discussion with the UK Government on the proposal, because it requires its support and endorsement. However, we will do that in a fashion that will ensure that we do not have a repeat of past performance.

#### **Autistic Spectrum Disorder (Employment Support)**

**5. Mark McDonald (Aberdeen Donside) (SNP):** To ask the Scottish Government what steps it is taking to assist people with autistic spectrum disorder to gain employment. (S4O-03965)

**The Cabinet Secretary for Fair Work, Skills and Training (Roseanna Cunningham):** I acknowledge the member's continuing interest in issues related to autism and reassure him that employment opportunities for people with autism are a key priority in "The Scottish Strategy for Autism", which was published in 2011. In addition to the existing support for young people with additional support needs, which includes activity agreements and targeted recruitment incentives, the commission for developing Scotland's young workforce recognised the need for more action and made specific recommendations to support young disabled people. We continue to work with local authorities to promote the development and adoption of the supported employment model across Scotland.

**Mark McDonald:** In 2013, I joined the National Autistic Society Scotland as it launched its report "Count us in: it pays to listen." The NAS pointed out in the report that although many people with autism are qualified and willing to work, they find that employers do not always offer support to allow employment to be sustained. The NAS called for the Scottish Government to engage with employer organisations to raise awareness of

autism, the benefits of employing people with autism and the adjustments that should be made; and to encourage the inclusion of autism within diversity training courses. Will the Scottish Government continue to highlight those matters with businesses, employer organisations and training bodies to ensure that the many individuals on the autistic spectrum who want to gain and sustain employment are able to do so?

**Roseanna Cunningham:** The Scottish Government fully recognises the importance of employer engagement, and we will continue to work with disability organisations and employers to raise awareness of autism and improve opportunities for employment for people with autism. It is our aspiration that, with the right support, people with autism are able to find suitable employment.

We are engaging with a number of stakeholders to support local initiatives to improve the employment opportunities that are available. Skills Development Scotland is working with Barnardo's, Remploy and training providers to increase the take-up of modern apprenticeships and employability fund opportunities. In addition, the Scottish Further and Higher Education Funding Council is working with Enable and the Scottish Consortium for Learning Disability to improve outcomes for disabled learners. We have allocated £3 million in response to the recommendations from the commission for developing Scotland's young workforce for a skills package, which includes specific activity to address underrepresentation across our employability programmes. We will continue to work in partnership to enable more people with autism to gain employment.

**The Presiding Officer:** Question 6, in the name of Anne McTaggart, has not been lodged. The member has provided an explanation.

#### **NHS Ayrshire and Arran (Meetings)**

**7. Willie Coffey (Kilmarnock and Irvine Valley) (SNP):** To ask the Scottish Government when it last met NHS Ayrshire and Arran and what matters were discussed. (S4O-03967)

**The Cabinet Secretary for Health, Wellbeing and Sport (Shona Robison):** Ministers and Government officials regularly meet representatives from all health boards, including NHS Ayrshire and Arran, to discuss matters of importance to local people.

**Willie Coffey:** I am aware that the cabinet secretary was recently at University hospital Crosshouse, where she met her health and social care teams. Will she advise on how progress towards the integration of health and social care is

benefiting my constituents in Kilmarnock and Irvine Valley?

**Shona Robison:** Chief officers are in place in each partnership and are working across the national health service board area to develop their strategic commissioning plans. Work is under way with professionals, clinicians and others in localities to support the strategic commissioning process. The integration schemes that will establish the integration joint boards and the integrated arrangements are expected to be submitted to ministers for approval in the next few weeks.

**John Scott (Ayr) (Con):** The cabinet secretary will be well aware of growing numbers of patients in NHS Ayrshire and Arran who are not being treated within the 12-week waiting time. Urology patients are having to travel to Glasgow for treatment and more than 1,000 dermatology patients have not been treated within the 12-week period. Regrettably, the services of Medinet are having to be used on a growing scale due to a failure in recruitment in NHS Ayrshire and Arran. How is the recruitment problem, which is common to many health boards, being dealt with at a local and national level?

**Shona Robison:** I recognise some of the recruitment challenges. Having said that, that is against a backdrop of record numbers of staff and NHS Ayrshire and Arran's budget increasing. Of course, the fact that it has the resource and the workforce does not mean that it does not have the challenges that other boards have, particularly in some key specialties. It is working closely with officials within the NHS here to look at how it overcomes some of those recruitment difficulties in key specialties. Some of that is about working across board areas, particularly where it is difficult to recruit, but I am certainly happy to write to John Scott with more detail around the specific issue that he raises.

#### **Roads in Rural Areas (Gritting)**

**8. Dennis Robertson (Aberdeenshire West) (SNP):** To ask the Scottish Government what steps it has taken to ensure that roads in rural areas are gritted. (S4O-03968)

**The Minister for Transport and Islands (Derek Mackay):** Transport Scotland and its operating companies are responsible for winter treatment on trunk roads in rural areas, while local authorities are responsible for winter treatment on all other rural roads. From 1 October to 15 May, a 24-hour dedicated winter maintenance service operates on all of Scotland's trunk roads. Our operating companies' winter service plans are available on the Transport Scotland website.



Daily winter action plans continue to be made publicly available on the Traffic Scotland website by our operating companies throughout the winter. The information goes live at 3 pm each day, following receipt of the forecast. The action plan information tells people where the gritters will be, at what time and how much salt they will be spreading.

**Dennis Robertson:** The minister will be aware that there has recently been a significant increase in road traffic incidents in my constituency of Aberdeenshire West, and there have been a couple of fatalities. That is sometimes due to the condition of the roads. Can the minister reassure me and my constituents that everything is being done to ensure that roads are maintained to a suitable standard for people who commute into towns for work to drive on?

**Derek Mackay:** I appreciate the point that Mr Robertson makes. I have witnessed at first hand the strong partnership working that we have. As well as sharing information and working together on, for example, salt supplies, we have strengthened the multi-agency arrangements, and local authorities are, of course, part of that.

In addition to our preparation campaigns, we deploy teams where they are required. I will pay particular attention to incident reports and raise matters as appropriate with our agencies and local authorities to ensure that any disruption to roads is minimised and that safety is paramount.

**The Presiding Officer:** We have a very busy gallery today. Members will wish to join me in welcoming to the gallery the new Speaker of the Northern Ireland Assembly, Mr Mitchel McLaughlin MLA. [*Applause.*]

Members will also wish to join me in welcoming the Speaker of the Parliament of Fiji, the Hon Dr Jiko Luveni, who is in the gallery. [*Applause.*]

## First Minister's Question Time

12:00

### Engagements

**1. Kezia Dugdale (Lothian) (Lab):** To ask the First Minister what engagements she has planned for the rest of the day. (S4F-02555)

That is, other than the important matter of the tennis.

**The First Minister (Nicola Sturgeon):** Engagements to take forward the Government's programme for Scotland and—fingers crossed—celebrating an Andy Murray victory in the tennis.

**Kezia Dugdale:** On 25 February last year, the schools minister, Alasdair Allan, said that a small minority of pupils would be sitting the old highers this year. This week, we learned that almost half of Scotland's pupils will be sitting the old higher. What has gone wrong?

**The First Minister:** Nothing has gone wrong. What has happened is that teachers have been given the flexibility in the timetable for the delivery of curriculum for excellence that I think Kezia Dugdale once asked for. Curriculum for excellence is founded on professional judgment, and it is right that decisions take account of local circumstances. Schools are able to use that flexibility to phase in the new qualifications in the way that best serves the interests of pupils, and when it was given it was warmly welcomed by teacher unions and indeed by Opposition politicians. This is the only year in which dual running of the exams will be permitted but, given the importance of ensuring proper implementation, I had thought that Kezia Dugdale and her colleagues would have welcomed that.

**Kezia Dugdale:** I would have, except that Mike Russell told the chamber:

"I do not believe that any teacher in Scotland who has the right support, the right help and the right leadership ... cannot rise to the challenge and deliver the conclusion of a programme that has been eight years in the making."— [*Official Report*, 8 March 2012; c 7003.]

There is concern from parents, teachers and pupils across Scotland, and we know from the past that, when there is a problem in our education system, it is the kids from the poorest backgrounds who suffer the most.

It is worrying that the schools minister clearly did not know what was going on with the highers system. I hope that the First Minister will know what is going on with the appeals system. Last year, the Scottish National Party Government started to charge for exam appeals. Freedom of information responses to the Scottish Labour Party

show that, for state pupils, the money for an appeal must come from either the school budget or the council budget, and we all know that money is tight. However, the parents of private school pupils can pay for the appeals themselves. Can the First Minister tell us whether the number of exam appeals from state school pupils has gone up or down in the last year?

**The First Minister:** Consistency clearly is not Labour's strong suit this week. On the issue of dual running of exams—*[Interruption.]*

**The Presiding Officer (Tricia Marwick):** Order.

**The First Minister:** Labour has raised an important question for pupils and parents across the country, so let me answer it, but I think that it is worth pointing out that not that long ago—12 September 2014, to be precise—Kezia Dugdale said that the timescale for implementation of the new exams was too fast. She said that the timetable was “ridiculous”. She then cited the introduction of standard grades and said that that had been over 10 years, presumably implying that she thought that that was a more appropriate timescale for the implementation of these new exams. Now that we are seeing teachers and schools using the flexibility that they have rightly been given, Kezia Dugdale turns round and says that the implementation timetable is too slow. That almost puts the hypocrisy on fracking into the shade.

If Kezia Dugdale wants to quote teachers, let me quote Larry Flanagan, the general secretary of the Educational Institute of Scotland. He said:

“This is a sensible approach that will enable teachers to use their best judgement in deciding which option is in the best interests of their pupils.”

If that is what teachers have to say, I do not know why Kezia Dugdale takes a different view.

We have put in place an appeals system that is right and proportionate to give young people the best opportunity to fulfil their potential at school. As I have said previously on this issue and on a range of other subjects, if Kezia Dugdale wants to suggest improvements, I will be willing to listen. However, not for the first time, I will be waiting a long, long time for Labour to come up with anything constructive.

**Kezia Dugdale:** The First Minister wants to quote Larry Flanagan. I can play that game. He said:

“Appeals should be based upon the professional judgment of teachers rather than on the wishes of the parent and what is now happening is fundamentally wrong”.

The First Minister does not have a clue what the answer to my question is, so let me tell her. The reality is that, since the SNP started to charge for appeals, the number of appeals from state school

pupils has fallen by 55,000. Even if we factor in the fall in the number of exams, that is a drop of more than 75 per cent in just one year. Good exam results can make the difference between a pupil going to university and a pupil not going to university. For disadvantaged kids in particular, that can be a deal breaker.

Let me ask the First Minister another question. Since the SNP started charging for appeals, has the number of appeals from private schoolkids fallen at a faster or slower rate than the rate by which it has fallen for state school pupils in Scotland?

**The First Minister:** I am surprised that Kezia Dugdale does not want to focus on what I thought would be the real success story—

**Neil Findlay (Lothian) (Lab):** This is question time. You don't write the questions.

**The Presiding Officer:** Order. Mr Findlay!

**The First Minister:** I am talking about the success not of Government but of pupils across the country. In 2014, there was a record number of higher passes in Scotland—almost 4,000 more than in 2013.

We are, rightly and properly, introducing curriculum for excellence, a new system of exams and—yes—changes to the way in which appeals are applied for and processed. We will ensure that we respond to the experience of all that, so that we continue to do what we have been doing in each and every year in which we have been in government, which is taking the action that needs to be taken to ensure that our young people get the best possible education and the best possible chance to pass the exams that give them the best possible chance in life. There was a day when Labour would have supported that but, as on so many other issues, Labour has moved beyond and away from its very basic principles.

**Kezia Dugdale:** Once again, the First Minister does not have a clue. The truth is that the proportion of appeals from privately educated pupils is now double the rate for state schoolkids.

The system now favours private school pupils more than ever. Parents of private school pupils can buy their kids a second chance. Parents of private school pupils can put their hands in their pockets to help their kids, but parents of state school pupils cannot do so. It is no wonder that just 220 kids from the poorest backgrounds in Scotland get the grades that they need to make it to our top universities.

The SNP's record on educational inequality is clear for all to see. Teacher numbers are down by more than 4,000, appeals from state school pupils have plummeted by 55,000, and kids from the poorest backgrounds are being left behind. People

in Scotland simply want to know this: is this the fairer Scotland that the First Minister promised?

**The First Minister:** In fact, in spite of what Kezia Dugdale just said, 18-year-olds from the most disadvantaged areas are more likely to be accepted to university under the SNP. Universities and Colleges Admissions Service stats show that the percentage of 18-year-olds from the most disadvantaged areas accepted to university is up from 6.4 per cent under Labour to 8.9 per cent in 2013—an increase of 2.5 percentage points—*[Interruption.]*

**The Presiding Officer:** Order.

**The First Minister:** Let me say very clearly to the Parliament and to the entire country that I do not think that that is good enough. I want more young people from our most disadvantaged backgrounds to get the same kind of opportunities to go to university as I got as a young person.

That is why in my programme for government I set the goal of increasing the number of people from our most deprived areas who get to go to university. That is why we are working to ensure, first, the best possible school education for our young people—I repeat that we are seeing a record number of higher passes. It is also why my party, unlike the Labour Party, has worked so hard and will continue to work so hard to protect free higher education for our young people. If Labour had its way and introduced tuition fees, it would be a lot harder for our poorest young people to get the chance that I had to go to university.

### Secretary of State for Scotland (Meetings)

**2. Ruth Davidson (Glasgow) (Con):** I invite the First Minister to join me in congratulating Andy Murray, who has just won his Australian open semi-final in the past few minutes.

To ask the First Minister when she will next meet the Secretary of State for Scotland. (S4F-02552)

**The First Minister (Nicola Sturgeon):** I hope that Ruth Davidson was not looking at Twitter in the chamber, Presiding Officer. *[Laughter.]*

**The Deputy First Minister and Cabinet Secretary for Finance, Constitution and Economy (John Swinney):** There is the guilty man.

**The First Minister:** I think that Jackson Carlaw might be in some trouble.

I take the opportunity to congratulate Andy Murray on his semi-final win. I am sure that we can have an outbreak of consensus in the chamber and, on behalf of us all, I wish him all the best for the final on Sunday.

I will meet the Secretary of State for Scotland on Monday, at the oil and gas summit in Aberdeen, when I will take the opportunity to call again on the United Kingdom Government to take immediate action to cut the supplementary charge for the oil and gas sector, instead of waiting seven long weeks until the UK budget is announced.

**Ruth Davidson:** When the Scottish National Party Government defended its massive cuts to college courses, the then Cabinet Secretary for Education and Lifelong Learning said:

“There were, bluntly, too many hobby courses and far too few courses were focused on employment.”—*[Official Report, 14 November 2012; c 13426.]*

One group of courses is geared specifically towards employment. It comprises STEM courses, which take in science, technology, engineering and maths. Has the number of students on further education STEM courses gone up or down on the SNP’s watch?

**The First Minister:** Figures show that the vision that we have set for the college sector, which is focused on skills for work and economic growth, is paying dividends. Ruth Davidson rightly says that the changes that we have been making to the college sector are designed to ensure that people who go to college come out of college with qualifications that help them to get into work.

I am happy to discuss with Ruth Davidson any aspects of our approach to colleges that she thinks that we should look to improve—I say that in a genuine spirit of consensus. However, I am proud that we are taking the action—often tough action—that is making college education more productive for our young people.

**Ruth Davidson:** I asked the First Minister about student numbers. She knows the number that I asked for; she just does not want to say it. Her Government published it this week.

When the SNP came to power, there were more than 86,000 college places in STEM subjects. The most recent figure is just 56,000, which is a cut of 30,000 places in science, technology, engineering and maths. The Government is failing on science and maths. Those are college courses that lead to jobs, and they have been slashed by a third. In schools, less than half of pupils studying science and maths will sit the new exams this year, as we have just heard. In the international tables, on every measurement, Scotland has gone backwards in science and maths since the Government came to power.

Our young people need the skills to compete. Getting a decent job depends on it. Why is the Government failing them?

**The First Minister:** I am happy to look in detail at the figures that Ruth Davidson has quoted and to respond. [*Laughter.*]

**The Presiding Officer:** Order.

**The First Minister:** Labour clearly finds the issue of education amusing; I find it very serious.

In the year that the most recent available figures cover, approximately 14,000 more students successfully completed courses that lead to recognised qualifications than was the case in 2008-09. That is an increase of 33 per cent. The average number of hours of learning per student is also increasing. In 2006-07, that figure was less than 250 hours, and it is now up to almost 400 hours. Further, as we committed to doing in our manifesto, we have maintained the number of places in Scotland's colleges.

The number of students who are achieving higher national certificates or diplomas, which are recognised and valued by employers, is up by 36 per cent. The number of students who are getting degrees is up by 121 per cent. That is to be celebrated.

I readily agree that we need to get more girls and women into STEM subjects. I do not take the view that we have done everything that we need to do, but we are doing the hard work to make sure that our colleges are equipped to prepare young people for the workplace, and we will continue to focus on doing that.

**David Torrance (Kirkcaldy) (SNP):** Yesterday's announcement by Tesco that it is closing its Kirkcaldy store is devastating news for the employees and will have a huge impact on the surrounding area. What assistance can the Scottish Government give the 189 employees who face losing their jobs?

**The First Minister:** My thoughts are with all those who are affected by the announcement that Tesco made yesterday. The Deputy First Minister has spoken to Fife Council about the Kirkcaldy store and given a commitment that the Scottish Government will work with the council to do everything that we can to support affected employees. Partnership action for continuing employment representatives have already contacted Tesco to offer support for employees who might be facing redundancy. Information on PACE has been provided to the company.

We understand that the company will seek to minimise redundancies through the use of redeployment and alternative roles within Tesco. PACE representatives will work with Tesco to provide a tailored package of support to minimise the time that those who are affected by redundancy are out of work.

### **“Safeguarding Scotland’s vulnerable children from child abuse”**

**3. Liam McArthur (Orkney Islands) (LD):** To ask the First Minister what progress has been made in implementing the recommendations in Jackie Brock's report on closing the gaps in the child protection process. (S4F-02550)

**The First Minister (Nicola Sturgeon):** The Government welcomes the Brock report and we have accepted all its recommendations. We are implementing the 12 recommendations, including holding a national strategic leadership summit, which will take place next month.

The report was one strand of a wider programme that seeks to ensure that Scotland's approach to safeguarding children and young people continues to be as robust as possible. A parliamentary briefing note on the progress of the Scottish Government's response to the Brock report will be available from the Scottish Parliament information centre today. We will continue to act decisively to implement the report's recommendations.

**Liam McArthur:** The First Minister referred to the summit, but the truth is that Mike Russell promised Parliament that he would hold that summit by the end of last year and it did not happen. Those who have suffered the harrowing experience of child sexual exploitation are owed nothing less than robust and urgent action. Jackie Brock knows that, which is why she has felt moved to express her frustration at the lack of progress by the Scottish Government on taking forward the recommendations in her report. Is it not the case that the Government has taken its eye off the ball on this vital issue? Will the First Minister now commit to taking the decisive action that the survivors of child exploitation expect and which we were promised back in November last year?

**The First Minister:** That is not true and is not a fair characterisation. The Government and, I am sure, every single member in the chamber are absolutely resolute in their determination to do everything that we need to do to protect children and our most vulnerable children. We have accepted all 12 of the Brock report's recommendations. The summit that has been referred to will take place next month.

The Brock report was just one strand of a wider programme of work that included the full child sexual exploitation action plan that was published on the same day as the Brock report. That was the result of work that was established in April 2013 and was developed over 19 months by a team of experts including children's charities, child protection experts, the police and social workers. It drew on a full committee inquiry into the issue.

We will take forward all the recommendations and I hope that we will do so with considerable cross-party support to make sure that we are taking the action that we need to take to protect our vulnerable young people.

**Iain Gray (East Lothian) (Lab):** The Brock report explicitly pointed out the vulnerability of on-the-radar children to sexual exploitation and cited the Rotherham case. This week, police launched a probe into 14 cases of child sexual exploitation here in Edinburgh. The urgency of the situation could not be greater. It is now a week since Jackie Brock told us that there had been little or no activity since her report. What has the First Minister done in the past week to redouble efforts?

**The First Minister:** As I said in my initial answer, an update setting out the actions that we are taking as a result of the Brock report is available to all members in SPICe. Those actions are part of a wider suite of actions that we are taking.

Iain Gray referred to police investigations. As I am sure he understands, I cannot comment on ongoing police investigations, but the action plan that I referred to complements the wider action that we are taking, including the establishment of a new specialist police unit. Police Scotland has formed a new national child abuse investigation unit, which was announced in October last year and which will enable the police to play their full part in making sure that we protect children and young people.

As members are well aware, we have strengthened child protection legislation and policy. The Children and Young People (Scotland) Act 2014, which has received royal assent, strengthens the protection of children's rights and creates a statutory single point of contact for raising concerns—the named person. Obviously, we have had a court judgment on that in the past few days. The act requires all agencies to work together in the child's best interests.

We will continue to do everything that we possibly can to protect children, including the most vulnerable children, such as those who are vulnerable to sexual exploitation. I say genuinely that we will listen to ideas and suggestions from wherever they come because, on this issue perhaps more than on any other, we should come together as one Parliament that is determined to do what needs to be done.

#### **Energy Jobs Task Force (Update)**

**4. Mark McDonald (Aberdeen Donside) (SNP):** To ask the First Minister whether the Scottish Government will provide an update on the work of the energy jobs task force. (S4F-02570)

**The First Minister (Nicola Sturgeon):** I welcome the constructive discussions and actions

that came out of the first meeting of the energy jobs task force, which was held yesterday in Aberdeen. The meeting involved a group from across the public and private sectors coming together quickly to reinforce the determination of industry to ensure that Scotland retains the skills and talent that support the sector at home and overseas. The task force considered a range of ideas, and immediate action will be taken to translate them into tangible outcomes. That will include a large-scale PACE—partnership action for continuing employment—market event to match those who face redundancy with opportunities elsewhere. It has also been agreed that the task force will convene monthly, with the next meeting scheduled for 26 February.

**Mark McDonald:** The First Minister says that the task force will look at “opportunities elsewhere”. One example might be North East Scotland College, which has recently struggled to recruit lecturers for its oil and gas skills courses. There might be beneficial opportunities amidst the recent spate of redundancies.

Does the First Minister share the disappointment that is being expressed in the north-east that the United Kingdom Government, which holds the fiscal powers, looks set to wait until the budget in March to make any interventions? Will she continue to press for early interventions to support the industry and the workforce?

**The First Minister:** I certainly share Mark McDonald's views on what the UK Government should be doing right now. It should not be waiting until the budget; it should act with tax changes now. As I said in response to Ruth Davidson, I will make that argument again on Monday at the oil and gas summit.

Mark McDonald also makes reasonable points about North East Scotland College. It is important to emphasise that the aim of the task force is to safeguard the skills and experience that have been built up over decades in the oil and gas industry. That will necessitate close working with colleges and universities, which is why the Scottish Further and Higher Education Funding Council is represented on the task force.

**Murdo Fraser (Mid Scotland and Fife) (Con):** The First Minister will know that the Scottish Conservatives support further reductions in North Sea oil and gas taxation, and we have already made that case to the chancellor. However, Sir Ian Wood has stated that any reduction in taxes will make no difference to the situation over the next six to nine months. Therefore, what additional action will the Scottish Government take now to assist the sector?

**The First Minister:** I have just outlined some of the work that we are doing through the jobs task force. I have made it clear that it is the key intervention that supplements the work that we do routinely to support the sector on skills, innovation and exporting. The jobs task force is designed to do three things: first, to work to maintain jobs and skills as far as possible; secondly, to provide targeted support to those who face redundancy; and, thirdly, to support better collaboration across the industry. The task force met for the first time yesterday and heard a number of ideas that will now be turned into a tangible action plan. I hope that Murdo Fraser and others will get behind that.

I last spoke to Ian Wood the week before last. He made the point—which underpins our call for UK Government action—that companies are making decisions now and, therefore, need clarity now on the tax regime in which they will operate for the medium to long term. That is why it is so important that we not wait seven weeks until the budget but see that action now. I hope that the Scottish Conservatives will speak a bit more loudly in calling for their colleagues at Westminster to take that sensible action.

#### Science Education (Funding)

**5. Mark Griffin (Central Scotland) (Lab):** To ask the First Minister what the Scottish Government's response is to reports that science lessons in schools are being underfunded by £8 million per year. (S4F-02558)

**The First Minister (Nicola Sturgeon):** We continue to see a strong picture on science in our schools, with increased higher entries across the three main science subjects since 2006 and pass rates remaining high.

We do not agree that school science is underfunded. The report of the learned societies group on Scottish science education considered approximately 2 per cent of primary schools and 13 per cent of secondary schools and indicates itself that the findings should be treated with some caution. Indeed, that is borne out by looking at international comparisons, in which Scotland is above the Organisation for Economic Co-operation and Development average as measured by the programme for international student assessment rankings.

**Mark Griffin:** As the First Minister questioned the small sample size, will she listen to the evidence that the learned societies group gave to the Education and Culture Committee this week, in which it asked the Government to take its work forward and carry out a full independent audit of schools in Scotland to ensure that our pupils have the right equipment to learn the practical science skills for which colleges, universities and employers are looking?

**The First Minister:** I am very happy to work with the learned societies group to ensure that we build on the work that we are already doing to improve science learning and teaching. I was struck by one thing in particular that Dr Bill Beveridge, who gave evidence to the committee on behalf of the group this week, said, which was that the basic knowledge of the science subjects is being taught well and lots of pupils are seeing positive benefits from studying the sciences.

We will continue to work with all those with an interest to ensure that we improve our performance even further. Indeed, straight after First Minister's questions, I will present certificates to this year's winners of the Higgs prize. The prize—which, of course, bears the name of Professor Peter Higgs, the Nobel prize-winner—is designed and was introduced by the Government to motivate and inspire young physicists in our schools. That is one example of the work that the Scottish Government is doing and I hope that the chamber will welcome it.

#### Mental Health Research (Funding)

**6. Liz Smith (Mid Scotland and Fife) (Con):** To ask the First Minister what discussions the Scottish Government has had with national health service boards regarding the reported reduction in funding for mental health research. (S4F-02554)

**The First Minister (Nicola Sturgeon):** The Scottish Government directs funding for mental health research through grants awarded by three sources: direct funding through grants awarded by the Scottish Government; direct funding of the Scottish mental health research network; and grants awarded to Scottish researchers by the UK Government Department of Health's National Institute for Health Research funding committees. When we take those three strands together, we see rises in mental health research funding under this Government from around £1 million in 2006-07 to nearly £4 million in 2014-15.

**Liz Smith:** Actually, it has been revealed that there has been an 85 per cent drop in funding for mental health research in the past eight years of the Scottish National Party Government. Today, in *The Scotsman*, the Scottish children's services coalition repeats its warning of two years ago that the number of educational psychologists is dangerously low. On 9 July last year, it warned the then Cabinet Secretary for Health and Wellbeing, Alex Neil, that there remained a large number of unfilled vacancies for trainee psychiatrists.

Does the First Minister agree with the health professionals who say that the Scottish Government's complacency on mental health issues is unacceptable?

**The First Minister:** The Scottish Government is not complacent in any way, shape or form when it comes to mental health. In November last year, we announced additional investment of £15 million over the next three years to improve mental health services. We are taking a range of actions to ensure that we reduce waiting times for access to psychological therapies and, in particular, to mental health treatment services for children and adolescents.

I am happy to make those figures available to Liz Smith and, indeed, anybody else who is interested in seeing them. The report to which she referred looked, if I understand it correctly, at two out of the three strands of funding to which I referred in my initial answer: funding from the chief scientist office's committees and funding for the mental health research network. It did not include the funding that comes through the National Institute for Health Research funding committees. Scottish researchers can, of course, apply for that funding, because the chief scientist office pays around £9 million annually into that pot of funding. When we take the three strands together, we find that, as I said, funding for mental health research has increased from just over £1 million in 2006-07 to just under £4 million in 2014-15. That is the reality, and I am happy to make those figures available.

**Dr Richard Simpson (Mid Scotland and Fife) (Lab):** I thank the Government for providing me with the answer that was the basis of Liz Smith's question. However, the funding to which the First Minister refers is UK funding, largely. Does she not agree that the level of Scottish funding demonstrates a total lack of leadership on mental health research?

**The First Minister:** It is clear that Labour has not changed its spots that much. It is still trying to make out that Scotland is too wee and too poor to do these things. [*Interruption.*]

**The Presiding Officer:** Order.

**The First Minister:** I do not know whether Richard Simpson is aware of this, but the National Institute for Health Research funding that I referred to is contributed to by the chief scientist office in Scotland to the tune of £9 million every year. In other words, we contribute our share of funding to the pot so that Scottish researchers can bid into it and get funding back. We do not get anything for nothing, even though Richard Simpson wants to give the impression that we do.

One of the other strands of funding that I mentioned was the chief scientist office's committees funding. As Richard Simpson will be aware, that is a pot of money that researchers bid into. It fluctuates year on year. I have here figures that go back to 2005-06. In some years, that

funding was more than £2 million and in one year it was more than £3 million. It sometimes goes down and then goes back up again. It is a fund that is open for bids. I hope that we all agree that we should encourage those who do vital research on mental health to bid for that funding, because it is there and we want it to be used.

## Educational Psychologists

### **The Deputy Presiding Officer (Elaine Smith):**

The next item of business is a members' business debate on motion S4M-11796, in the name of David Stewart, on educational psychologist numbers at dangerously low levels in Scotland. The debate will be concluded without any question being put.

#### *Motion debated,*

That the Parliament recognises the report by the National Association of Scottish Principal Educational Psychologists and the Scottish Division of Educational Psychologists, which considers that the number of trained educational psychologists in Scotland is "dangerously low" and that psychological services in Scotland are reporting a significant increase in demand; understands that up to a quarter of educational psychologists may retire in the next four years and that there are too few trainees being recruited to fill this skills gap; believes that the ratio of educational psychologists was worse in 2012 than in 2001 and that, currently, around 394 educational psychologists are working in Scotland while the profession estimates the need for around 1,025; understands that the removal of the bursary paid to each trainee by the Scottish Government means that new trainees need to have access to around £25,000 to self-fund course fees, travel and living expenses, which has led to a 70% drop in applicants and a negative impact on the quality of candidates; considers that this has also created difficulties for students wishing to access courses who are resident in the Highlands and Islands and remote and rural parts of Scotland, and believes that a fall in the standards of assessment of children will undermine advances in early years intervention and, in particular, the educational advice open to children with learning difficulties and those with autistic spectrum disorder.

12:33

### **David Stewart (Highlands and Islands) (Lab):**

I thank all the members across the Parliament who took the time to sign my motion and all those who have taken the time to attend the debate. I extend my thanks to the many organisations that provided briefings ahead of the debate on this important issue.

I raised concern about the number of educational psychologists in Scotland with the former Cabinet Secretary for Education and Lifelong Learning Mike Russell on a number of occasions. My interest was sparked by a constituent—a young student—from Moray, whose concerns about the future of educational psychology struck a chord with me, leading to today's debate.

The Scottish children's services coalition has described educational psychologist training in Scotland as a "ticking time bomb" that faces the sector. The issue was first raised with me in the autumn of 2013, when a young, bright and enthusiastic constituent came to discuss the numerous issues and challenges that face people

who are seeking to work as educational psychologists and the pressure on those who are currently working in the sector.

Educational psychology in Scotland faces two challenges. First, there is a shortage of trained educational psychologists practising in Scotland. The Association of Scottish Principal Educational Psychologists and the Scottish division of educational psychology have described the number as "dangerously low". Their report in 2013 concluded that educational psychology faced an "impending crisis". As things stand, up to a quarter of Scotland's current educational psychologists could retire within the next four years, and far too few postgraduate trainees are coming into the field to replenish the number who may be retiring.

That leads to the second and interconnected challenge, which concerns the training of new educational psychologists and is the point that my constituent raised directly with me. As members will know, in 2012 the Scottish Government took the decision to scrap the bursary that was paid to trainee educational psychologists. That means that each individual student is responsible for meeting the entire £18,000 university tuition fee from their own pockets. In addition, there is the burden of covering living expenses—food, travel and accommodation—over the two-year postgraduate course.

The result is even more debt for those who have accumulated debt during their undergraduate studies. Students who are accepted on to the course and are willing to take on the financial burden are, of course, eligible for a career development loan of around £3,400 across the two-year period. However, that leaves a massive shortfall of more than £14,000. That huge financial burden is crippling those who are currently on courses and has led to a 70 per cent reduction in applications from new candidates since the crucial funding was removed.

The Currie report of 2001 reviewed the provision of educational psychology services. The minister's foreword to that report warned of the

"urgent need to recruit and train more educational psychologists".

The number of children who have been identified as having additional support needs has grown, more than doubling from 2010 to 2014.

We need to reintroduce bursaries for students and give local authorities the minimum number of psychologists needed to operate the system; otherwise we will have a meltdown in educational psychology. I call on the Government to think again and reintroduce minimum numbers and bursaries.



12:38

**George Adam (Paisley) (SNP):** I thank David Stewart for bringing this debate to the chamber.

I wanted to participate in the debate for practical reasons. This is not just about educational psychologists. Mr Stewart made some accurate points, in as much as there are a number of people who have family members with learning difficulties or autism. I have on-going constituency cases in which the education authority in Renfrewshire is letting my constituents down. For example, it is not supporting autistic young people—it is giving them almost empty timetables, because the support is not there. Local authorities should be looking at one another and at themselves to ask how they should be delivering for and supporting those families.

I also have personal reasons for wanting to speak in the debate. My son has learning difficulties. He is now 23, but my family had to go through some of the situations that many families are still going through. The issues in Renfrewshire Council have existed for a long time, and the difficulties that families face now are very similar to the difficulties that we faced. Local authorities have to ask whether they are supporting families and young people enough.

Educational psychologists, who are there to support learners, are extremely important. The Education (Additional Support for Learning) (Scotland) Act 2009 enables parents and young people to request that their education authority arrange an assessment for the child or young person. It is then up to the education authority to decide the appropriate person to make that assessment. As a parent and a parliamentary representative of the people of Paisley, I do not care—and the people of Paisley do not care—who makes the decision or who carries out the assessment; we just need to ensure that the family and the child get the opportunity to move forward.

When we talk about this issue, we must also talk about partnership working. The Scottish Government must—and does—work with local authorities to ensure that we deliver. In a lot of constituency cases, I find that families do not seem to be getting support when their children have special needs. That is an on-going issue. We must support affected families.

I am aware of what happens in other local authorities. Let me give an example. In other areas, British Sign Language teachers are able to help in primary schools to ensure that deaf children have the opportunity to engage fully with their classes. Some local authorities, such as the Ayrshire councils, have pooled their resources to ensure that they put those professionals into the areas where they are needed.

When the Education and Culture Committee considered this year's budget, we looked at delivery of primary and secondary school education. A problem that kept appearing was that joint working and joint services among local authorities were just not happening—local authorities are not working together.

I would have thought that, in the case of educational psychology, the best way forward would be for local authorities to work with one another to find out whether there are areas where there is a higher incidence of children or young people with learning difficulties or additional support needs, so that support can be put into those areas. That is another example of how local authorities could work better and smarter with one another.

Although I welcome the debate, the issue is not quite as simple as the motion suggests. It is complex—a lot is involved. We should work with local authorities to help them, but they must take responsibility for the services that they offer.

12:42

**Malcolm Chisholm (Edinburgh Northern and Leith) (Lab):** I congratulate Dave Stewart on bringing forward this important debate and on highlighting the disparity between the supply of vital psychological support and demand for it. The motion encapsulates that when it says that there are only 394 educational psychologists, although we need more than 1,000 of them. That disparity exists in spite of the fact that educational psychology is a statutory function and, clearly, is crucial to the national priority of supporting early and effective intervention. It is also essential to the implementation of important and admirable Government strategies such as getting it right for every child, and important legislation such as the Children and Young People (Scotland) Act 2014.

Many children and young people will struggle with learning if they do not have support, a proper assessment or a clear plan for their education path, with detrimental consequences for their mental and emotional wellbeing. We should also remember that educational psychologists are critical to planning for young people in care and that they provide specialist advice in a variety of education contexts, from case work advice to whole school analysis and strategic development.

I have been around long enough to remember that similar issues were raised in the Parliament's early years. Indeed, I remember that, before the Parliament was established, Brian Wilson, who was the education minister between 1997 and 1999, increased the number of educational psychologists. I also remember that, in the Parliament's early years, Cathy Jamieson

conducted a review of the issue, with a 2002 report making 30 important recommendations, many of which are still relevant.

I also note that in 2013 the national Scottish steering group for educational psychology recommended a review, with a view to developing a national framework, and I hope that the minister and the Scottish Government will consider that recommendation, which I think is just as relevant today as it was two years ago.

As David Stewart emphasised as a central point in his opening speech, one fundamental problem is the loss of the bursary that is paid to trainee educational psychologists. If we are serious about ensuring that no child slips through the system without diagnosis and support, we have to revisit the decision to remove that bursary. The motion refers to the £25,000 cost of self-funding course fees and travel and living expenses, which is thought to be directly connected to the 70 per cent drop in applications for educational psychology courses. David Stewart reminded us that that is particularly serious, given that, as we have been advised, a quarter of educational psychologists might retire in the next four years.

Emma Brown, the chair of the Scottish division of the educational psychology training committee, highlighted significant concerns about the issue as long ago as 2010, very shortly after that significant change in the bursary provision was made. She said then that the change would affect

“equality of access for candidates to courses, quality of future Educational Psychology graduates, and ... Educational Psychology Services’ ability to fulfil their duties locally and nationally”.

She also appealed to the cabinet secretary of the day

“to consult with professional bodies”

on this important matter. It seems that that did not happen; certainly no change took place, and I hope that the cabinet secretary—and, indeed, the minister who is to reply to the debate—will consult professional bodies, consider my earlier suggestion of undertaking a review and developing a national framework and, most important of all, revisit the decision to remove the bursary.

12:46

**Mary Scanlon (Highlands and Islands) (Con):**

I thank David Stewart for securing this debate on the shortage of educational psychologists. It is important to point out that there are shortages of psychologists in most disciplines, although in this debate we are looking only at the shortage in one particular area.

Given the 100 per cent increase in the number of children who are recorded as having additional support needs and the fairly static number of educational psychologists, the problem is urgent. In fact, it was urgent in 2002, and it is even more urgent now. Of course, I appreciate that not every child with ASN will need to see a psychologist, but we should be doing all that we can to help those who do.

The educational psychology profession estimates that more than 1,000 educational psychologists are needed. At the moment, we have only 400, and the 25 per cent of them who are due to retire in five years will bring that number down to 300, with 700 vacancies. Some years ago, members of the health committee at the time were told that there were windows of opportunity at certain points in a child’s development and that any window that was missed at that age would be missed for ever—it would just be too late. That is the critical point.

It is not as if the issue is new or has just come to the Scottish Government’s attention. When I asked several questions on the matter last August, I met with this response from Mike Russell:

“We are working in partnership with the National Scottish Steering Group for Educational Psychologists to ensure a sustainable supply of educational psychologists to meet potential future needs.”—[*Written Answers*, 22 September 2014; S4W-22513]

That was more than five months ago. I hope that the partnership working that has taken place since then has resulted in some positive news that we will hear about in the minister’s summing-up.

As Malcolm Chisholm suggested, we are very good in this Parliament at passing legislation on named persons and additional support needs or legislation that puts a statutory requirement on local authorities in Scotland to provide educational psychology services. However, when it comes to ensuring that the appropriately qualified and trained people are in place, we find that the funding has been cut, with the result that there is a 70 per cent decrease in applications for training.

As Malcolm Chisholm—I was going to say “Rifkind”—also pointed out, educational psychologists are not just an added extra and the courses that they take are not just little hobby courses. Educational psychologists are essential in addressing inequalities, which is something that the Government says that it is in favour of doing, and in promoting early and effective intervention to support the wellbeing of children and young people across Scotland. They also play a valuable role in establishing continuity of support for children and young people in the often very difficult transition from child to adult services and other key services.

Despite that, the last Scottish Government review of the provision of educational psychology services was in 2002—13 years ago. That hardly sends out the signal that this is a valued and essential workforce that is critical to the health and wellbeing of children across Scotland. Across the chamber, we all agree that attainment in schools is a major challenge, and a major function of educational psychologists is to address inequality and gaps in the attainment and achievement outcomes of those in society who are vulnerable and at risk.

The Scottish Government constantly tells us that higher education is based on the ability to learn, not the ability to pay. Well, that is not the case for educational psychologists.

George Adam's contribution was excellent. I ask the minister to explain what recourse parents have when councils fail to provide an educational psychologist, which is deemed to be a statutory requirement.

12:51

**Jenny Marra (North East Scotland) (Lab):** I come to the chamber quite disappointed, because I raised the issue with Mike Russell on at least a couple of occasions, and with Alasdair Allan. The Government has allowed the situation to come about, especially over the past few years, and it has taken no action to do anything about it since members across the chamber raised their concerns.

It is often useful to look at the truth and the stories behind some of the statistics that we are presented with. In the briefing paper that we received today from the national Scottish steering group for educational psychologists, table 4 shows the numbers of applicants, withdrawals and students taking up courses at each of the universities that offer the qualification in educational psychology. When the bursaries changed for the 2012 intake, 13 students withdrew from the course at the University of Dundee.

One of the students who withdrew came to my surgery in Dundee and told me her story. She was a very well-qualified Oxford graduate who was working in schools in Angus. She was a young teacher who had a great rapport with the young people she was teaching in quite a deprived area—so much so that she wanted to train to become an educational psychologist. However, when the Government changed the funding arrangements, she was precluded from doing so. Being a very conscientious young woman, she gave me all the information available to her and told me that it made more sense for her to go back down south to train as an educational psychologist, as she could afford to train there.

She would have to relocate with her husband to work in a school down south. When that young woman left my surgery that day, I thought that it was a great shame that the children of Arbroath and the north-east of Scotland would not have her services in the very important area of educational psychology.

During First Minister's question time today, Liz Smith was right to draw a link between mental health and educational psychology, because we know that access to educational psychology can be a preventative measure and can lead to early intervention in relation to poor mental health.

I think of the waiting lists to see educational psychologists in my home city of Dundee. At my surgery, I have spoken to parents who are anxious and worried that something is not quite right with their children's behaviour, happiness or general wellbeing and who have been told that they will have to wait for weeks and weeks before their children are able to see an educational psychologist.

Mary Scanlon was right to point out that the Government has a statutory duty—a legal duty—to provide educational psychology services. The Government has been in place for eight years, but it has let the workforce age to the point at which we are about to lose most of our qualified educational psychologists, which is extremely worrying.

I will end on a point about the preventative agenda that I made in the chamber a few weeks ago. Every minister in Nicola Sturgeon's Cabinet needs to take the Christie commission report off the shelf and dust it down. The recommendations that Campbell Christie spent a long time working on are about the preventative agenda in our public services, and educational psychology is a very good example in that regard. I urge the minister to rethink the options in relation to bursaries and the number of educational psychologists he is planning to train.

12:55

**Jim Hume (South Scotland) (LD):** As others have done, I congratulate David Stewart on bringing this important debate to Parliament. David Stewart's motion highlights an imbalance in respect of educational psychologists in Scotland. Demand is rising and supply is falling; combine that with an ageing workforce and it all points to a worsening situation. The British Psychological Society's Scottish division of educational psychology report states that a quarter of educational psychologists may retire in just four years. That is alarming.

According to the workforce planning meeting for educational psychologists in November 2011,

nearly a third of educational psychologists in Scotland are aged 55 and over and are likely to retire over the next five years. George Adam hinted that that is not a new problem but an ongoing one. However, the Scottish children's services coalition highlighted the increased demand that we now face. The number of children who have additional support needs increased from 69,587 in 2010 to more than double that—140,542, to be precise—by 2014. That is, of course, partly due to increased awareness, but it is increased demand, nonetheless.

Early intervention by educational psychologists is critical; it is also statutory. It is part of the GIRFEC strategy and is crucial if we are to deliver the ambitions of the Children and Young People (Scotland) Act 2014. The British Psychological Society highlights the issue and has stated that it is a

“worrying picture given the rising levels of need among Scotland’s children and young people”.

The society goes on to say that

“This pressure on existing services jeopardises the national policy objectives to promote early and effective intervention to support the wellbeing of children and young people across Scotland”.

Educational psychologists are vital in helping children and young people who struggle with education. In the past, those young people have felt isolated; they have felt let down by the education system and therefore by society. That often led to underachievement, frustration and low morale. Educational psychologists’ work in providing support through therapeutic behaviour-management programmes, and in personalising the needs of our young people is crucial. It is therefore vital that no matter where in Scotland the young person is, he or she has access to educational psychologists at the earliest possible point—as timeously as possible. Educational psychologists provide the support that our teachers and parents need to provide the necessary strategies for those young people to achieve, to learn and to participate in our education system, in society and in their future workplaces.

I mentioned that supply and demand for educational psychologists are out of kilter. That is partly because we are not training enough educational psychologists—not just to meet the rising demand but to replace current psychologists who are ageing and retiring.

The educational psychology workforce planning meeting minutes for 8 March 2013 state that the University of Strathclyde’s representative considered that for their area, 20 students each year are needed to graduate from the programme to keep things in equilibrium, but in 2013-14, just

17 students were on that course. The Scottish division of educational psychology report also states that we need to train more people. We have to look at why that is; it has been mentioned already. The Scottish children’s services coalition makes it clear in its briefing:

“The removal in 2012 of the bursary paid to each trainee by the Scottish Government, coupled with a very limited loan facility, means that new trainees need to have access to around £25,000 each year for two years to self-fund course fees, travel and living expenses. This has led to a 70% drop in applicants”.

That is a poor record for the Government. If we are serious about our statutory duty to provide educational psychology services for our children and young people, the Government must address the imbalance between supply and demand in relation to educational psychologists in Scotland. I repeat that it is our statutory duty.

13:00

**Mark Griffin (Central Scotland) (Lab):** I congratulate David Stewart on bringing the debate to the chamber and I welcome the opportunity to contribute.

It cannot be denied that educational psychologists play a vital role in schools and education establishments throughout Scotland in assisting many children and young people, many of whom endure deep social and emotional problems. There can also be no denying that the number of children who are identified as having additional support needs has increased dramatically in the past five years—it has more than doubled to 140,542 in 2014. It would be expected that such an increase would have led to a similar increase in the number of qualified professionals who are available to support and assist those young people, their families and school staff. Sadly, however, as we have heard in the debate, the figures show that that is not the case. Given that more than 140,000 children are identified as having additional support needs, it is counterintuitive and unacceptable that Scotland has only 394 full-time educational psychologist posts. The record high was 443 in 2009, which was not enough even then, but the number has since dropped by 11 per cent, and in 2015 we have only 15 more educational psychologists than we had in 2001.

The problem is so serious that the Scottish children’s services coalition noted earlier this year that the increase in demand, coupled with cuts to local authority budgets and the withdrawal of funding for trainee educational psychologists has left the profession close to tipping point. That comes one year after the report that David Stewart’s motion highlights and which states that

the number of trained educational psychologists is “dangerously low.”

By taking the decision in 2012 to remove the bursary that is paid to each trainee, the Scottish Government has forced applicants to secure £25,000 per year of their own funding for a two-year course. That is a massive obstacle to people who have a burning desire to enter the profession in order to support young people, and it restricts the ability of people from poorer communities to undertake training. The 70 per cent drop in the number of applications that has been mentioned is proof of that.

Emma Brown, the chair of the Scottish division of educational psychology’s training committee—which Malcolm Chisholm quoted earlier—said:

“we have significant concerns over the impact of this proposal ... and the potential impact upon educational psychology services’ ability to fulfil their duties locally and nationally.”

Those “significant concerns” seem to have been borne out.

As has been mentioned, it is of concern that up to 25 per cent of existing educational psychologists are set to retire within the next four years. Although I accept many of George Adam’s points about local authorities coming together to pool such specialist services, there is a low level of educational psychologists and such a high level of demand that even authorities that pool their resources struggle to provide the service.

It is of utmost importance that the Scottish Government take action now to look at that 70 per cent drop in the number of people entering the profession. Scotland remains well short of the number of educational psychologists that is required, so the Government needs to take action to ensure that children with additional support needs, their families and school staff receive the support that is not only statutory, but which they deserve and need. That is why Government should look at the issue again.

13:05

**The Minister for Learning, Science and Scotland’s Languages (Dr Alasdair Allan):** I welcome this opportunity to discuss the role of educational psychologists. As has been made clear during the debate, they make a significant and critical contribution to supporting children and young people who have additional support needs. I value their contribution highly.

I believe that the motion is based on a report that was prepared by the profession in September 2013 at the request of the national Scottish steering group for educational psychologists, which is chaired by a senior official of the Scottish

Government. The purpose of the report was to provide information about the current workforce of educational psychologists in order to inform workforce planning for the profession across Scotland.

To take up a question from Mary Scanlon about recent progress on that front, my officials have, through the national steering group, been working in close partnership with the educational psychology profession—including with a representative from the SDEP, which is the Scottish arm of the British Psychological Society—the Convention of Scottish Local Authorities, the Association of Directors of Education in Scotland, Education Scotland and the universities that train educational psychologists. The purpose of that is, of course, to ensure that within the real constraints that exist we anticipate and minimise risk to educational psychology service provision—for example, by ensuring that there is a sustainable supply of educational psychologists to meet potential future needs and to make interventions, as necessary.

The Scottish Government is funding a seconded position in Education Scotland for an individual to work in 2015 with the national steering group on workforce planning for educational psychology services. I have seen the project plan for that role, which includes work to capture detail on the staffing situation for educational psychologists, and sampling to establish the range of work that they undertake.

I acknowledge that there has been a significant increase since 2010 in the number of pupils who are recorded in national statistics as having additional support needs. I do not dispute that there are pressures in that respect, but I remind all members who made the point that the number of children with additional support needs has doubled that that of course reflects a very dramatic change in how the numbers are counted. Prior to that change, the extra pupils were already part of the school population and were having their additional support needs met.

**David Stewart:** The minister may well be coming to this point, but the two crucial aspects are reinstatement of the bursary, which was taken away in 2012, and the setting of a minimum number of educational psychologists, by local authority. The analogy is the situation of clinical psychologists: trainees still receive a bursary, their numbers have been effectively doubled and there is a set minimum number across Scotland. Our taking a leaf out of their book would get us well down the route to solving the problem.

**Dr Allan:** I met some clinical psychologists at an event this morning. I understand the point that David Stewart is seeking to make, but it is important to stress that although there has been a

reduction in the number of people applying for the educational psychology course—I freely admit that—there has not been a reduction in the number of people going through the course and coming out as educational psychologists.

**David Stewart:** That is not my point.

**Dr Allan:** I understand David Stewart's point, but I must make some progress—not least in responding to the other point that he made.

It remains—rightly—for local authorities to decide on the number of educational psychologists that they employ, and on prioritisation and delivery of educational psychologist's services. Mary Scanlon asked a good question about what recourse parents have if local authorities fail in their duty to provide services. They have recourse to mediation and independent adjudication, and to the Additional Support Needs Tribunal for Scotland on those important issues.

Teaching and support staff have been trained in identifying, assessing and meeting needs, and we have developed national standards and guidance, such as the autism toolbox and dyslexia toolkit, to support them. That ensures that educational psychologists' work is directed at the most vulnerable at a time when psychological intervention can have the greatest impact.

A partnership model based on need means that, at each stage of intervention, children are provided with the most appropriate package of support to meet their needs.

To answer David Stewart's second point, I note that the profession has expressed concern about the impact of the withdrawal of grant funding on the training of educational psychologists. The decision to reduce funding of students on educational psychology courses was made as part of the 2011 spending review to bring it in to line with standard postgraduate support. It must be stressed that the course is a postgraduate course.

**Jenny Marra:** I have heard the reasoning about its being a postgraduate course before, from Michael Russell, and I understand it. However, does Dr Allan accept that there is a strong vocational element to educational psychology? If we are to have the same funding structure for dentists, doctors and nurses, a similar funding structure should be in place for educational psychology. It really does not stack up to compare the course to an MSc in art history or an MSc in science when it is a vocational qualification for teaching in our schools.

**Dr Allan:** The grant funding was introduced in response to a staffing shortage in the sector in 1998 that, by 2011, was not evident in the same way. The Scottish budget is facing real and significant long-term cuts in the coming years and

difficult decisions have had to be made about prioritisation of spending. However, in recognition of the importance of ensuring that appropriate numbers of educational psychologists were trained, it was decided that the student fee loan support of £3,400 would be available for both years of the course.

**David Stewart:** Will the minister give way briefly?

**Dr Allan:** I must make some progress.

The MSc in educational psychology is the only postgraduate course on the prescribed course list where that is the case. Also, from the academic year 2015-16, it will be one of a small number of courses on a prescribed list for which eligible students can apply for living-cost loans of up to £4,500 a year. The national steering group will be interested—as will I—to see the findings of new work that is being done in the area.

As I said, I accept that the removal of funding has had an impact on the number of students who apply to study educational psychology, but the numbers of applications before the removal of funding had reached comparatively high levels—212 in 2011.

**David Stewart:** The minister has not touched on this, but I am sure that he agrees that the crucial point about the 70 per cent reduction in applications is that the social mix is wrong; very few working class kids are applying. That is the problem, and it is the effect of the removal of bursaries.

**Dr Allan:** I entirely accept the argument that we must do everything we can to ensure that we have the appropriate social mix in our universities. That is why, for example, this Government believes in free education for undergraduate courses and it is why we have been unambiguously behind that.

I realise that time is running out, but I want to say something about the motion.

**Jenny Marra:** Will the minister take an intervention?

**Dr Allan:** I must make progress now.

I am saddened by the suggestion in the motion that the quality of candidates has dropped. Indeed, it is more than a suggestion. To be offered a place on the MSc in educational psychology, applicants must demonstrate that they meet a prescribed standard. Once they are accepted for training, trainee educational psychologists must complete a demanding and rigorous two-stage process in order to qualify fully. Those standards have not been compromised, and the lodger of the motion and its supporters have in the debate offered no evidence for that claim.

I also refute the suggestion that there has been a fall in the standards of assessment of additional support needs. I am unclear on what evidence that claim in the motion is based.

Let me put the matter back in context by way of conclusion. I thank members for taking part in the debate. At points it may have seemed not to be in the character of a members' business debate, but it has been an important debate on a subject that we all accept is crucial to the future of Scotland and Scotland's children, so I thank members for taking part in it.

We have made strides forward, and through the work that we are doing we are demonstrating our commitment to supporting the educational psychology profession to provide support to all our children and young people, and especially those with additional support needs.

13:14

*Meeting suspended.*

14:00

*On resuming—*

## Chilcot Inquiry

**The Presiding Officer (Tricia Marwick):** Good afternoon. The first item of business is a debate on motion S4M-12182, in the name of Nicola Sturgeon, on the Chilcot inquiry.

**The First Minister (Nicola Sturgeon):** I begin with a reminder of the gravity of the subject that we are debating. The United States-led and United Kingdom-backed invasion of Iraq in 2003 began with a strategy that at the time was dubbed "shock and awe". That was perhaps a far more apt description than it was ever intended to be, for the facts of the Iraq war are indeed shocking, and they are awful. The cost in human terms has been stark. It has been brutal and heart-breaking. It is estimated that the invasion and subsequent conflict have cost the lives of around 150,000 Iraqi civilians, and the impact on Iraq's infrastructure and economy has been devastating.

At the height of the invasion, the numbers in the UK forces involved peaked at 46,000. In addition to the many who suffered life-changing injuries, 179 UK military personnel died, 136 of them from hostile action. Each one of those deaths is of course an individual tragedy. Last year, the Royal United Services Institute estimated that the cost of UK military operations in Iraq was around £9.6 billion. However, the true cost of any war is incalculable, most especially to those who have been directly affected. The numbers alone do not even begin to describe the full horror and the true human suffering of the war and its aftermath.

Wars often result in a loss of life and in suffering on a scale that we all struggle to imagine, but at the heart of the controversy about Iraq is the fact that the UK was taken to war there on a false pretext. Despite what people were told, no weapons of mass destruction were discovered, and despite the best efforts of those who took us to war to claim that it was legitimate, the legal basis of the invasion was at best very shaky and at worst a gross violation of international law.

I think, and I hope that we all agree, that those who served in Iraq and all those who lost loved ones in the conflict are rightfully owed and should be given answers to the questions that they have. So, too, should the public be given those answers, because of course the public, in their millions, voiced opposition to the war.

The Chilcot inquiry was established almost six years ago. At that time, we were told that it would provide those answers. In launching the inquiry back in 2009, the then Prime Minister, Gordon Brown, said:

“The inquiry is essential because it will ensure that, by learning lessons, we strengthen the health of our democracy, our diplomacy and our military.”—[*Official Report, House of Commons*, 15 June 2009; Vol 494, c 23.]

However, here we are, nearly six years on and there have still been no answers. I understand, as I am sure that we all do, that it is vital to have a thorough examination of all the evidence, but the inquiry has been plagued by delays from the outset, not least and most recently from the so-called Maxwellisation process, whereby those who are subject to potential criticism are given the opportunity of pre-publication scrutiny of a report and its findings.

It is important to stress that the Chilcot inquiry's public evidence sessions were completed almost four years ago, on 2 February 2011. It is also worth reflecting on and reminding ourselves of what Sir John Chilcot said at that point. He said that it would take “some months” to deliver his report. Some time after that, it was clarified that it would take until at least summer 2012 but that the public could expect publication by then.

In 2012, the UK Government prevented the release of details of Cabinet minutes and discussions between Tony Blair and George Bush from the period before the war. That same year, Sir John told the UK Government that he would not even begin the Maxwellisation process until the middle of 2013. In October last year, the UK Government revealed that that process had still to begin.

Most recently, we learned last week that, in Sir John Chilcot's words, Maxwellisation has not been completed and there is “no realistic prospect” of delivering the report before the general election in May. That is scandalous. That is completely unacceptable.

The view that the Scottish Government takes could not be clearer. For the record, I will make it absolutely clear today. The on-going delay in publishing the inquiry report is completely unjustifiable and it should be revisited as a matter of urgency.

For as long as the report remains hidden from public view, the suspicion will remain and will grow that it is being kept secret because of behind-the-scenes wranglings about its contents—a suspicion that is and can only be fuelled by the extended delay until after the looming Westminster election. The fact that the report might make deeply uncomfortable reading for some of those involved in the Iraq war cannot be allowed to prolong the delay to publication any further.

It would be quite simply unacceptable for the voters of this country to be asked to vote in a general election—to be asked to vote for, or perhaps not to vote for, candidates who were MPs

at the time of the decision to go into war in Iraq, some of whom voted for the war—when the public do not have the answers to their questions.

We were told back in 2003 by the proponents of war that the invasion of Iraq was needed to make us safer, such was the threat from weapons of mass destruction, which supposedly could be launched at 45 minutes' notice. Nobody today could seriously or honestly claim that the Iraq war has made that country, the wider middle east region or the world as a whole a safer place. The war's legacy has instead been to usher in a decade and more of bitter and bloody sectarian conflict, including the rise of Islamic State militants as a destabilising force in Iraq and neighbouring countries.

In just seven weeks' time, we will mark the 12th anniversary of the start of the war in Iraq. Twelve years ago, this Parliament was still a very young institution, but even then it rose to the challenge of debating the Iraq situation—we did so just seven days before the invasion commenced. I was proud, along with many others who are in the chamber today, to be among those who recorded our opposition to the war when the issue was put to the vote that day.

The invasion of Iraq was, I believe, a foreign policy blunder of quite epic proportions, the consequences of which we are living with today and will live with for many years to come. Here is the nub of the matter: we must get to know whether there was more than mere miscalculation involved in that foreign policy blunder. Quite simply, only the full and immediate publication of the Chilcot findings can help to shed light on that.

Those responsible for leading the UK to war will have to answer for their actions, but only the full publication of the report will allow them to do that. With every year that passes, the justifications that were given for the war look ever more flimsy, but with every day, week and month that passes, the delay in publishing the Chilcot report becomes ever more glaring and the need for full disclosure becomes unanswerable. I therefore hope that the chamber will come together today and, with one voice, demand loudly and clearly that the report and the findings of the Chilcot inquiry are published, and published before the general election in May.

It is important for the Parliament to note the enormous and, sometimes, ultimate sacrifices that members of our armed forces give. Whatever the rights and wrongs of individual conflicts, our service personnel and their families deserve and have our full and unwavering support. In this instance, that support must include providing those who returned from Iraq and the families of those who did not return from Iraq with the



answers that they deserve. We must do so without any further delay.

For those reasons, I am proud to move,

That the Parliament calls for Sir John Chilcot's official inquiry into the invasion of Iraq in 2003 and the subsequent war to publish its findings and all evidence ahead of the UK general election; acknowledges that the Iraq war resulted in the deaths of 179 UK service personnel and hundreds of thousands of Iraqi civilians; notes that the cost to taxpayers of the war is estimated at £9.6 billion, and believes that, six years after the inquiry was established and three years after hearings concluded, it is in the interests of transparency, accountability and democracy that the report is published as soon as possible and that any further delay in publication is completely unjustifiable.

14:10

**Alex Fergusson (Galloway and West Dumfries) (Con):** I do not believe for a minute that the publication date of the Chilcot inquiry's report is among the top 10 concerns of the Scottish people, but I strongly believe that it is hugely important that we are all given the earliest possible opportunity to find out what happened, and why, during the build-up to and conduct of the Iraq war, so that we can learn the relevant and necessary lessons.

It is clear that the inquiry is incredibly thorough and detailed—the First Minister alluded to that. In his letter to the Prime Minister of 20 January, Sir John Chilcot said:

“Our report will be based on a thorough and comprehensive account of the relevant events from 2001-2009. We are determined to fulfil the responsibility placed on us to identify lessons to be learned from the UK's involvement in Iraq, including the way decisions were made and actions taken, over this long period.”

I very much welcome the thorough and comprehensive nature of Sir John's inquiry—that is absolutely as it should be. I share the disappointment that the report will not be published sooner than will be the case, but it is imperative that the process is completed properly. I say that for two reasons—so that the British public are fully informed and so that the report is published without fear of its being challenged on the ground that the due processes were not properly undertaken.

I will expand on that. Two of those due and necessary processes seem to be causing much of the delay that is so frustrating us all. The first involves the declassification of documents that would not normally see the light of day for many a long year but which are, understandably, deemed to be important to the inquiry. In particular, discussions over correspondence between Tony Blair and US President George Bush seem to have taken up an inordinate amount of time. However, I note with some pleasure that Sir John Chilcot, in his most recent letter to the Prime

Minister, indicated that agreement had now been reached on those matters.

The second process, which the First Minister referred to, has become known as Maxwellisation. That process gives any individual whose involvement has been criticised or questioned in a draft report sight of that draft and a right to respond before publication. I fully understand that that process has not been responsible for most of the delay, although the process is on-going, and I am clear that the published report could be challenged by anyone who had not been afforded that right. That might be highly unsatisfactory—indeed, it is—to those of us who are impatient for publication, but it is part of the due process that has to be undertaken, and it cannot and should not be controlled or timed by any Government.

We cannot escape the fact that the report could have been published some considerable time ago. As the Prime Minister pointed out yesterday in the House of Commons, he first voted for an inquiry in 2006, but that was rejected by the then Labour Government. Labour MPs voted against it in 2006, 2007 and 2008.

**Kevin Stewart (Aberdeen Central) (SNP):** We know the history of obstruction and delay. What I am most concerned about is that the delay affects families who have faced the death of their loved ones in Iraq, including Allan Douglas, a young man who lived in the community that I live in. Does the member think that the delay is acceptable to the Douglas family? I certainly do not.

**Alex Fergusson:** Nor do I, but I do not think that it helps Allan Douglas's family, or anybody else who has been involved in the process, to publish the report before the due processes have been fully completed and while it can be challenged. That does nobody any favours.

As I was saying, Labour MPs voted against an inquiry in 2006, 2007 and 2008, which delayed the process for at least three years. Labour members voted against the inquiry and against it being held in public. As David Miliband, the former Foreign Secretary, was big enough to admit in an interview in 2009, Labour got it wrong.

My final point, which addresses the intervention by Kevin Stewart, is that the inquiry is independent. Like it or not, it is not for the Scottish Government, or the UK Government, to try somehow to strong-arm the publication date of an independent inquiry's report. If that were to happen, the value of the inquiry being independent would be hugely diminished, and I believe that a dangerous precedent would be set for future so-called independent inquiries.

In his letter to the Prime Minister of 20 January, Sir John makes it clear that there is “no realistic prospect” of delivering his report before the

general election in May. I do not particularly like that, but I have to accept it if I want the inquiry and its report to be truly independent, which I do. I find the Government motion somewhat confusing, in that it calls first for publication of the report before the general election and concludes by asking that the report be published “as soon as possible”.

**Mark McDonald (Aberdeen Donside) (SNP):** I am upset that the member seems to think that this is simply about politicians. Kevin Stewart raised the case of the Douglas family, who live in the same community where Kevin Stewart lives, which is in my constituency. They are calling for the report to be published because they need answers about why their son died, as do other families. This is not just about politics; it is about people.

**Alex Fergusson:** Not for one minute have I suggested that this is not about people, and I reject the inference. People will be best served by a proper inquiry that has undertaken all the due processes that give it total legitimacy, and that is what we need. That the report will be published as soon as possible is what Sir John has said will happen, and that is what we in the Conservatives will support.

In a reply to a written parliamentary question from Rhoda Grant on 25 November last year about the delay in publication of the report of the Scottish public inquiry into hepatitis C/HIV, Maureen Watt, as the newly appointed minister, said:

“As the member will be aware, the Penrose Inquiry is independent of Scottish Ministers and it is for the Chairman, Lord Penrose, to decide on the progress and timetabling of the Inquiry.”—[*Written Answers*, 3 December 2014; S4W-23426.]

If that is good enough for inquiries that the Scottish Government instituted, surely it is the right process for Chilcot.

In all honesty, I do not really understand why the Government has chosen to debate the matter at all, other than for narrow political reasons. However, as the amendment in my name reflects, the independence of the process has to take precedence over any other factor. That is why we cannot support the Government’s motion at decision time.

I move amendment S4M-12182.1, to leave out from “calls” to end and insert:

“accepts that the timing of the release of the findings of the Chilcot inquiry into the invasion of Iraq is entirely for the inquiry itself to decide; expresses its disappointment that the inquiry has now stated that its findings will not be published before the 2015 general election, and, despite Sir John Chilcot’s statement confirming this, calls on him to publish the inquiry’s findings as soon as possible.”

14:18

**Kezia Dugdale (Lothian) (Lab):** The Chilcot inquiry report should be published as soon as possible. Today’s motion could have been agreed while saving debating time in the chamber for matters that require our urgent attention, such as the crisis in our national health service, the failure of schools to tackle educational disadvantage, and the threat to jobs in the North Sea.

On this side of the chamber, there is no quarrel with the position that Chilcot should be published as quickly as is possible. Chilcot must be allowed to publish when ready; there should be no question of any pressure to delay. The full truth of the decision to go to war and the failings during and after the conflict must be fully aired so that they may be learned from and never repeated. Members may recall that, before my own time in Parliament, this chamber did not vote to oppose the war when the question was put before it.

What we will not support if we hear it today is talk of using the Chilcot inquiry as a political tactic. It is too important for that. The report is a matter of national importance, not of nationalist posturing. In the years since the Iraq war, many things have become clear: that the intelligence behind the decision to go to war was wrong—

**Kevin Stewart:** Will Ms Dugdale give way?

**Kezia Dugdale:** No, thank you.

It has become clear that the Iraqi people were let down by a failure of post-war planning and that the price in lives lost was far too high.

We have a duty to learn lessons because we owe that to our service personnel—not just those who gave their lives defending us, but those who continue to defend us every day. I hope that, as well as debating the past, the Parliament and the Scottish Government can find more time to debate and deal with the many problems that veterans who live in Scotland face.

We all hope for fresh insights and understanding when Chilcot reports, but I hope—perhaps naively—that, as with previous inquiries, those who call loudest for the report’s publication are not also the first to claim that it is a whitewash. The report is an opportunity for deeper understanding, not for rerunning political arguments of a decade ago. In an increasingly complex middle east, we surely need that.

**Mark McDonald:** Will the member give way?

**Kezia Dugdale:** No, thank you.

It is clear that there is a thirst for democracy across the middle east, but as that has created hope it has uncovered competing interests and at times dangerous conflict.

**Kevin Stewart:** Will Ms Dugdale give way?

**Kezia Dugdale:** No, thank you.

A sustainable peace between the Israeli people and the Palestinian people seems as far off as ever in the region. Petro-economies are struggling to meet the demands and fulfil the dreams of angry young populations. Confusing coalitions are shifting and regional power struggles are playing out at the expense of the poorest. A region that already had too many displaced people now finds itself home to 3.8 million new refugees from Syria. Across the region and far beyond Iraq, in countries that had nothing to do with the conflict, extremists who abuse Islam are killing innocent people. They are doing so in Syria and northern Nigeria and from Pakistan to Paris.

**Mark McDonald:** Will the member give way?

**Kezia Dugdale:** No, thank you.

Little wonder world affairs commentators have a new acronym for the region: BAD, which stands for broken, angry and dysfunctional.

What matters is not what side of an argument a person was on a decade ago; what matters is learning from the past and working for a more peaceful and secure future.

**Kevin Stewart:** Will Ms Dugdale give way?

**Kezia Dugdale:** No, thank you.

Whatever side of the argument we were on 10 years ago, we should all unite around a vision for the middle east with human rights, the rule of law, democracy and peace at its heart. In that spirit, we will vote with the Government.

**The Presiding Officer:** We now move to the open debate. Speeches should be four minutes long, but we have some time in hand if interventions are taken.

14:22

**Joan McAlpine (South Scotland) (SNP):** Today, the First Minister reminded us of the words that Prime Minister Gordon Brown used when he launched the Chilcot inquiry. He promised that it would help us to learn lessons that would strengthen our democracy. The delay in the publication of the report must surely undermine that original promise. The lesson that is offered by the scandalous delay is a harsh one. Is the “health of our democracy”, to use Mr Brown’s words, really served by the impression of tiptoeing around powerful vested interests?

In the run-up to the invasion, I was working as the deputy editor of *The Herald* newspaper. At that time, *The Herald* called for a United Nations resolution to be obtained before any invasion could even be contemplated. The paper also

strove for a balance, given its long reputation as a journal of record, and it reported the Government’s case in good faith on its news pages. I remember the day on which the so-called “dodgy dossier” was published by the UK Government and the efforts that were made to present the story with the appropriate prominence, gravity and analysis.

At that time, even those who opposed the war did not know how far they were being misled. Parts of the media, of course, would have been gung-ho for war whatever the evidence, but other, responsible titles were unwittingly pulled into the deception. That was, of course, before considering the information that we never got to see at the time. We hope that Chilcot will reveal that information.

Shortly after the inquiry opened, I heard one of the most devastating pieces of oral evidence, from Sir Christopher Meyer, who was the UK’s ambassador to the US prior to the war. He stated that, after a private meeting between President Bush and Prime Minister Blair in April 2002, Mr Blair’s rhetoric began to reflect the idea of regime change. He also claimed that military preparations for war overrode the diplomatic process. That seemed to be confirmed by Tony Blair when he appeared before the inquiry the following year. The tone of his evidence suggested that regime change was, indeed, what motivated him.

It is worrying that crucial evidence was withheld from the inquiry, as has already been mentioned. In particular, it is worrying that the correspondence between Blair and Bush in the run-up to the war was withheld. That very special relationship was key to how events unravelled. Blair gave Bush credibility at home and abroad. It beggars belief that a Labour Government would lend the camouflage of credibility to the neo-conservative extremists around Bush.

We know that the inquiry was extensive, with the last witness giving evidence in 2011, but the extensive wait is completely unacceptable. In addition, many members of the public will be surprised to learn that we are apparently being made to wait to allow those criticised in the report to scrutinise it, make comments and demand changes—a practice referred to as the Maxwellisation process. The process is named after the late Robert Maxwell, who took a civil legal action against the Department of Trade and Industry when it found in an inquiry that he was not a fit and proper person to lead a public company. As subsequent events proved, the DTI was right. How ironic that Maxwell is coming to the aid of Mr Blair, who many believe was not a fit and proper person to lead a country

The wider point—the one which we must address in the interest of the health of our democracy—is: how did Blair get away with it?

What was it about the Westminster Government system that allowed those calamitous decisions to be taken in secret?

In the spirit of the cross-party consensus, I will mention one piece of Chilcot evidence: many members of the UK Labour Cabinet were excluded from decision making. I therefore welcome the fact that the Scottish Labour Party is supporting the Scottish Government motion.

Chilcot must answer all those questions. For truth's sake, voters must see the report before passing judgment on the Westminster system and politicians this May.

14:26

**Willie Rennie (Mid Scotland and Fife) (LD):**

This is yet another occasion on which my party and the First Minister's party have been united on the issue of Iraq. I am sure that she was as disappointed as I was when the Scottish Parliament voted for the invasion of Iraq. I was proud that we stood together against the majority, because we knew our position was the right one. We stood together then just like we are standing together today.

It is a shame that the delays that have characterised the Iraq inquiry were also not a characteristic of the decision to go to war in 2003. Greater deliberation may have avoided the tragedy that unfolded, with thousands of lives lost, many more maimed and a country still recovering from the effects.

In 2007, I visited Umm Qasr, Basra and Baghdad and saw that the invasion's ramifications were still being felt four years after it began. For example, Iran has a great interest in Iraq, but the invasion unsettled the balance between the two countries. There was no great relationship between them; nevertheless, it was secure before the invasion. It is ramifications such as that that the Blair Government did not foresee or plan for.

In 2010, I subsequently visited Erbil and was able to hear directly from the Kurds about the ramifications for the northern part of Iraq. Again, the situation is unsettled; again, the impact was not planned for. Today, we hear regular reports about Islamic State and some of the atrocities that it is inflicting on minority populations and the rest of Iraq and Syria.

During my visits I saw for myself the folly of the invasion and how the failure to plan for the aftermath would have long-lasting effects. In the Commons, over three years, I voted on four separate occasions for an inquiry into Iraq. On each of those occasions the then Labour Government rejected those pleas. We came up with a various ways in which the inquiry could be

conducted; all were rejected. The Labour Government finally conceded at the fag end of its time in government when it could not resist the calls any more.

I led on those calls for an inquiry in a Westminster Hall debate. That was again rejected. I recall the arcane debate about whether the inquiry into the Dardanelles in the first world war was a precedent for an inquiry to be held while the country was still at war. It was claimed that an inquiry would be a distraction for the military when the enemy was still to be defeated. That was four years after George Bush—we all remember that he was not even in Iraq but on an aircraft carrier off the coast of the United States of America—declared “mission accomplished”. The argument that the inquiry could not be held because the conflict was on-going was a farce.

From the beginning, the inquiry was considered an establishment stitch-up and, despite Sir John Chilcot's determination, it is difficult to disagree. The meetings that at first were held behind closed doors, the restriction of access to records, the vetoing of transcripts and more have all compounded the delay that we are feeling the effects of today.

The inquiry's composition was supposed to expedite matters, but the result has been an inquiry with insufficient authority. Has one single person held matters up? Probably not, but the establishment, the system and the culture have contrived to ensure that six years later we still have no answers to show. It is therefore absolutely right that the Parliament speaks up to add weight to the growing chorus that is saying, simply and clearly, “Publish—and publish without delay.”

It might be that the lesson that we must learn is that we need to invest more in our diplomatic networks or that we need to learn more about the complex and uncomfortable choices that Government has to make on international matters. I would never advocate an isolationist foreign policy, but perhaps the lesson is to know the occasions on which it is best to sit things out. I hope—I really hope—that those who made the decision are held accountable for their actions, but whatever the conclusion we must learn the lessons before the war is a distant memory.

In 2007, I attended the funeral of Private Scott Kennedy of the Black Watch, who was from Oakley and who died as a result of a roadside bomb in Iraq. For Private Kennedy and the people whom Kevin Stewart referred to—the thousands of others who have lost their lives in Iraq and beyond—we must learn, and learn soon.

14:31

**Christina McKelvie (Hamilton, Larkhall and Stonehouse) (SNP):** The most important keyword in this whole debate is transparency. Why is that? Because there is none. The Westminster establishment has abandoned even a semblance of transparency about this inquiry.

What else could we expect? We have plenty of experience of this in Scotland: the lies so ingeniously spun by the no campaign; the lethal nuclear warheads that pass through our biggest population centre in the depth of night; the cover-up in the 1970s, with private memos revealing the huge amounts of oil in the North Sea that were not shared with Scotland; the rendition flights; the treatment of asylum seekers; and the refusal to allow our ministers to speak in Europe even when the UK minister is absent. I could go on and on.

When this Scottish Parliament was reconvened in 1999, that transparency was a crucial promise to the sovereign people of this country, and it remains the keystone of all that we do in this place. At least this Government will not deceive, will not dissemble and will not lie. We are all the elected representatives of all of our constituents, and we absolutely owe them integrity and honesty in everything that we do. If there are members in the chamber who have not lived up to that demand, I ask them to examine their own consciences and to deliver only the truth.

The Chilcot inquiry, which was set up in 2009, was expected to publish in 2012; it has cost us over £9 million; and to date its output is zero. Some facts have come out, not because of but in spite of the inquiry. We know that 27 lawyers warned Tony Blair that the war was illegal and that he knew that at least two months before the invasion, and UN representatives have made it absolutely clear that there was never a prospect of a majority of members voting in favour of a second resolution. We also know that abusive attacks on President Chirac for his caution were deliberately played up; indeed, President Chirac himself described it as “Soviet-style misinformation”. The Attorney General Lord Goldsmith, the ultimate judge and a Labour loyalist, miraculously changed his mind from illegal to legal, presumably under pressure from George Bush and after spending a day in talks in Washington.

All of this will have been grist in John Chilcot’s grinding mill, but he himself did not expect the mill to grind on for so long. Why are we tolerating this absurd delay? Yes, the inquiry team has done a great deal of work, and it is abundantly clear that the ready access to and co-operation in the corridors of Whitehall that Gordon Brown promised have not been forthcoming. Still, it is nearly 12 years since the invasion took place. There is a limit to the public’s patience and the patience of

the families who lost loved ones in this illegal and immoral war. I am talking about the people I have stood with in George Square in silent remembrance with—people like the family of Rose Gentle, her aunt and her daughters, and the people who Kevin Stewart and Willie Rennie mentioned.

It would too be convenient for Tony Blair and several other key figures to keep it all quiet. Mr Blair never wanted the inquiry anyway. It would be convenient to leave a lingering impression that it is all John Chilcot’s fault for taking so long. Convenience serves David Cameron’s case well, too, as he moves towards the general election.

John Chilcot’s report has long passed the stage of acceptable delays regarding the thoroughness of the final product. Even Lord Hurd said that it is “becoming a scandal”. Our own First Minister has described the notion of going into a general election without the report being published in full as “intolerable”.

Like many people, including the families, I want to know why this report is being so conspicuously withheld, apparently by nameless Whitehall mandarins. Chilcot was foolish enough to sign what amounts to a non-disclosure agreement, so he cannot publish without Government approval—so much for his independence. I would like to ask him, “What would happen if you did go ahead, Sir John? What would they do?” I suggest that he should go ahead. Can someone be condemned for telling the truth and being transparent about what we all have the right to know?

It just will not do. We demand the truth, the whole truth and nothing but the truth, not for us but for the families affected, and not after the general election but now. Is that too much to ask? Yes, almost certainly it is when it comes to getting transparency from Westminster, but we will fight for it relentlessly, and I believe that our purpose is sound.

14:36

**Neil Bibby (West Scotland) (Lab):** I welcome the opportunity to contribute to the first Government business debate that Nicola Sturgeon has brought forward as First Minister. As Kezia Dugdale said, we could have spent this afternoon debating other issues such as the health service, but Nicola Sturgeon has chosen to prioritise a debate on the yet-to-be-published Chilcot inquiry report, and she is of course entitled to do that.

The Chilcot inquiry was set up because it is vital that we learn the lessons of Iraq, and I agree with the other members who have said this afternoon that the inquiry should report as soon as practically possible. In 2003, I was a student at the University of Glasgow and, like many others, I did

not support military action in Iraq; indeed, I marched against it. I had deep reservations about military action but, in spite of them and what has happened since, I believe that the decisions on Iraq were made in good faith and with good intention. As we know, neither the House of Commons nor the Scottish Parliament voted against military action. Although I think that they were wrong, I criticise nobody who was faced with making the toughest of decisions.

It is important to place on record our gratitude to the men and women of our armed forces who fought and died in Iraq because, irrespective of individual opinions on whether the invasion of Iraq was right or wrong, those people do not have the luxury of debating the legal or moral case of military action. For the families of the service personnel who made the ultimate sacrifice in Iraq, the Chilcot inquiry will have added significance.

Had we known in 2003 what we know now, the invasion of Iraq would very likely not have happened. Members are right when they say that we must learn lessons from those mistakes, which is why Gordon Brown and the Labour Government initiated the Chilcot inquiry in 2009, after combat troops withdrew from Iraq, and why we think that the report should be published as soon as practically possible.

However, I am sure that we all hope that some lessons have already been learned, and I believe that that is the case. A number of senior figures have expressed regret at the decision to take action. Alex Fergusson mentioned David Miliband, but those figures are not just in the UK. In the United States, the former Secretary of State Hillary Clinton admitted that, in voting for the invasion of Iraq, she

“got it wrong. Plain and simple.”

We know that Chilcot is an important piece of work and there is a real public interest in its findings, but what must not be forgotten in these discussions is the continuing need to support the people of Iraq. The UN refugee agency, UNHCR—the office of the United Nations High Commissioner for Refugees—says that there are about 3.1 million internally displaced people in Iraq, including 1 million who were displaced between 2003 and 2013 and 2.1 million who were displaced last year. Just this week, we have seen reports of thousands of Iraqis living in extreme poverty and running out of money altogether after fleeing fighting and settling in the south of the country, so there is a clear need for support from the international community and it is absolutely right that the UK Government continues to provide humanitarian aid—

**Bruce Crawford (Stirling) (SNP):** Will the member give way?

**Neil Bibby:** Sorry, I do not have time.

The people of Iraq cannot afford to have their current needs lost in the discussion of those past mistakes. We know that the conflict continues to affect a number of countries, Sunni and Shia, in the middle east, including Iraq. Those are, of course, not just challenges for the international community; Iraq's future is best served by an inclusive and united Government.

The Chilcot inquiry is undoubtedly an extremely important piece of work and I think that members across the chamber are in agreement that the report should be published as soon as possible. In the meantime, we must not forget the need to support the people of Iraq in their struggle with the challenges of 2015.

14:40

**Jim Eadie (Edinburgh Southern) (SNP):** The debate goes to the heart of one of the greatest issues to have faced the United Kingdom in modern times, for there can be no graver decision than that of whether to go to war—whether to place our young men and women in harm's way.

The purpose of the Iraq inquiry was to shine a light on all the circumstances leading up to the Iraq invasion; to understand what lay behind the decisions that were taken; to assign responsibility for the mistakes that were made; to hold those who made them to account; and to learn the lessons for the future.

The First Minister quoted the then Prime Minister, Gordon Brown, who said:

“The inquiry is essential because it will ensure that, by learning lessons, we strengthen the health of our democracy, our diplomacy and our military.”—[*Official Report, House of Commons*, 15 June 2009; Vol 494, c 23.]

Who today in the chamber or in the country can doubt that the UK's democracy, diplomacy and military have been damaged by the decisions that were taken? Who now doubts that the trust between the UK Government and the people has been broken and that that trust has yet to be restored? Who can deny that the UK's standing in the world has been diminished by the actions of its Government?

Weapons of mass destruction were the basis on which the case for war was predicated. Tony Blair told the House of Commons that Saddam's

“weapons of mass destruction programme is active, detailed and growing ... it is up and running now.”—[*Official Report, House of Commons*, 24 September 2002; Vol 21, c 3.]

That claim was not true. The UN weapons inspector Hans Blix referred to “weapons of mass disappearance”. He said:

“it was like surgery intended to remove something malignant finding that the malignancy was not there.”

The dossier, which was based on the findings of the Joint Intelligence Committee, contained a number of allegations, none of which have—to this day—been proven or substantiated. Among those allegations were claims that Iraq had an on-going nuclear programme; that WMD programmes were concealed and well funded; and that chemical and biological weapons could be deployed within 45 minutes. Those claims were echoed in the tabloids, which sensationalised the information and framed Iraq as a direct threat to the people of the United Kingdom. For example, *The Sun* had a headline proclaiming “Brits 45mins from Doom”. Yet, in his evidence to Chilcot, Major General Michael Laurie said:

“We knew at the time that the purpose of the dossier was precisely to make a case for war, rather than setting out the available intelligence”,

which was

“sparse and inconclusive.”

The motion in the name of the First Minister quite rightly refers to the human casualties of the war, but it is now clear that a major casualty of the conflict was the truth itself.

Many believe—as Joan McAlpine mentioned earlier—that Blair was intent on war in order to bring about regime change, which is illegal under international law but which he and the neoconservative Administration in the White House wished—indeed, were determined—to bring about. Clare Short, who left the Blair Government over Iraq, said that Blair’s actions were an “honourable deception”, but millions of people throughout the world now believe that those actions were a deliberate deception, and a dishonourable one at that.

Only the publication of the Chilcot report will allow us to know the truth about what took place. The inquiry should publish its findings at the earliest opportunity; the families of the fallen and the people of this country expect and deserve no less.

14:44

**James Kelly (Rutherglen) (Lab):** I support the Government’s motion, and specifically its call for the report to be published as early as possible. However, I agree with the sentiment that some other members have expressed in the debate. Looking at some of the issues facing us in Scotland, such as the growing crisis in Scotland’s accident and emergency departments, the youth unemployment that blights so many of our communities, and the college cuts that deny many people access to the courses that they want to take, it seems to me that the Government’s time

would be better spent in debating those issues than in undertaking an exercise to support the Scottish National Party’s general election campaign

**Gil Paterson (Clydebank and Milngavie) (SNP):** Will the member give way?

**James Kelly:** No, thank you.

**Kevin Stewart:** Will the member give way on that point?

**James Kelly:** No, thank you.

All wars are controversial and there is no doubt that the war in Iraq was very controversial. As other members have stated, the war was supported not only by the Scottish Parliament but by the UK Parliament. However, some who voted in favour of the war have since acknowledged that they regret their decision and feel that it was the wrong one.

The reason why there was such controversy over Iraq was because of the debate about the basis of the decision to go to war and whether that decision was correct. In addition, lives have been lost and there has been a substantial cost to the country.

In that context, the Labour Government was correct to set up the Chilcot inquiry—

**Kevin Stewart:** Will the member give way on that point?

**James Kelly:** No, thank you.

It is important that the inquiry is independent and that it runs through its due process. However, I agree with those who have expressed extreme frustration at the length of time that it is taking for the report to be published.

**Alex Fergusson:** Will the member give way?

**James Kelly:** No, thank you.

We need the report to be published as soon as possible. Those who lost loved ones in the conflict, the military personnel who fought in the conflict and who suffered injury, and the public, given that the war is an issue of great public interest throughout the UK, all need answers not only on the decision to go to war but on how the conflict was waged.

It is imperative that we get answers—

**Bruce Crawford:** Will the member give way?

**James Kelly:** No, thank you. It is important that the report is published as soon as possible.

I understand and support the sentiment in the Government’s motion. However, today in Parliament we have heard about how cuts in

mental health services have led to a reduction in the number of educational psychologists—

**Christian Allard (North East Scotland) (SNP):** Will the member give way?

**James Kelly:** No, thank you. We also heard at First Minister's question time about appeals to examination results and about the lack of access to Scotland's universities for people in deprived communities. We do ourselves no service as a Parliament if we ignore those issues.

In the run-up to the general election, it is crucial that the Government, if it is to act responsibly, and we as a Parliament, if we are to act responsibly, debate issues over which we have locus and for which we have responsibility, and on which we can make a difference now. It is important that we get those issues right and get on with the job in hand.

**Kevin Stewart:** On a point of order, Presiding Officer. There are many occasions on which I come to the chamber and do not necessarily want to debate the issue that is in the *Business Bulletin*. However, we are here to debate Chilcot today, and it seems that other members are trying to avoid the subject. It does not matter whether they want to debate the subject or not; it is what is in the *Business Bulletin*, and we should therefore be debating it. We owe it to the families who have lost loved ones to debate the point that is being made today.

**The Deputy Presiding Officer (John Scott):** I thank you for your point, Mr Stewart. I am afraid that it is not a point of order, but you have made your point.

Mr Kelly, have you finished?

**James Kelly:** I had concluded my remarks, Presiding Officer.

**The Deputy Presiding Officer:** Thank you.

14:49

**Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (SNP):** I do not want to dispute with the Presiding Officer, but I have no doubt that the reason why Labour members do not want to talk about the Chilcot inquiry is because it impacts on past Labour Governments. That is the real reason, and that is a disgrace, when the whole of Scotland and the whole of the UK and beyond are entitled to know the truth of what happened then.

Like Neil Bibby and many others, I marched against the war—not in our name. Even the dogs on the street knew that there were no weapons of mass destruction, that the war was about regime change and that the Blair and Bush cohort were together discussing how they could do it.

I do not know why we are waiting for the Chilcot inquiry report, because it will be a whitewash. There is no way that we are going to get people exposed to the critique of why they went into that illegal war, which took us into a bigger international mess than ever before. Quite rightly, the debate has been opened up to discuss the plight of the Iraqi people now and all that has happened, and we are not safer because of what happened in those days.

On the delay in publishing the report and the timing of publication, it is all right to say that we want it published as soon as possible, but I note that the Labour Party is not saying that that should be before the UK general election. Jim Murphy does not want it published before then. Why not? Because, on Mr Blair's website, claim number 5 is that he stopped the illegal regimes in Iraq and Afghanistan. He has cured everything. He has 50 claims on his website, and that is one of them.

The delay is because there are too many people with too much to lose, including not only Blair but Gordon Brown, who told the inquiry that the war was right and that the troops were properly armed and financed. In that case, why was I reading about the fact that they were getting food parcels, that they had the wrong shoes on their feet and that the vehicles that they were in did not protect them? Was I dreaming all that?

The Labour Party also has Jim Murphy, who apologises for everything but not for voting for the Iraq war. There is also Sir Jeremy Heywood, who is now Cabinet Secretary to David Cameron and who has been at the centre of Government for decades; he is keeping schtum. There is also George Bush and his extended family, with their interests in Halliburton and all the money that they made during the Iraq war and after it, and which they continue to make—they are all in it together.

Not only was the Iraq war illegal and about regime change, the conduct of the war was disgraceful. I will quote from people who know far better than me about that. Admiral Lord Boyce, the Chief of the Defence Staff at the time of the Iraq invasion said:

"I suspect if I asked half the Cabinet were we at war, they wouldn't have known what I was talking about. So there was a lack of political cohesion at the top."

Lady Manningham-Buller, former head of MI5, said that the invasion of Iraq "undoubtedly increased the threat" of terrorist attacks in Britain. How right she was! Elizabeth Wilmshurst, deputy legal adviser to the then Foreign Secretary, Jack Straw, said:

"I regarded the invasion of Iraq as illegal ... The rules of international law on the use of force by States are at the heart of international law. Collective security, as opposed to unilateral military action, is a central purpose of the Charter of the United Nations."



Lord Goldsmith said:

"I was not being sufficiently involved in the meetings and discussions about the resolution and the policy behind it that were taking place at Ministerial level."

I bless the internet, because it means that such information cannot be hidden from the public.

On the invasion of Iraq itself and the "shock and awe" to which the First Minister has referred, another commentator has stated:

"Everything would depend on what came next. But the American fantasy that the Iraqi state would continue to function and would pick up the pieces a day after Baghdad fell proved entirely unfounded. 'You had no Iraqi institutions to co-opt,' recalled General McKiernan. 'No Iraqi army, no Iraqi police ... No local or national government organisations. Ministries didn't exist.' General William Wallace, commander of the US 5th Army Corps, put it more succinctly. 'There was nobody to receive the surrender from. We couldn't find them. They weren't there.'"

The whole thing is a disgrace. The Labour Party members in the chamber might not have been here for the vote in 2003, but please do not defend the actions of anybody of any party who took us into that illegal war—you are worthy of better.

14:54

**Kenny MacAskill (Edinburgh Eastern) (SNP):**

I have had the privilege of serving in Parliament since its re-establishment in 1999, and I have been present at each and every debate on Iraq that we have had. I recall the first, which was not in this chamber, in this setting, but up at the assembly hall where Parliament first sat. I remember the outstanding speeches that took place in the lee of hundreds of thousands, indeed, millions—not just Neil Bibby—marching against a war and protesting that it would not be in their name.

In that first debate, too, there were some outstanding speeches. I recall the speech by George Reid, who used his experience in the Red Cross to warn of the devastation and hardship that would be wreaked around the globe—and it followed.

It is therefore shameful that the Labour members who used their votes to drive through a majority in favour of war are not here today to apologise or to atone for the actions that they took. They may think that by putting forward representatives who were not there, their fingerprints are not on the Iraq war and that new skin can be used. That war remains not just the war of Tony Blair, but the war of Jim Murphy and the war of the Labour Party—a war that has wreaked havoc on Scotland and the rest of the world, that has taken the lives of young servicemen and women and which has caused difficulties throughout humankind.

There are two particular points that we have to deal with.

**Kezia Dugdale:** Would Kenny MacAskill at least acknowledge that Labour supports the Government's motion and will vote for it tonight?

**Kenny MacAskill:** Maybe, but Labour has still not atoned for the culpability or the actions of the Labour Government, which have made this world a far less safe place.

All wars wreak devastation and all wars leave obfuscation. As we heard from the First Minister, the Iraq war certainly caused devastation, not just in Iraq and the wider middle east, but elsewhere, as we have seen, tragically, on the streets of Paris, London, Madrid and elsewhere. Devastation has been wreaked because of the actions that whipped up a hornets' nest and created an unsafe world.

There has certainly been obfuscation, because all wars can cloud things and leave people with difficulty in being able to differentiate between truth and fantasy and between reality and fiction. However, it is important that we avoid obfuscation—that we avoid mythology appearing and instead ensure that justice is delivered. We need to ensure that we nail the lie that this was a war to deal with weapons of mass destruction, because it was known before, during and after it—let it be rung out loud and clear from Chilcot—that there were no weapons of mass destruction and that that was a false pretext. Those points have been raised by many members.

Let us hear what went on between Tony Blair and George Bush, because there has been devastation throughout the world, but not in Whitehall. Seeking understanding after wars can be very difficult, but Chilcot has taken longer—and the inquiry has still not reported—than the conduct of the Nuremberg trials after world war two. People who were fleeing justice had to be pursued, but that was managed. After world war one, with the collapse of empires—Romanov, Austro-Habsburg and the Hohenzollern—we managed to conclude a treaty, albeit that it was a flimsy one, in the hall of mirrors at Versailles in a shorter time than that in which Chilcot has managed to report, but we have to remember that no devastation has been wreaked in the palace of Westminster. There have been no burning embers or bunkers down in Whitehall.

The information is there: it should be readily accessible with the technology that we have in the 21st-century world in which we fought a 21st-century war. We should be able to make the information clear to Chilcot and to those who have served with him. People such as those who sought to flee from justice after world war two are not represented in Chilcot—we know where those

people are. We can follow their trail of invoices and bills for the fees that they charge for their lectures, as they masquerade as emissaries of peace or whatever else.

The time has come. If we could deal with things at Versailles and at Nuremberg, the time has come for publication of the Chilcot report. We are entitled to no less, as has been said by speakers from all political parties, and not just mine. Young men died and their parents grieve—as Sandra White mentioned, Rose Gentle is the clearest example—and we owe it to their memories to find out what happened.

To some extent, we know what happened, but we need to find out why, and we need to make sure that this is the first of many inquiries that will follow, not just into what happened in Iraq but into what happened in Libya, what happened with rendition and what happened in the cosy relationship between new Labour and George Bush that has made this world a less safe place, not just for Scotland but for all of humanity.

15:00

**Mark Griffin (Central Scotland) (Lab):** We have consistently stated that the Chilcot report should be published as soon as possible. We agree with the Government on that point, and we will support the Government motion at decision time. I say that again, after all Labour speakers have said that, because it seems to be a point that has been missed by every Scottish National Party speaker: we will support the Government at 5 o'clock.

I think that it is strange that we are debating the subject when we all agree that Chilcot should be published as soon as possible. We are missing an opportunity to talk about our national health service, educational inequality or the problems that face the oil industry.

If the Government wants to have a debate about the Iraq conflict—which, it seems, is what it wants to do—let us do that. Let us not use the false premise of Chilcot—

**Kevin Stewart:** Will Mark Griffin give way?

**Mark Griffin:** I am sorry. I am just making my opening remarks.

If the Government wants to debate the Iraq war, that is fine. Let us have that debate, but it still represents a missed opportunity to state our support for the families of the soldiers who lost their lives, the families of the Iraqi civilians who lost their lives, and the troops who returned to Scotland and are coping with issues related to combat stress.

Finally, it is a missed opportunity for us to talk about Iraq as a country—how it has moved on from the conflict, what we can do to contribute to its regeneration and how we can support its citizens to make them feel more confident and secure in their country and with their country's place in the world.

There have been improvements in Iraq, although the pace of change has been far from what was promised. Problems of sectarianism have blighted Iraq, and although the situation is not as bad as it was at the height of the violence in 2006, still far too many people die every week in religion-motivated attacks, and we see news of more deaths all the time.

I have said in the chamber before that I grew up with more awareness of the situation in Iraq than most people my age, because my mum had a childhood friend who was Iraqi. They both grew up in Dennistoun and her friend had in her teenage years to move back to Iraq with her family. My mum would often tell stories about her friend when I was growing up. Any time there were news reports on television about the latest massacre that Saddam had inflicted on his own people, she would talk about how she hoped that her friend Mae was still alive, as she was a member of a family of academics, who were considered to be a threat to the regime.

Mae did survive and was able to move back to the UK after the conflict. She got back in touch with my mum, and she and her husband have spent recent Christmases with my family in Scotland. She has spoken to me at length about the conditions in which Iraqi people were living under Saddam and how things are for her family, who still live there. She has spoken about the sectarian violence that plagues the country, the number of people who live in poverty, the problems with power supplies and the lack of access to clean water.

Those are the issues that should dominate any debate about Iraq. We should be asking how we, as a country, can support Iraq to address those problems in order to boost Iraqis' confidence and pride in their country, which has been clearly evident when I have spoken to people from there.

Air links to Iraq are still not well developed. We have only recently seen connections established between London and Baghdad, despite the fact that London has probably one of the biggest populations of Iraqis outside Iraq.

Electricity is not supplied around the clock, 24 hours a day, in an energy rich nation—

**Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (SNP):** On a point of order, Presiding Officer.

The member has been talking about air links to Iraq. I cannot for the life of me see how that links, even in the most tenuous way, to the motion and amendment that are published in the *Business Bulletin*. It was open to the Labour Party to lodge such an amendment if members wanted to bring in such matters. I seek your guidance on how far we may digress from what is in the *Business Bulletin*.

**The Deputy Presiding Officer:** I am content that Mr Griffin's speech is within the confines of the debate.

**Mark Griffin:** I am sorry that SNP members do not want me to talk about the Iraqi people and the situation that they face—[*Interruption.*]

**The Deputy Presiding Officer:** Order.

**Mark Griffin:** SNP members would much rather campaign on general election points and try to kick opponents than hear about the plight of the Iraqi people and what we can realistically do to support them.

**George Adam (Paisley) (SNP):** Mark Griffin has told us much about his family connection and the Iraqi person whom his mother knew. With that background, does he personally think that the Labour Party was right to support the invasion of Iraq all those years ago?

**The Deputy Presiding Officer:** You must draw to a close, Mr Griffin.

**Mark Griffin:** I do not think that the debating point was whether we agreed to go to war. We have heard from Labour members including Neil Bibby, who talked about his experience of marching against the war. I did not support the war, but I am not going to apologise for a vote that took place when I was still at school—

**Drew Smith (Glasgow) (Lab):** That is what SNP members want you to do, though—

**The Deputy Presiding Officer:** Order.

Mr Griffin, you must close very, very soon. You must close.

**Mark Griffin:** I would rather talk about the personal experiences of the people of Iraq. Security in Iraq is improving, citizens have access to mobile phones—

**The Deputy Presiding Officer:** Perhaps I did not make myself clear. You must close. Thank you.

15:07

**Chic Brodie (South Scotland) (SNP):** I will be brief. On 10 April 2002, in the House of Commons, Tony Blair said:

"Saddam Hussein's regime is despicable, he is developing weapons of mass destruction, and we cannot

leave him doing so unchecked."—[*Official Report, House of Commons*, 10 April 2002; Vol 383, c 23.]

In September 2002 he said, of the intelligence service:

"It concludes that Iraq has chemical and biological weapons ... which could be activated within 45 minutes"—[*Official Report, House of Commons*, 24 September 2002; Vol 390, c 3.]

On 4 June 2003, he said:

"There are literally thousands of sites ... As I have said throughout, I have no doubt that they will find the clearest possible evidence of Saddam's weapons of mass destruction."—[*Official Report, House of Commons*, 4 June 2003; Vol 406, c 161.]

Well, we know that Hans Blix's team found nothing. Blair lied, and David Kelly died—an intelligence officer died in the most questionable of circumstances. The Iraq war was an illegal, despicable, destructive war, the background to which we should be told about—and told about now.

The war had much more to do with oil and the buttressing of large corporate companies such as Halliburton, whose former chief executive officer became vice-president of the United States at the time of the war.

In his recent memoir, Kofi Annan reflected on what might have happened if, when there was no second UN resolution, Blair had said to Bush, "This is where we part company. You're on your own." Chilcot must tell us what was said twixt Blair and Bush—preferably unredacted, although I have little hope that that will happen.

The delay in publication of the Chilcot report is an insult to the 179 UK and 4,500 US service personnel who died, and to the 650,000—that is *The Lancet's* estimate—Iraqis, including many children, who lost their lives. The delay has been caused—allegedly—because the witnesses want to see what has been said about them. What about the families of the Iraqi children? What about the families of the UK and US service personnel? What about their right to know what happened?

The war cost the UK economy £9.6 billion. The funds were authorised by Gordon Brown. For what?

Last week, Kevin McKenna wrote splendidly in *The National* that Westminster produces a fabric of the state in which London, Oxbridge, Labour, Conservative and secretaries to the Cabinet conspire to maintain what they believe is their established right to alternating UK Governments. In so doing, in the case of the delayed Chilcot inquiry, that fabric is a black curtain, six years in the making, that has now been drawn across this particular infamy.

Some 80 per cent of the people who were questioned in the BPIX poll believe that Blair was lying, and 40 per cent think that he should be jailed. Blair appeared before the Chilcot inquiry on 29 January 2010 stating responsibility but not regret for removing Saddam Hussein. Of course, that was not the purpose of UN resolution 1441. That resolution was breached, and Blair misled Parliament and the people of the UK, with dire consequences.

There is a story behind every death. None is more telling than the story of Rose Gentle, who lost her 19-year-old son, Gordon, in that debacle. She was present at the session when Blair gave his evidence to Chilcot. She said, "I am not a politician trying to score cheap points but a mother seeking justice for her son." She deserves to know the answer. We all deserve and demand an answer now, so let us unite across this Parliament and demand without fear or favour, and in the name of open Government, the publication now of the Chilcot inquiry.

**The Deputy Presiding Officer:** Before we leave the open debate, I remind all members who have taken part in the debate to return to the chamber for the closing speeches.

15:11

**Alex Johnstone (North East Scotland) (Con):** This debate is essentially about the Chilcot inquiry but, in reality, it is probably more about truth. In the course of the debate, we have had a number of interesting contributions; some have been focused and passionate, but I have to say that others have been rambling and incoherent. However, we need to focus back on truth. The truth is that Scottish soldiers have given their lives for the United Kingdom in many wars, and we should respect the memory of those who have done so.

Even during my lifetime, I have seen on a number of occasions Parliament discuss the prospect of war. That has been characterised by the fact that Oppositions have trusted the information that they have been given by Governments. That trust, it seems, was undermined in the build-up to the second Gulf war. Yet, there is plenty of evidence that that trust existed strongly at the time. We heard from Joan McAlpine about how *The Herald* reported the Government's position in good faith. It did not know the extent to which it was being misled at the time, and neither did any of the rest of us.

If the report were published tomorrow, however, and failed to support the First Minister's particular view, how much further forward would she be?

During this debate, many people have prejudged the outcome of the inquiry. Even Willie

Rennie, a man whose reasonable attitudes are famous, said that he believes that the inquiry was an establishment stitch-up. Even in ancient Greece, they knew that truth was the first casualty of war.

We are now six years on from the time when we expected Chilcot to begin to give us the answers. Public evidence taking was completed four years ago, and we still wait for the report. However, we must remember who that report is for. Many have spoken with passion today about the families of those who lost their lives. We must also remember those who still have their lives, but whose lives have been destroyed by things that happened in that battle. However, the report is not only for them. There are those who might be at risk in future wars of becoming casualties of a process that is not informed by the inquiry's outcome.

Those who seek the truth and desire to learn from it want the report, when it is published, to tell us the truth, to be accepted by all sides, and to ensure that it is a conclusion that we can all accept. If the outcome of the process that we have engaged in today is a rise in public opinion that the report should be published at any cost before the general election, we risk not getting the benefit of that truth.

**Christian Allard:** I ask the member to answer a particular question:

"Will delaying the start of the inquiry and prolonging the publication until after the next election not lead everyone to conclude that this inquiry has been fixed to make sure that the Government avoid having to face up to any inconvenient conclusions?"—[*Official Report, House of Commons*, 15 June 2009; Vol 494, c 25.]

David Cameron said that in June 2009.

**Alex Johnstone:** That is a good question, but it is not relevant to the argument that I am trying to make.

Truth will be the most important outcome of the inquiry. If the process is not completed, or if it is interfered with in any way so that anyone can claim that the independence of the inquiry and its report has been compromised, we will have lost everything—the time, the money and the lives that have been invested in it. That is why I believe that the report should be published before the general election. However, if it has not completed due process and that cannot happen, I will regret that but accept it. I want to see publication happen in a way that we can trust, believe and understand and I do not want to put any barriers in the way of us getting the full advantage of the inquiry report when it is published.

15:17

**Mary Fee (West Scotland) (Lab):** The Chilcot inquiry, which was established by Gordon Brown

when he was Prime Minister, is a crucial inquiry that must be given time to be conducted thoroughly. However, the time between the final evidence session in 2011 and now rightly causes many concerns across the country and it is only right that publication of the final report must take place at the earliest opportunity. As we head into a general election, we must beware of the inquiry becoming a party-political issue despite calls from all parties to have the report published.

In 2010, Sir John Chilcot, who has the final say over the timing of the inquiry at all stages, rightly ordered a recess to avoid influencing the general election but we are in danger of allowing that to happen now.

**The Cabinet Secretary for Infrastructure, Investment and Cities (Keith Brown):** Will the member take an intervention?

**Mary Fee:** No, thank you.

We must not forget the lives that were lost during the conflict; I know that the families will never forget. Those families want and deserve answers and to know that other families will not suffer the torment of losing a loved one.

The Government motion states that

“it is in the interests of transparency, accountability and democracy that the report is published as soon as possible”.

The Scottish Government is correct and that is why Scottish Labour supports the Government motion.

**Alex Fergusson:** Will Mary Fee give way on that point?

**Mary Fee:** No, thank you.

On top of our justified bewilderment over the release of the report, we have to remember that the families of our armed forces want answers. Different media sources report that this person is to blame or that person is responsible for the delay in publication. No matter who is to blame or what people say, the final call on publication will be made by Sir John Chilcot.

As the First Minister has said, the delays are totally unacceptable. I spoke earlier about the danger of the inquiry becoming a feature of the forthcoming general election. We must remember that the most important people are the families of those who were killed and injured, and they deserve better.

That warning must be heeded by all parties, whether or not they supported what happened in Iraq. Today was an opportunity for us all to unite behind our concerns about the delay in the publication of the inquiry report and to debate our genuine concerns and acknowledge the hurt and

damage that have been caused. Unfortunately, the tone that has been taken by some on the Government benches has detracted from that. They have chosen instead to make political mischief.

In contrast, when opening for Labour, Kezia Dugdale rightly warned that we will not support the use of Chilcot as a political tactic, because the issue demands greater respect than that. Kezia Dugdale also spoke about the things that have become clear since the Iraq war: that the intelligence was wrong, that the Iraqi people were greatly let down by a failure of post-war planning and that the price in lives was unacceptable.

Mark Griffin and James Kelly said that the debate is a missed opportunity for the Parliament to debate matters over which we have influence.

**Gil Paterson:** Will Mary Fee take an intervention on that point?

**Mary Fee:** No, thank you.

Mark Griffin recounted how a long-standing family friend, an Iraqi woman, moved back to Iraq before the war and how his mother feared for her friend living under the regime there, because her family were educated and therefore a threat. We also heard of the humanitarian impact, sectarian violence, poverty and problems with infrastructure. The promise of improved infrastructure was not delivered to the Iraqi people.

Neil Bibby spoke of poverty and lack of access to food, much of which related to the displacement of the Iraqi population. The UNHCR reports that about 3.1 million people are displaced, with 2.1 million of them fleeing in the last year alone. That devastating crisis needs to be addressed. We cannot have a rerun of what was witnessed in the run-up to the 2003 war. Not a week goes by when we do not hear about the continuing terrorism that is occurring in the middle east. The situation in Syria and Iraq and the assault by Isis present the region with further problems. The international community must unite to support the country to be an inclusive and united nation with a Government that represents all of its people.

The Chilcot inquiry should allow us as a nation to learn from our mistakes. I recognise that the majority of public opinion was against the intervention in Iraq. A recent YouGov poll showed that 68 per cent of people would like to see the inquiry report as soon as possible.

I repeat that we will support the Government motion at decision time, as we believe that it is right that the inquiry's findings are published as soon as possible. However, I also repeat my warning that the issue must not be used in general election campaigning. [*Interruption.*]

**The Deputy Presiding Officer:** Order.

**Mary Fee:** That would be disrespectful to the dead, the injured, their families and the Iraqi people.

15:23

**The Cabinet Secretary for Infrastructure, Investment and Cities (Keith Brown):** The previous remarks lead us back to the point about why the debate is important. The First Minister said that this is a grave subject, and indeed it is, but I will set out some reasons why the debate is important. First, there is nothing wrong with holding elected representatives to account, as that is part of the democratic process. Democratic responsibility is extremely important, and disdain for it is wrong. We are going to have the third general election since the Iraq war happened. In a democracy, the ability of citizens to have faith in and scrutinise the processes and decisions of the Government is extremely important.

Another reason why the debate is important is that the Chilcot inquiry has become a central element in the public's ability to know the truth of what happened at the time. It is important that we have a fearless investigation and it should not be hamstrung by a desire to protect very powerful people. There is an old saying in the legal profession that goes, "Let justice be done though the heavens fall." I would say that we should let justice be seen to be done though the heavens, or even the reputations of some individuals, fall.

Labour, which has been talking about the NHS, educational psychologists and various other things—anything but the subject that is in front of us—seems to have forgotten that it is most important to remember the 179 souls from this country who died serving their country during that conflict, as well as the hundreds of thousands of Iraqis who died. They should remain in our minds.

Of course it is perfectly legitimate that we should discuss such an issue. The service personnel and their families are entitled to ask why they were asked to do what they were asked to do. We know that they were not told at the time. In a dossier that could best be described as a weapon of mass deception, the case was made that there were weapons of mass destruction only 45 minutes away from the UK.

The old saw, "Ours is not to reason why; ours is but to do and die," cannot be the limit of the service personnel's human rights. They have explicitly forsworn their democratic right to object to, or refuse to do, what they are asked to do and they do as their elected Government asks them to. Even if they think that their political masters are stupid, venal or naive, they have to do what they are asked to. However, more than anybody else, they surely have a right to know the arguments,

processes and reasons—and even the deals that were done before they were sent to put their lives in danger.

As I have thought about the matter over the years, I have tried to imagine how service personnel felt having been told that Saddam had weapons of mass destruction, having seen friends die in the pursuit of that conflict and having seen comrades disabled by their injuries. Would it have been more horrifying to them to find the weapons of mass destruction or to find that there were none, having seen the carnage that had preceded?

We have now found out that the idea that there were weapons of mass destruction was a false prospectus. The idea—which was always preposterous—that they were 45 minutes away from being a threat to the UK is increasingly preposterous. Everybody realised that at the time.

Our service personnel are individuals. They are often characterised, as people such as Ian Lang did disgracefully in the referendum debate last year, as being of the same mind, but they are not. They are individuals and have different views on things. However, I think that they would be of one mind in wanting to know why they were given one reason for being asked to put themselves in harm's way—that is, weapons of mass destruction—and then, after many of them died, given another reason. Regime change was the excuse—the fig leaf—that was used after the war to try to justify some of the actions. I hope that the Chilcot inquiry will remove that fig leaf when it eventually reports.

Who wants those answers and why do we discuss the issues? We have heard the answers from some of the other speeches. Rose Gentle wants the answers. Is that wrong? Should she wait to have another debate on the health service or educational psychologists? Does she not have a right to have her views represented in the Parliament as well? The family of Allan Douglas also wants to have answers, as Kevin Stewart said. There is also the deafening silence of 179 deceased souls. They want to have answers as well and why should they not? Why should they wait for longer than the entire second world war to have them?

We heard from Kenny MacAskill about the alacrity with which the Nuremberg trials were carried out because of the gravity of what had happened and because the need to try to get to the truth of the events very soon after they happened was huge. However, I heard somebody on the Labour benches say in a self-congratulatory tone that Labour called for the inquiry. Aye, but that was six years after the war had taken place and, as Willie Rennie said, after the Labour Party had had a chance to vote for an inquiry three or

four times and refused to do so. It took that long. How much information was lost in that time and how many personal testimonies could no longer be found because of the delay?

**Alex Fergusson:** Does the cabinet secretary, who is a reasonable person, accept that there is a need for total integrity behind the report when it is published and that the people about whom he is talking would be better served by such integrity, just as the victims of hepatitis C will require total integrity? That can be achieved only if the due processes are seen to have been carried out and the inquiry does not have a false publication date placed on it by politicians.

**Keith Brown:** First, I deprecate the analogy that Alex Fergusson drew between the hepatitis C investigation and the Chilcot inquiry. The two do not stand comparison.

Of course the inquiry must be conducted in the correct way—everybody understands that. The point is: why has it taken six years for it to happen and why did Chilcot say at the start of 2011 that it would be done in a few months? The important point is that it has been delayed unreasonably. In the House of Commons today, Alex Fergusson's colleague David Davis pointed the finger expressly at Whitehall. I might be wrong, but I think that Jack Straw said the same thing. They are saying that something is going on to delay the process, other than the Maxwellisation that we have heard about.

It is a scandal. I would have liked Alex Fergusson to have attached a higher priority to the needs of the families of those who died or those who were injured than he did to issues of process. Their needs are far more important, and the UK Government should have shown some urgency in its handling of the matter. It is unfortunate that that is not happening.

I believe that it is very important for the Parliament and the Scottish Government to note the huge sacrifice—it is sometimes the ultimate sacrifice—that members of our armed forces make in preserving our safety and security. Whatever the rights and wrongs of the actions of individuals, there is no doubt that, as the First Minister said, our service personnel and their families deserve our complete support. We betray rather than serve the interests of those people if we try to sweep the issue under the carpet or endlessly avoid debating it, as others have suggested that we should do. As part of the support that we provide, we should provide those service personnel who returned and the families of those who did not with the answers that they deserve, and we must do so without further delay.

For those reasons, I am proud to support the motion in the First Minister's name.

## Community Charge Debt (Scotland) Bill: Stage 1

**The Deputy Presiding Officer (John Scott):** The next item of business is a debate on motion S4M-12176, in the name of John Swinney, on the Community Charge Debt (Scotland) Bill.

15:31

**The Deputy First Minister and Cabinet Secretary for Finance, Constitution and Economy (John Swinney):** On 2 October last year, the former First Minister announced the Government's intention to introduce legislation to ensure that councils could take no further action to recover ancient community charge, or poll tax, debts. Today, we are considering that legislation.

With the co-operation of the parliamentary authorities, we have been able to bring forward the Community Charge Debt (Scotland) Bill on an expedited timetable so that it can be in force for the start of the next financial year. As a result, we have not had the time to put our proposals out to full public consultation, but we have consulted the Convention of Scottish Local Authorities and local authorities, which are the only bodies that could be adversely affected by our proposals.

**Gavin Brown (Lothian) (Con):** Were local authorities consulted on the principle of the bill?

**John Swinney:** No. The Government decided on the principle of the bill. The Government takes policy decisions and then we consult on how to take forward those policy decisions. I cannot think of many cases in which we have consulted on the principle of an issue without setting out the Government's policy position. We consult on the details of our proposals.

I acknowledge that consultation should take place prior to the introduction of primary legislation, which is a point that the Finance Committee made in its stage 1 report on the bill, but there will be circumstances in which the Government believes that we should act swiftly and in which Parliament is prepared to support such action and to adopt the expedited approach. We have sought the agreement of Parliament to go through an expedited bill process to enable us to make the bill effective from 1 February 2015 and ensure that there is clarity before the start of the next financial year. I am grateful to the parliamentary authorities for that agreement.

The Government decided to act because we were concerned that certain local authority leaders had expressed an appetite for using the information that was gathered from voter registration for the independence referendum to reactivate the pursuit of many of the outstanding

arrears. We felt that that sat uncomfortably with what we believe was wide appreciation throughout the country for the upsurge in democratic participation during the referendum, which was supported and complimented across the political spectrum. We felt that it would be a rather strange conclusion to that democratic process to use the information that had been gathered to pursue historical debts from a tax that is discredited and which has not been operational in Scotland for more than 20 years.

We wanted to do two things: to act expeditiously to address that point, which is why we have followed a shorter consultation process; and to make it crystal clear that local authorities were absolved of their obligations to collect poll tax debt, which, as I explained to the Finance Committee, was our reason for introducing the bill.

I am aware that some public opinion does not support the ending of recovery of community charge debts. I have received a number of letters on the issue from members on behalf of constituents and from members of the public. I understand the concerns that members of the public who have paid their community charge, as I have done, have expressed. I start from the basic principle that people should pay their taxes, and I do not support people not paying taxes for which they are liable. However, in this case, we are dealing with a tax that lasted for four years, that was the subject of massive political controversy and enormous political disruption, and that was concluded over 20 years ago.

**Gavin Brown:** I take the cabinet secretary's point on that, but surely to goodness this is a breach of the principle that he has just espoused.

**John Swinney:** It is not a breach of the principle that I have espoused. Mr Brown should look at the data that is available to Parliament. I take one particular example: Angus Council ceased to collect any community charge arrears in 2008-09—that was the last time that any community charge arrears were collected. It has declared that £3,627,000-worth of uncollected poll tax debts still exist in Angus. The point that I am making is that a tax that existed for four years, was the subject of massive political controversy and ended over 20 years ago is now incapable of being collected.

I have given one local authority example, but I can give other examples. No poll tax debt has been collected in recent years in Falkirk, the Western Isles, Shetland and Orkney. I simply make the point that the poll tax fell into disrepute at the time and significant periods have elapsed in which there has been no practical proposition to collect or practical capability of collecting anything like a substantial proportion of the existing arrears.

The Government is therefore taking a practical step to remedy the situation.

Despite collections being pursued, around £425 million of community charge still remains uncollected from the four years in which the charge operated in Scotland. Almost all of that £425 million can no longer be collected. In the 20 years that have passed since the community charge was abolished and replaced by the council tax, many people have moved home—even moved away from Scotland—married, changed their name or even, sadly, deceased. They could not now be traced and linked to a debt. Even if a person could be traced, the local authority cannot pursue the debt any further if no attempt has been made to recover outstanding arrears from the debtor in the past 20 years.

In 2013-14, the authorities that still collected community charge debts collected a total of only £327,000. Ten authorities have decided that their share of the £425 million is just not going to be collected. The last stand for the poll tax that Mr Brown is deploying is indicative that the Conservatives have perhaps not moved on terribly far from the application of the poll tax all those years ago.

The community charge that was collected declined from £1.3 million in 2009-10 to £327,000 in 2013-14. If we project that declining rate of collection forward, we can easily see a point at which the costs of collecting become greater than the sums that are collected. Local authorities tell us that the total that they can recover under existing recovery arrangements is £869,000. Councils will receive their share of that £869,000 in 2015-16 by agreement between the Scottish Government and COSLA.

We have given a reasonable length of time and a reasonable opportunity for historical debts to be collected, and a point has been reached at which we must all recognise that the community charge has entirely run its course, despite the affection in which it seems to be held by the Conservatives.

In its stage 1 report, the Finance Committee asked why we did not request information

“on the value of community charge debt that was recovered through informal or sporadic payments”

in order to include that in the settlement to local government. There is no reliable means of estimating that because, by their nature, the payments are informal and sporadic. However, we can look at the pattern of payment of poll tax arrears, which, as I have indicated, shows that payments have steadily declined year by year. In 2013-14, the last financial year for which data is available, payments totalled £327,000, down from £512,000 the previous year, which was down from



£923,000 the year before. The payments are petering out significantly.

For years after the community charge's abolition, collection rates for it and the council tax, which replaced it, were lower than those for the domestic rates which the community charge replaced. I can understand that there may be concern that the legislation will have a similar effect; indeed, local authorities expressed that concern in their submissions to the Finance Committee. However, people objected to the community charge because that tax bore no relation to what people could afford to pay.

Council tax liability is linked to ability to pay through the council tax reduction scheme, which supports those on low incomes to meet their council tax liability in so far as that is possible. The poll tax's collection rate was around 88.4 per cent; the council tax's in-year collection rate is 95.2 per cent—that is the rate for the immediate year in which the liability arises. The expectation is that in excess of 97 per cent of council tax will be collected once follow-up mechanisms are used to ensure collection.

Those paying off community charge debt include some of the poorest and most vulnerable who were unable to pay at the time and are now paying small sums towards arrears every week or having them deducted from social security benefits, which, in some cases, will be their only income source. More than 20 years after the community charge was abolished, it could still be many years before some of the debts are cleared.

The independence referendum inspired record numbers of people to register to vote. Many of those people had not voted for decades; others had never voted before. We do not want people to fear being on the electoral registers because of decades-old debts from discredited legislation. The bill will help to avoid that and will ensure that everyone's voice continues to be heard.

None of that detracts from the clear view that I and the Government hold that people should properly pay the taxes for which they are liable. It is for each local authority to determine the most appropriate means to recover council tax debts. I would expect them, when deciding how to pursue their debts, to do so in a way that is sympathetic to the debtor's needs and circumstances.

The bill is one step that the Scottish Government is taking to make local taxation fairer; the independent commission that we are establishing in partnership with local government to examine fairer alternatives to the council tax system is another step.

Many members of the public have written to their MSPs, the First Minister and me, pointing out that they paid the poll tax, even though they

disagreed with it in principle and despite whatever hardship that may have caused them. They ask that the Government address the issues associated with the abolition of the poll tax. The Government is doing that in the legislation.

The poll tax is a defunct tax; it is a discredited tax. Local authorities are pursuing increasingly historical liabilities that crystallised more than 20 years ago, and we can all see from the data that the amount collected is petering out year by year. There is a necessity to consign the poll tax to history once and for all. That is the action that Parliament has before it. I encourage members to support the motion.

I move,

That the Parliament agrees to the general principles of the Community Charge Debt (Scotland) Bill.

15:43

**Kenneth Gibson (Cunninghame North) (SNP):** I am pleased to speak on behalf of the Finance Committee in the debate.

The bill provides for an end to the collection of community charge, or poll tax, debts in Scotland and will do so with effect from Sunday as a result of the anticipatory provision contained in section 1.

As lead committee, the Finance Committee sought written and oral evidence on the bill. The committee thanks those organisations and individuals who took time to let us know their views.

The committee's scrutiny focused on a number of issues, including voter registration, the possible impact on council tax collection and the financial settlement to be provided in connection with the bill. I will address each of those in turn before concluding on the issue of engagement and consultation.

Last October, the former First Minister announced that the Government intended to legislate for an end to the collection of community charge debts. The announcement was made following media reports about the plans of some local authorities for its collection. The reports suggested that the increase in voter registration preceding the referendum would allow individuals with outstanding debt to be identified and arrangements put in place for the collection of that debt.

As the cabinet secretary has said, he explained to the committee that the Government was

"concerned that an appetite has been expressed amongst certain local authority leaders"

for information to be used in that way. However, in its evidence, Glasgow City Council said that its figures did not suggest that the expansion of voter

registration could be attributed to the re-engagement of people with outstanding poll tax debts. The committee has asked the Government to provide further details of the local authorities that are using or which intend to use electoral register information in this way.

Evidence that was received highlighted the potential for the bill to have “unintended consequences” or create “avoidable risk” in relation to council tax collection, and those concerns related to a perception that similar debts might also be forgiven in the future. East Ayrshire Council, for example, referred to its concern about

“The risk of losing ... income as a consequence of a misplaced public perception”.

When we put those concerns to the cabinet secretary, he made the clear assertion that the council tax remained a live tax, and he saw no similarities with council tax collection in the provisions in the bill.

However, although that position is clear, views seem to differ between COSLA and the Scottish Government on the response should collection of council tax become more challenging. COSLA indicated its understanding that there would be negotiation on the way forward and that local authorities would look for support from the Scottish Government. In contrast, the cabinet secretary said that the Scottish Government would not underwrite reduced collection as

“The collection of council tax is the responsibility of local government”.—[*Official Report, Finance Committee*, 14 January 2015; c 24, 35.]

The headline figure for outstanding community charge debt in Scotland is, as we know, £425 million, while the financial settlement with regard to the bill is £869,000. In our scrutiny, we sought to understand how the settlement figure had been arrived at and to clarify what portion of the headline figure could be collected, given that, last year, only £327,000—or less than 0.1 per cent—was collected. Obviously, in the 22 years since the poll tax was abolished, many of those to whom debts might apply will have died, emigrated or moved away, so the sum available to collect, albeit unknown, will be considerably smaller than the headline figure.

The bill’s financial memorandum states:

“recovery of much of this debt is now prevented both by practical considerations and by the law of prescription.”

A 20-year prescription period applies to community charge debts, and two conditions need to be met before a debt can be prescribed. First, no claim must have been made by the creditor in court and, secondly, the debtor must not have acknowledged the debt. We sought to understand how one could assess whether community charge debts had been prescribed or not. Dundee City

Council explained that it depended on whether there had been contact and the date of the warrant. Given that the community charge ceased to have effect more than 20 years ago, it was also noted that local authorities might have rewarranted the debt.

It is understood that the assessment on which the financial settlement was agreed was based only on the value of debt that could be recovered under existing arrangements, and no account was taken of informal or sporadic payments. The committee understands that the agreed settlement figure is therefore not a full reflection of the total revenue that will be forgone as a result of the bill, but most local authorities that provided evidence are content that it is a fair reflection of what would be forgone in relation to existing repayment arrangements. Indeed, 10 local authorities have already ceased collection of their own volition, and Falkirk Council has not collected anything in the past 12 years, despite having a book debt of more than £5 million. Nevertheless, it would have assisted the committee had more detailed analysis of the financial settlement been available, and we have asked why this information was not requested from local authorities.

Another issue in relation to the collection of outstanding debts was the cost of collection compared with the sums collected. The cabinet secretary stated that

“we can easily see a point at which the costs”

incurred would be greater than the value of the revenue being collected. However, no collection costs were provided, and it is unclear to the committee what evidence the Government used in reaching its conclusion.

Finally, the bill has proceeded rapidly through the stage 1 process; indeed, this debate comes less than two months after the bill’s introduction. A strong theme in the evidence was the speed at which the bill was brought forward and what that meant for consultation opportunities. No formal consultation was undertaken. The Scottish Government stated that that was a result of the limited period that was available for the bill’s development. That said, the Government worked with COSLA on the bill’s provisions, and in a letter to the committee, the cabinet secretary noted that the topics that were discussed included mechanisms for collecting community charge debt; the question whether debts had been sold off to private collectors; and the anticipatory provision to enable the bill to have effect from 1 February.

Asked about discussions between its representatives and Scottish ministers, COSLA summarised by saying that

“the conversation to reach an agreement and come up with a settlement”—[*Official Report, Finance Committee*, 14 January 2015; c 21, 15.]

was very brief.

Everyone in this chamber welcomed the high level of engagement and participation that we saw last year and we hope that it continues. Although the committee understood the Government’s wish to introduce this bill quickly, we make clear our expectation that consultation and opportunities for engagement should take place before primary legislation is introduced.

The committee supports the general principles of the bill.

15:50

**Alex Rowley (Cowdenbeath) (Lab):** We should recap on where we are with the bill. We are here today because before the referendum we saw a massive increase in people registering to vote—something that should be celebrated. Sadly, a Conservative council leader then said that that registration would be used to go after poll tax debt from some 20 years ago. Alex Salmond’s response to that was that he would legislate, and here we are.

Labour will support the bill and we will work with the Government to move it through the Parliament without delay. Having said that, it is worth making the point that many local authorities have already taken the view that what remains of the debt is not realistically collectable. Indeed, as the Scottish Parliament information centre briefing points out, recovery of much of the debt is now prevented by both practical considerations and the law of prescription. Perth and Kinross Council made the point in its submission to the Finance Committee, which said:

“We believe that further attempts to collect Community Charge debt would be expensive and may come at a cost to Council Tax collection”.

I note that the bill’s policy memorandum says:

“The policy will contribute to the Scottish Government’s National Outcomes of tackling inequalities in Scottish society, and promoting a strong, fair and inclusive national identity.”

I am sure that most members will remember the time of the poll tax: how unfair the tax was and the masses of people in households the length and breadth of Scotland who simply could not afford to pay. A pamphlet at the time said:

“Under the Poll Tax a two-adult working class family in Edinburgh pays on average £500 more per year. However, Malcolm Rifkind, Secretary of State for Scotland, pays only £400 per year for his castle-like villa in an Edinburgh suburb”.

It was an unfair and divisive tax, and hundreds of thousands of people across Scotland simply could not afford to pay and ended up in masses of debt. Wages were arrested and unforgivable warrant sales took place. Those warrant sales were rightly outlawed by Parliament through a bill that was introduced by comrade Tommy Sheridan.

It is interesting that Perth and Kinross Council’s submission says that many of those with historical debt also have council tax debt, which indicates that people on the lowest incomes have been stuck in that position over generations. The Government’s view on tackling inequalities might stand up, but we need a more coherent strategy in Scotland to break the cycles of deprivation that seem to run through generations of the same families in the same communities. That is why I say, in supporting the bill, that we should not be waging war on people who cannot afford to pay; we should be waging war on poverty.

The point should not be lost that councils in Scotland have been robust in pursuing historical poll tax debt from those who could pay. The decision not to continue to collect poll tax debt, which many councils have made, was not made lightly, given the major financial pressures that councils are under.

As I said in my introduction, most of the debt is at the point of being uncollectable—it is councils that are saying that. Nevertheless, that will leave some people who paid the poll tax feeling aggrieved, which is a point that individuals and councils made in their evidence to the Finance Committee. East Ayrshire Council made the point when it said:

“It is a difficult argument to have with an individual who feels aggrieved that they have paid (and in some cases placed themselves in considerable financial hardship to do so), when others are now being ‘excused’ of their obligations.”

It is important to recognise that many people who objected in principle to the poll tax and many people who struggled to pay the poll tax did pay. To all those people, we should say thank you, as they kept council services running through what was a very difficult financial period for local government.

The poll tax was abolished in 1993 and was hastily replaced by the council tax, which, as we know, has not served the purpose that it was meant for. I suggest that, if we want good public services and if we are to tackle the unacceptable levels of poverty and inequality in Scotland’s communities, we must have strong local government and good public services. We therefore need a system of taxation to pay for those services.

The Scottish National Party Government promised a new system of taxation. To date, it has failed. The consequences of that failure are now being felt across every community in Scotland, with cuts taking place in vital public services.

We will support the bill—in truth, the measures are happening anyway—but our message today must be that we need to fix local government finance and put it on a proper, sound footing once and for all.

15:56

**Gavin Brown (Lothian) (Con):** It probably will not come as a great surprise to learn that we will not be supporting the bill at decision time today. We do not take that decision for any great affection or love for the community charge, as Mr Swinney rather lazily suggested. We do not do it because we have yet to catch up. We do it for reasons of principle and pragmatism.

The principle has been outlined by John Swinney himself—he has said it so many times in the chamber—that people should properly pay taxes for which they are liable. What he has not said before in the chamber is that that only applies to taxes with which he agrees or taxes that, in his view, are live.

**John Mason (Glasgow Shettleston) (SNP):** Would the member accept that there are other principles at play here, such as mercy?

**Gavin Brown:** Let us throw in another, then: the idea that two people both vehemently disagreed with the community charge but one of them paid it and made sacrifices to do so and the other may have been able to pay it but did not for reason of choice—yet the first has to pay and the second, thanks to the Scottish Government, does not.

There are a number of principles in play, but it is the Scottish Government that says that people should pay the taxes for which they are liable—yet that principle has been broken. It will ring hollow when Mr Swinney or other party spokespeople for finance mention it in the chamber in future.

**John Swinney:** Now that, for the last financial year for which data is available, we are collecting £327,000, whereas there is £425 million outstanding, would Mr Brown care to share with Parliament his proposals for collecting the remainder?

**Gavin Brown:** The Deputy First Minister will know as well as I do that COSLA is not enthusiastic about the bill and that the majority of councils that responded to the committee—and, indeed, the majority of responses to the committee—were not in favour of it, did not think that it was necessary and were against it for reasons of principle, as I have outlined.

I entirely accept that the £425 million is not an amount that is collectable.

**John Swinney:** So why is it on the statute?

**Gavin Brown:** Mr Swinney asks why it is there, but he put that figure on page 1 of the policy memorandum. He does not like the figure, but he is the one who put it down there.

Even if only a proportion of the tax can be collected—let us say only 10 per cent—that is a significant amount of money, which could go to fund public services. While we are at it, even the amount that Mr Swinney talks about in the legislation—the settlement of £800,000 or so—is money that should and would have been paid by those who were liable for their bills. Instead, however, it will be paid by those who are not liable for those bills. That is why we are against the legislation in principle.

**John Swinney:** Mr Brown has in no way addressed the fact that, in the most recent year, we are now collecting £327,000. If the trajectory carried on, it would be a lower amount for 2014-15. What proposal can Mr Brown marshal for us that justifies the maintenance of the provisions on the statute book when he and I know that that money cannot be collected?

**The Deputy Presiding Officer (Elaine Smith):** We do not have a lot of time, Mr Brown, but I will give you an extra minute.

**Gavin Brown:** We can justify it simply because COSLA and the councils that gave evidence to the Finance Committee said that there was not a need for legislation. They are not just concerned that the legislation is a breach of principle. Their bigger concern is pragmatic: the idea that the legislation could have an impact on the collection of council tax in future.

Members may shake their heads, but I am simply quoting what councils and COSLA have said to the Finance Committee.

**John Swinney:** Yes, I know.

**Gavin Brown:** Mr Swinney claims to know, but he did not carry out a consultation. He said that he consulted COSLA, but the Scottish Government did not formally do so. We were told by COSLA in committee that the conversation lasted a matter of minutes and that it was simply a conversation about quantum and how much each council was going to get in recompense. There was no discussion of the principles or what impact the legislation could have on payment of council tax in the future.

I can demonstrate to members how far apart the Scottish Government and the councils are. When I asked COSLA whether councils would be compensated if their council tax collection rates

faltered as a consequence of the legislation, they seemed to be under the impression that they would be. In evidence to the committee, the COSLA representative suggested that councils would be compensated if that were to happen. When I put the same question to Mr Swinney, he said that there was absolutely no way in which COSLA would be compensated if that were to happen.

We do not know whether council tax collection rates will fall. COSLA has suggested that they might, but the Scottish Government has said that there is no way that COSLA would be compensated. The cost of failure, if that were to happen, would fall on the councils and not on the Scottish Government, which has centrally forced the policy on COSLA, the councils and the rest of the country.

If the policy has an impact, we could be talking about significant sums. There are more than £1 billion of council tax arrears going back over the past two decades or so. It might sound great when Mr Swinney says that 97.5 per cent of council tax is collected, but when one tots up the unpaid council tax it amounts to more than £1 billion.

Even if the policy has a small impact on council tax collection, it will have a big impact on councils and public services. The Scottish Government ought to be on the hook for that, because it is the Government's policy. The Government has forced it through: it refused to consult or to try to thrash out and see through some of the issues, instead of just pushing the bill through as it is going to do today.

As I said at the start, we are not fighting the policy out of any love or affection for the community charge. We have listened to councils and we think that there are pragmatic reasons for being against the policy, but we are against it too in principle, because—as Mr Swinney said—those who can pay their taxes should properly pay those for which they are liable.

16:03

**Mark McDonald (Aberdeen Donside) (SNP):**

There are a few issues that need to be dealt with. First, the use of the £425 million figure, which was used when the discussion first took place, has been unhelpful. We know from the evidence that we have received that the vast bulk—indeed, the overwhelming bulk—of the money is uncollectable, for reasons that the cabinet secretary outlined, such as people having moved out of Scotland, changed their names or died. However, that remains the sum total that is being considered.

The second element that is unhelpful relates to COSLA. When the Finance Committee took evidence from Glasgow City Council and Dundee

City Council, my committee colleague Jean Urquhart asked whether the outstanding debt was considered to be outstanding by councils, and Glasgow City Council responded by saying:

“As I have said, it was written out of the books in Glasgow in 2003”.

Dundee City Council said:

“Community charge debt is not sitting on the books of Dundee City Council.”—[*Official Report, Finance Committee*, 29 January 2015; c 12.]

Two councils giving evidence said that the debt relating to the community charge was not held on their books.

The Finance Committee wanted to know whether the same applied for other councils. At the time, COSLA was unable to give us that information. I have to say that it concerns me when COSLA spokespeople arrive at committees and seem unable to provide us with information relating to local government in Scotland. We need to look at how COSLA presents that information, given that it is the umbrella body for all 32 local authorities.

The question, then, is whether the debt can be collected, and we heard pretty strong evidence that it cannot. We also heard pretty strong evidence that there will come a tipping point at which the expenditure in relation to pursuit of the debt would outweigh any money that could be collected.

Another interesting issue that was raised relates to the 20-year prescription and the fact that, essentially, the entire debt was being reapplied through summary warrant in order to circumvent that prescription. Therefore, it was not that the debt could be pursued. The summary warrant was simply being reapplied for in order to get around the element of prescription—and not because the debt could physically be pursued.

On the issue of precedent that Mr Brown raised, we have heard in the debate the evidence that we found, which is that 10 local authorities have unilaterally taken the decision not to pursue community charge debt. If Mr Brown's contention and the fears that were expressed at committee were accurate—that that action would result in council tax debts and council tax payments showing a tail-off—we would have seen evidence of that. I would have expected us to receive evidence to that effect from the councils that have taken the decision to cancel community charge debt.

**Gavin Brown:** Will the member give way?

**Mark McDonald:** I am in my last 30 seconds.

**The Deputy Presiding Officer:** I can give you more time, if you wish.

**Mark McDonald:** In that case, I will take Mr Brown's intervention.

**Gavin Brown:** Will Mr McDonald acknowledge that Dundee City Council, which he quoted and which is in favour of the bill, raised in quite intelligent terms the concerns to which he referred?

**Mark McDonald:** I did not say at any point that those concerns were not raised. I am simply saying that, if those concerns were in fact material, I would expect to see evidence from the councils that have taken the decision to cancel the debt. Some of them took that decision over a decade ago, according to the figures that were presented to the Finance Committee.

Finally, on the issue of requirement, there was a question about what evidence there was of councils saying that they would pursue the debt. However, Jim Gifford, the leader of Aberdeenshire Council said:

"If we are asked to write off these debts we will do that but we expect to be fully compensated for the amount of money sitting on our books".

That raises the question whether the debt is being held on the books in some local authorities but not in others. However, it was Mr Gifford who raised the question of whether the referendum electoral registers could be used post referendum to pursue the debt. That position was not just confined to the Conservative Party, though, because Councillor Willie Young, Labour finance convener of Aberdeen City Council, said:

"For the last number of years we have been looking to see how we can claw back poll tax arrears. We've still got approximately £1.8million to recover. The referendum gives us an opportunity to see how much money is due and how we can pursue it."

**The Deputy Presiding Officer:** You must begin to close now.

**Mark McDonald:** The position was not restricted to one council leader; there was a pattern of potential pursuit through the referendum electoral registers.

I think that the right thing to do is to take the action that the cabinet secretary is taking, and then we can move on and enjoy the flourishing democracy that the referendum sign-ups have created.

16:08

**Malcolm Chisholm (Edinburgh Northern and Leith) (Lab):** I support the bill, which feels very much like the last nail in the coffin of the poll tax, but we should remember—keeping things in perspective—that that actually happened in England more than 10 years ago.

Although I support the bill, I think that we should recognise that there are some genuine concerns and take them seriously, and we should also question some of the details of the bill.

Having heard the evidence in the Finance Committee, I think that the main concern is about the possible effect of the bill on council tax collection. I therefore think that we have to send out a very clear message that this is a one-off bill because of the particular circumstances of the poll tax and because, to a large extent, there is not much left that could be collected, given that many local authorities recognised that and have stopped collecting already.

We also have to recognise, although Conservative colleagues may not agree, that the poll tax was a completely unacceptable tax—certainly by far the most controversial tax of my long life—because it bore no relationship to the ability to pay. The bill is already in a unique category, which means that we should not draw analogies too much between it and the council tax.

I also recognise that some people feel that it is unfair that they have paid and others have not. We have all had letters about that. Again, however, I think that we have to repeat some of those points to them about the uniqueness of the tax, councils not collecting, there being not much to collect and so on.

The Finance Committee report raised certain questions, and to some extent the cabinet secretary has already responded to most of them. The first was whether the bill is necessary at all, since we did not find evidence about the use of electoral registers either currently or prospectively. We have had two examples quoted—by Alex Rowley and Mark McDonald—of politicians saying that they were going to use them. I had not heard that before. It may well be that that was the trigger for the bill, but equally the committee heard Glasgow City Council saying that it did not believe that all the new people on the register were around at the time of the poll tax. There are obviously conflicting views on that, but given the evidence that has been mentioned today I think that we have to accept that there was perhaps a certain trigger that the First Minister was responding to.

The point about consultation is important as well. The Finance Committee put it quite delicately and tactfully, saying that consultation should take place prior to legislation. I think that the cabinet secretary suggested that that is not always the case, but I think it is a feature of the Scottish Parliament not just that committees consult on bills when they are published but that Governments tend to consult on the contents of bills before they appear.

**John Swinney:** The point that I was making was that the Government does and will consult on the substance of measures in ordinary course. What the Government does not consult about is the purpose and the policy intent, because that is the Government's choice as to what it wants to do in its programme.

**Malcolm Chisholm:** I think that we could discuss that further, but I want to finish on the financial aspects of the bill, which are clearly important. If we say to the public, "£425 million", they will say, "Goodness me, that's a lot of money", but of course only £327,000 was collected last year, and the councils seem to be fairly happy with the less than £1 million that will be distributed to them, although the committee did raise a point about informal or sporadic payments, which the cabinet secretary responded to.

Finally, the committee made a point about there being no estimate of potential savings, although Perth and Kinross Council stated as a fact:

"further attempts to collect ... would be expensive and may come at a cost to Council Tax collection".

This Sunday will be the end of the poll tax. That is a matter for celebration, but, as Alex Rowley said, we should not become too fixated on the past, because the urgent necessity now is to fix local government finance. I think that we are all glad that there is now a process, which is going to start soon, to try to do that.

16:12

**Kenny MacAskill (Edinburgh Eastern) (SNP):** I echo a lot of the comments that Alex Rowley made. In this speech, I will go back further than the Iraq war, which I spoke about in my previous speech, to the period of the poll tax, at which time this Parliament had not been re-established and was still awaited. The Tories called for the poll tax to be introduced in Scotland a year earlier than elsewhere. At that time, the SNP was not forming a majority Government. We were a minority party with fewer MPs than the Greens currently have MSPs. Perhaps some members on the Opposition benches should realise that standing up and speaking out for what is right, whether on the poll tax or Iraq, can pay electoral dividends.

I was proud, at that time, to lead the can't pay, won't pay campaign by the Scottish National Party. Those who could pay would not pay so that those who could not pay would never have to pay. We did not accept that there should be non-registration, as Tommy Sheridan proposed, because we argued that that would lead to people coming off the electoral register, and they did. It is only due to the hard work of activists in recent years, with the referendum, that we have got many of them back on the register.

We also realised that non-registration would incur a fine and a significantly greater penalty than simply not paying, so we discouraged it, but we encouraged people not to pay and to stand firm, shoulder to shoulder with those who just could not pay. We encouraged people to act collectively and seek strength in numbers.

We said that, once the battle had been won, those who could pay should pay—and the battle we did win. We defeated the poll tax. As with the Iraq war, hundreds of thousands marched. We had a significant level of political debate—not as much as last year with the independence referendum, but a significant amount. People participated, and we brought down the Prime Minister, Margaret Thatcher, as the Tories will never allow us to forget.

I was proud to pay my poll tax at the end of it, and I paid 10 per cent more. People need not worry about the effects, because I, along with other can't pay, won't payers, contributed more through the 10 per cent surcharge that was levied on me, Sandra White and all those on the SNP benches.

It was the right thing to do, as Alex Rowley said, because the tax was part of the efforts by the Tories to commoditise tax at local authority level and to get to a situation in which those who did not have kids would ask, "Why should I pay for education?" and those whose children were not disabled could just bless their lucky stars and ask, "Why should I pay for care for those who are mentally or physically handicapped?" The belief was that it should be done on a purely per capita basis, regardless of ability to pay or—as Alex Rowley and, I think, Malcolm Chisholm said—any consciousness of what someone had to look after. That is why we fought and defeated the poll tax.

On public services, let us remember the gearing effect, which was going to cause either the poll tax to rise incrementally year on year or public services to be cut and pulled back. That is why we fought the tax and that is why the Government is correct to bring in this bill. It was an evil and iniquitous tax, and it would have been catastrophic for local authorities, not just for the poorest. That is why it was defeated.

There will be some who have deliberately not paid, but there are always those. The people who worry Gavin Brown will be the same people who do not pay any tax and whose view is that that is for the—

**Gavin Brown:** The former minister is making a passionate speech, but if he feels so strongly, why did he never propose this legislation in his seven years as a minister?

**Kenny MacAskill:** I would have thought that local authorities would have used the common

sense that they were born with and not sought to be vindictive. Sadly, that is not what happened after the referendum. What we saw was done previously in the southern states of America against black people. Research by institutions such as the Pew Research Center found that people in southern states used such circumstances to discourage those who sought the franchise in order to ensure that those who might not vote for them would not be able to vote against them.

That is why the bill has been triggered, and it is on that basis that the tax deserves to be consigned to history. Those who cannot pay now—those whom those shameful authorities are seeking—are those who, in the main, simply cannot pay, and they need help, not punishment. On the other minority that Mr Brown refers to—

**The Deputy Presiding Officer:** You must close.

**Kenny MacAskill:** —I agree: let us deal with those corporates and those big businessmen.

16:18

**Cameron Buchanan (Lothian) (Con):** The bill has made many headlines through its aim to remove liability to pay community charge debt. This is a point of principle that is being stated, not affection for the tax, as we have said many times.

Despite all this attention, we in the Parliament and the public are still left with many unanswered questions that are a cause of great concern. How is this fair to those who paid their tax? Will it stand up to a legal challenge from those seeking compensation? Will the compensation that is being offered to local authorities match the true cost of the bill? What will be the total effect of the worrying precedent that the bill sets on tax avoidance?

That is what I want to focus on. Why has there not been a public consultation on the bill? It is apparent that the policy was rushed into existence by a Government that was thinking only about narrow politics and not about fairness for the people of Scotland.

One of the most worrying aspects of the bill is its total disregard for the majority of people who have paid their taxes in good faith. We have heard that the total collection rate was approximately 88.4 per cent, and it is clear that, although some people avoided paying the community charge altogether, others paid their contribution whether or not they agreed with it in principle. Inexplicably, the Government is choosing to side with those who have avoided paying their tax. What kind of Government rewards tax avoidance?

**Alex Rowley:** Does Cameron Buchanan accept that 10 local authorities had already said that they had reached the point at which it would cost more to collect the tax than they would receive, and that many other local authorities were fast reaching that point, so that it would make no sense to continue to try to collect it?

**Cameron Buchanan:** I accept that partially, but this is more about the point of principle that tax should be collected. Only 12 per cent of the tax was uncollected because people would not pay.

The Government is choosing to side with people who avoided paying their tax. I have heard from many constituents who say that they paid the tax and they think it grossly unfair that people who deliberately did not pay are being excused. I completely agree with them. Hard-working taxpayers should not be forced to subsidise tax avoidance. The Scottish National Party's rhetoric is grossly irresponsible.

That leads me to another point, which is as yet unanswered by the Government. Will the people who paid the tax in good faith be reimbursed? The Government simply cannot claim that it is acting fairly if it is nullifying some people's debts and ignoring the people who paid. As we have pointed out, there is a strong possibility of legal challenge in pursuit of compensation on the matter.

On compensation, it is important that we fully understand the bill's implications for local authorities' finances, given the compensation that the Government is offering. At first glance, the £869,000 that is being offered, which is only 0.2 per cent of the total uncollected debt of £425 million—I think that that answers Alex Rowley's point—does not seem to be nearly enough.

**Mark McDonald:** Will the member give way?

**Cameron Buchanan:** Certainly.

**The Deputy Presiding Officer:** Please be brief, Mr McDonald.

**Mark McDonald:** Perhaps I can explain to the member that £869,000 is the amount that local authorities themselves said that they would collect, through collection procedures. The vast bulk of the £425 million is uncollectable.

**Cameron Buchanan:** I accept that a lot of it is uncollectable, but I am really trying to make the point of principle that we should not reward people who do not pay tax.

The projected amount of informal or sporadic payments that might be made to local authorities is not included in the £869,000 once-and-for-all settlement.

Furthermore, the compensation figure completely ignores the potential knock-on effects for future tax payments to local authorities. This is



the point that I really want to make: writing off community charge debt will set a damaging precedent, whereby people who avoid paying tax might expect their debt to be cancelled by a future Government. Concern about the risk of losing council tax has been echoed by councils, yet the Government has explicitly ruled out compensation for local authorities that suffer from a knock-on effect on council tax collection.

I want to express serious concern about the process by which the bill was introduced. The SNP tried to use the high levels of democratic engagement in the referendum to justify the bill, but it has not put the bill out for public consultation.

**The Deputy Presiding Officer:** You must draw to a close, please.

**Cameron Buchanan:** Despite all its rhetoric, the SNP has neglected to gather and analyse the views of the public. The policy is typical of a Government that repeatedly chooses to grandstand rather than deliver genuinely fair policies, in Scotland's best interests.

**The Deputy Presiding Officer:** I am afraid that we have just about used up the extra time that we had. Members will need to take interventions in their own time from now on.

16:23

**John Mason (Glasgow Shettleston) (SNP):** I wholly support the bill. Members might think that I am occasionally cool towards Government bills, but I am happy to say that I have no reservations about this one.

A few members talked about principles. There are a number of principles at work here, and we need to take them all into account. First, we should all pay the taxes that our elected Government sets, whether we like them or not. That is just, as Gavin Brown said.

However, there are other principles at stake, which Gavin Brown seems to be ignoring. For example, the community charge or poll tax was a particularly unfair tax, which took no account of people's ability to pay. Another principle is that, in practice, a lot of the outstanding tax is unlikely ever to be paid and there is little point in throwing good money after bad. Collection has fallen every year, from £4.6 million in 2003-04 to £327,000 in 2013-14.

Cameron Buchanan's speeches are normally good, but I was slightly disappointed by the one that he just gave. The reality is that all bad debts are written off eventually. Most of us pay our electricity bills, but a few people do not do so and eventually the electricity companies write off the bills. This is not just to do with the poll tax.

**Cameron Buchanan:** I was talking more about the point of principle than the amount that is collected. The principle is that the tax debt should not be written off. That is the point that I was trying to make.

**John Mason:** There is also a principle that, in practice, what is the point of cutting off your nose to spite your face? That is the kind of logic that we are seeing from the Tories today.

Another principle is that we do not want to discourage people from registering to vote, and another principle is that there has to be a place for mercy in our systems. In the health sector, we know that people cause themselves health problems, but we still help them. Similarly, we know that some people get into debt through their own fault, but we still have a responsibility to help them.

How do we balance up all these principles? Is this the right bill at the right time? I have to say that I think that it is the right course of action. The timing was prompted by talk of pursuing new voters, but 10 councils had already stopped pursuing these debts. Although the gross value of the debt is £425 million, I understand that all of that has been provided for and that the net debt in the accounts is nil.

There has clearly been consultation with councils on the detail of the bill. The question that has arisen is whether there should have been more consultation on the principle of the bill. On the one hand, I have had objections from one or two constituents. On the other hand, the committee got only 12 submissions, which suggests that, for many people, it is a dead issue. On the whole, I am in favour of consultation, and I can think of some acts that have been passed by the Parliament that needed a lot more. However, the Parliament is much better than Westminster at consultation—we need only look at the situation with stamp duty land tax to see that that is the case—and sometimes we just need to step out and take action.

In the consultation responses, Glasgow City Council commented on the increase in voter registrations and said that it did not think that that was due to poll tax non-payers re-engaging but was much more to do with the additional registration among younger voters. It also said that its debt policy is aimed at breaking the cycle of debt for the individual and at directing resources toward critical collections, which benefits people and services. I have to say that I completely agree with that approach.

The £869,000 that is being refunded to councils is not big money, and most councils and COSLA seem to be happy with the split. We heard grumbles from North Lanarkshire and a few

others, but my feeling is that they were being a bit overoptimistic about how much they might have collected in the future. I think that it is a bit odd that Dundee is getting £305,000 for its £11 million debt, whereas Glasgow, with £125 million debt, is getting only £20,000, but I suspect that we can live with that.

I am happy to give my support to the bill today, and I feel that it is a good balance between justice and mercy.

16:27

**Sandra White (Glasgow Kelvin) (SNP):** I reiterate one sentence that the cabinet secretary said in his opening speech. He said that, even if a person could be traced, if no attempt had been made to recover outstanding arrears from a debtor within the past 20 years, the local authority cannot pursue the debt any further. We have to remember that. That is why the proposition in the bill is extremely sensible.

Another reason to end the collection of this iniquitous tax is that it is completely undemocratic to threaten people who registered to vote in the referendum with sheriff officers in relation to a debt that is more than 20 years old. We have to remember that, as well.

Kenny MacAskill mentioned that the poll tax was introduced in Scotland in 1989, which is one year before it was introduced in England and Wales. We were used as guinea pigs. We should never forget that, at any point at all.

Alex Rowley was absolutely correct when he said that the tax was an attack on the poor. How can it be right that someone who stayed in a mansion or even a castle—I will not name any names—paid the same in tax as someone who lived in a one or two-bedroom house? That is why the poll tax was very iniquitous.

I want to share some of my experiences from the days when I campaigned against the poll tax. Like Kenny MacAskill, I was part of the can't pay, won't pay campaign. Some of us had our wages arrested, and most of us paid a 10 per cent surcharge at the end, so more money was paid in that way. Some of us even had warrant officers and warrant sales in our houses. We entered into that campaign to support the people of Scotland—some of whom I represented, as I was a councillor at the time—in the face of this iniquitous tax.

I went on marches with many other people. With others, I stood outside the doors of the houses of young mothers with kids when warrant officers came round. We prevented them from removing goods from those houses. Those young mothers could not afford to go out and buy a new cooker or whatever. We ended up going round the doors

handing out a list and saying, "If a warrant officer comes to your door and none of us is here with you, show them this list and make sure they know they can't take these essential items from your house."

We worked to enable our communities to ensure that the warrant officers did not take out of people's houses the essentials that they needed for their families. I am proud of the part that I and many other ordinary people on the ground played in the grass-roots campaign against that iniquitous tax. People who could hardly afford the basics were paying the same as people who could very well afford their luxuries and were penalised by an iniquitous poll tax levied by a Westminster Government.

I thank every single person, not just those who were in the can't pay, won't pay campaign, but all the ordinary people who saw the poll tax as unjust, unfair and immoral and stood together to defeat it and bring down the Thatcher Government.

16:30

**Richard Baker (North East Scotland) (Lab):** As a new member of the Finance Committee, which the convener informs me I am highly privileged to be a member of, I have had the chance to hear the evidence on the bill and, along with the majority of members who have spoken today, I support the legislation.

It is quite wrong to link the issue of outstanding community charge debt to electoral registration. Indeed, I have some issues with local authorities using electoral rolls to pursue wider debts as well. Such matters should not affect efforts to encourage as many people as possible to take part in the democratic process. That is why I asked the cabinet secretary whether other legislative solutions had been sought to address the issue that the bill rightly seeks to resolve.

It would have been legitimate for the Scottish Government to look at other ways of ensuring that local authorities did not use the electoral register after the referendum to pursue those debts. Although I support the bill, it is regrettable that there was, in effect, no consultation with anyone before its introduction.

I understand the reasoning behind the Government acting speedily, but the fact that COSLA was simply informed in a phone call of the Government's intention to legislate on the same day that the announcement was made to Parliament is not acceptable. The committee refers to that in its report. To be fair, the cabinet secretary acknowledged to the committee that the situation was not optimal. Given the place that the Scottish Government was at when the announcement was made, I suspect that the

cabinet secretary might not have had a huge influence over arrangements for the former First Minister's statement.

There was also a case for at least curtailed public consultation on the bill, but given that the matter is of great importance to local authorities, whatever our views on the merits of the legislation, consultation with COSLA should have taken place. Frankly, it was disrespectful to councils not to have done so.

There has been no great political divide among councils in pursuing the debt. The council that will receive the greatest proportion of the financial settlement is Dundee City Council, which is an SNP administration, because it has been the most assiduous in pursuing the debts. When the SNP formed the administration in Aberdeen and convened its finance committee, the local authority recovered almost £155,000 in poll tax arrears between 2007 and 2012.

Other authorities have effectively ceased collecting the debts already. Although it is right that the committee raised the question of fairness for those who paid their debts despite opposing the poll tax whereas others, who did not pay, are now exempt, the issue of practicality is rightly taken into consideration. Many local authorities have found that the costs of collection have not justified pursuing the debt.

It is important that we send out a message that we are in an exceptional circumstance with regard to an historic, deeply unpopular and unfair tax, and that we must all pay our contributions to local authority taxation so that our councils can carry out their vital work.

I am disappointed that there was not proper consultation with councils on the bill. It would have been appropriate to give at least some time to looking at other legislative options, but ultimately I agree with the principle of the bill. In essence, it simply gives legal effect to the approach that is already being taken by most councils in Scotland, and if it is looked at from the perspective of ensuring that the poll tax is now fully consigned to history, that can be no bad thing.

16:35

**Richard Lyle (Central Scotland) (SNP):** A form of poll tax was first levied in 1275. It was used again in 1379 and was resurrected in 1641 in England to finance the raising of an army against Scottish and Irish uprisings. Another form of poll tax was first levied in Scotland in 1699.

The poll tax that was officially known as the community charge was a tax to fund local government in the United Kingdom. It was instituted in 1989 by the then Tory Government of

Margaret Thatcher and replaced rates, which were based on the notional rental value of a house. The new poll tax was first trialled in Scotland—it replaced rates from the start of the 1989-90 financial year—by a Tory Prime Minister who Scotland never voted for. It was highly contentious and was opposed by many in Scotland. After its introduction in England, which caused riots on the streets of London, it was rightly binned by the new John Major Government, after the resignation of Margaret Thatcher.

After 20 years, councils are still trying to collect this iniquitous tax. The bill, which was introduced by the SNP Government, will put an end to the scourge that is the poll tax, which is an old tax that is hated by many in Scotland. In the referendum on Scotland's independence, millions of Scots were engaged and, for many, it felt like the first time in a long time that they had something to get out and vote for. It was therefore worrying to hear the story that some local authorities intended to use the increase in democratic participation, and particularly in electoral registrations, to pursue old poll tax debts.

I want to highlight another important issue, which is the need to seek the power from Westminster to control the electoral register, and in particular to remove the ability to sell the register to private debt collectors. It is not right that the people of Scotland should be discouraged from participating in Scotland's thriving democracy by the fear of being pursued by private debt collectors.

As members know, councils are well within their rights to use current information to assess council tax liability. Unlike the imposed and hated poll tax, the council tax forms a key part of local authorities' finances, and the Government has continued to take action on it while in office. The Government has frozen the council tax since 2007, and our council tax reduction scheme protects more than 500,000 of our most vulnerable citizens from increased liabilities following the UK Government's abolition of council tax benefit. That is in stark contrast to the actions of the Con-Dem Westminster Government, which continues to impose its austerity agenda on the people of Scotland; I hope that the people of Scotland will reject that in May.

The bill will right a wrong that has existed for too long and it will compensate councils for outstanding amounts, in line with current collection rates. The people of Scotland will no longer be pursued for a tax that they did not want and did not vote for. The Government has a record of taking action to protect the people of Scotland, which is exactly what we will continue to do if we support the bill today.

**The Deputy Presiding Officer:** We turn to the closing speeches.

16:38

**Gavin Brown:** I begin with a quotation from the written evidence that North Lanarkshire Council submitted to the Finance Committee, which states that the council finds it

“incongruous that a Bill ... considered necessary as a result of the ‘high levels of democratic engagement’ ... will not be subject to a formal public consultation.”

The council went on to ask:

“How are the views of the public, the majority of whom have made payment of their Community Charge liability, to be understood?”

That is a perfectly fair question that merits an answer from the Scottish Government. The Government said that there was not time to do so, yet the Finance Committee managed to have a consultation on the subject—albeit that it was fairly swift—and it raised a number of issues.

**Mark McDonald:** The member is right that the Finance Committee undertook a consultation. Can he refresh the memory as to how many members of the public responded to it?

**Gavin Brown:** From memory, the Finance Committee received 12 responses in total and probably four of them were from members of the public. I might not be exactly right. However, the number of people who respond to a Finance Committee consultation is surely bound to be smaller than the number who respond to a formal Government consultation on proposed legislation. The number of people who responded to the Finance Committee on the Smith proposals was probably in the region of 20 to 25; the number who responded to the Smith commission itself was more than 14,000. Had there been a formal public consultation by the Scottish Government, it would have got considerably more responses than we got from the shortened Finance Committee consultation.

**The Minister for Local Government and Community Empowerment (Marco Biagi):** I draw Gavin Brown’s attention to the fact that a committee consultation can, when there are strong views on an issue, attract a strong response. I recall that the Equal Opportunities Committee managed a 12,000-response consultation. The Finance Committee’s consultation pales in comparison.

**Gavin Brown:** It is difficult to disagree with those numbers, but my point is that, if we got a considerable number of issues coming out of a mere 12 responses, how many other issues that the Government could have addressed would have come out from a formal public consultation?

The way in which the Government has approached the matter is not good enough. If we are going through a formal programme of government, it is not good enough for the finance minister of the current Scottish Government or any Scottish Government simply to say, when the committee asks him the question:

“We are where we are.”—[*Official Report, Finance Committee*, 14 January 2015; c 32.]

To return to the principle, members have stated that they do not find the £425 million figure helpful. As I said earlier, I accept that it is clearly not the amount that can be collected. I suspect that the majority of it cannot be collected, but if only 10 per cent of it is collectable, that is still a pretty sizeable sum. The Government does not know and has been unable to say what percentage is collectable. It is not good enough for it simply to say that it thinks that most of the debt will not be collectable. It must have some idea of what could be collected.

**John Swinney:** The local authorities have told us that they have payment arrangements in place that would draw in £869,000-worth of poll tax debt, of the £425 million. As I said to Parliament in my opening speech and in my appearance before the Finance Committee, once 20 years has elapsed from debts, it is impossible to resurrect them in order to collect them. With that information, will Mr Brown tell us how much of the debt he believes it is possible to collect? Does that not make the case for the pragmatic decision to get rid of the debt?

**Gavin Brown:** The Government is unable to do the work to tell us how much could be collected, but it expects one MSP to be able to put an exact figure on it.

**John Swinney:** Mr Brown knows what I mean. He should give an answer.

**Gavin Brown:** I will correct the cabinet secretary, who is getting uptight, which is always a sign, as it was at First Minister’s questions. [*Interruption.*]

**The Deputy Presiding Officer:** Order, please.

**Gavin Brown:** The cabinet secretary said that COSLA was asked how much it thought local authorities could collect. It was not asked that. It was asked for how much authorities had formal collection mechanisms in place. That is not the same question as how much local authorities think they could collect. If I am wrong on that, I am happy to give way.

**John Swinney:** The point that I am trying to get Mr Brown to understand is that, given what I have said to Parliament about the period that has elapsed since the debts were incurred, it is impossible to resurrect the debt collection arrangements. We have asked local government

what it can collect and it has told us that the amount is £869,000.

**The Deputy Presiding Officer:** Mr Brown, you need to draw to a close.

**Gavin Brown:** COSLA was asked the exact question that I put.

We are deeply concerned about the impact that the bill could have on council tax collection. Mr Swinney said in his speech that council tax is linked to the ability to pay, but only a couple of years ago, he and Mr Salmond specifically said:

“The council tax is an inherently unfair tax with a very loose connection to people’s ability to pay”.

I will close with one final thought.

**The Deputy Presiding Officer:** It really must be a quick one.

**Gavin Brown:** The cabinet secretary attempts to talk about principle. We do not want people to fear being on the electoral roll because of decades-old debt. However, he and his Government are extremely comfortable using that same expanded electoral roll to collect decades-old debt for council tax.

16:44

**Jackie Baillie (Dumbarton) (Lab):** I thank the Finance Committee and its clerks for their work in scrutinising the bill in the run-up to today’s stage 1 debate.

I am clear that the intention behind the bill was to respond to concerns that were expressed when some local authorities considered using the increase in voter registration to help them to collect historical poll tax debt. That would have sent out the wrong message about democratic participation. That said, it is interesting that COSLA does not believe that legislation is necessary. Indeed, a day after the announcement, the former First Minister Alex Salmond said that he does not believe that legislation is necessary, either. He noted that the bill will have “no practical effect” because there is already a legal bar on chasing debts that are more than 20 years old.

Glasgow City Council and COSLA do not believe that the increase in voter registration can be attributed entirely to people who did not pay their poll tax. It has been suggested that much of the increase was to do with the very welcome increase in the number of 16 to 18-year-olds who registered to vote for the first time. Of course, they were not even born when the poll tax was introduced, never mind being in debt as a result of not paying it. I understand that that applies to the minister, who was six at the time.

**Mark McDonald:** I was slightly older than six, but not much.

Jackie Baillie has raised the issue of prescription. The Finance Committee heard that a number of local authorities reapplied for a summary warrant in order to circumvent the 20-year prescription. Although, technically, Jackie Baillie is correct, that issue remains live in a number of areas in which local authorities circumvented the legal bar through reapplying for a summary warrant.

**Jackie Baillie:** I accept that. Although the premise for taking action might not have been entirely evidence based, there were concerns, which is why I have sympathy for the cabinet secretary’s position.

Scottish Labour will support the general principles of the bill, but in doing so we are alive to the concerns that the Finance Committee identified and those that have been expressed by members in the debate. I hope that those concerns will be addressed by the minister in his closing remarks.

First, there is the question of consultation, which there is no getting away from. It is fair to say that, despite Mr Swinney’s best attempts at a very elegant explanation, the lack of consultation of stakeholders at the start of the process was undoubtedly unhelpful—never mind the lack of consultation more generally. In the circumstances, I understand the need for speed and, in particular, the need to ensure that we reach a timeous conclusion at stage 3, but I do not accept that a much longer—or, at least, a more detailed—conversation could not have been held with local government before the bill was published.

I agree with the cabinet secretary—the poll tax has run its course. It was totally discredited and overwhelmingly rejected. It was then, and is now, an unfair tax. However, I acknowledge—as many other members have done—that people who paid their poll tax, and who in many cases struggled to do so, will feel that the Government’s decision is unfair. Alex Rowley was right to thank the people who paid it, because they helped to sustain the local services, including schools and care homes, on which we all rely.

It is unlikely that the debts would be collected at any point in the future. The amount that is collected has declined to a very small amount, and there are legal and practical difficulties in collecting such old debts. In some cases, the debts were inherited from predecessor authorities and there are practical issues with collection because the debts are paper based rather than computer based.

The majority of local authorities have—rightly, in my view—focused on pursuing council tax debt, because there is much more chance of recovery, but Kenny Gibson was right to raise concerns

about the potential impact on council tax collection of what is proposed. I think that local authorities do very well to achieve an in-year collection rate of 95.2 per cent, which rises to around 97 per cent by the time they have taken appropriate measures.

**Marco Biagi:** Jackie Baillie will be interested to learn that, in 2013-14, nine of the 10 local authorities that had ceased collecting poll tax debts achieved rates that were above that level.

**Jackie Baillie:** That is interesting and it bears out my point. That is where I think that we should focus. I do not want to dwell on the difference of opinion between COSLA and the cabinet secretary, but I do not think that we would want any unforeseen consequences of the bill whose general principles we will agree today to impact on those very good collection rates. Should that happen as a direct result of the bill, will the Government commit to holding a dialogue and reviewing the position with COSLA? That would certainly be helpful.

There were, of course, concerns about whether councils would be adequately compensated, but I note that COSLA has agreed the amount with the Scottish Government.

Alex Rowley hit the nail on the head: the real debate is not about the bill, important though it is, but about how we finance local government. I welcome the commission that the cabinet secretary has set up—we will participate fully in it—but the importance of local government lies in its provision of essential services. It provides, for example, teachers for our schools, home helps for our older people and maintenance workers to clear our streets. There can be no more important time for clearing our streets than now, because they are covered in snow and ice. Local government has borne the brunt of the Scottish National Party Government's cuts.

I look forward to consigning the poll tax to the dustbin of history this evening and at stage 3 of the bill, but there is a wider problem that the SNP does not really want to talk about. We must urgently debate the underfunding of local government that is a direct result of the choices of the SNP Government.

16:51

**The Minister for Local Government and Community Empowerment (Marco Biagi):** I thank everyone for a debate with many perspectives.

I want to take us back to the important starting point of the bill, where we were and the motivation to maintain the integrity of our electoral register. That is such an important point that we cannot overstate it. Doing that is the basis of not just my

remarks, but of our elections, the structure of our constituencies and the democracy of this country.

Last year, people who had never taken part in an election dared to step forward and have their say on their nation's future, and were hit by an unquiet remnant of our political past. There was an 85 per cent turnout and there were 4.3 million people on the register, which was an all-time high. However, if we listen to some people, they should have marched into the polling station and been handed a bill rather than a ballot paper.

There were different responses in the aftermath of the referendum, but I assure Malcolm Chisholm that there were responses that led to concerns. Some were gung-ho, but others expressed doubt and drew on the statutory duty on local authorities. The Abolition of Domestic Rates Etc (Scotland) Act 1987 and the Local Government Finance Act 1992 make it the duty of every local authority to collect the taxes that they are owed. I say to Jackie Baillie that that is why we must put the issue beyond doubt by extinguishing that liability entirely.

My second point is that the poll tax is a dead tax in a way—although in a way it is not. If I wanted to dare to contradict the Deputy First Minister, who has described it as a dead tax, maybe I would describe it as an undead tax. It is like a ghost that is clanking its chains in the night to disturb the living. Who is kept up at night by its howls? Surely by now it is not the people who had the ability to pay. It is time that the poll tax was laid to rest.

There is a difference between reward and recognising reality. Mark McDonald succinctly pointed out that bad debt is a concept in accountancy. I am sure that Gavin Brown, with his well-lauded finance background, is well aware of that. John Mason spoke about how electricity companies and utilities work.

The experience of debt write-off has been good for some. I have a note from the House of Commons library that cites a £5 billion debt write-off—in the prices of the day—in 1989, which was the notorious first year of the poll tax. That day, the water companies had their debts written off by the United Kingdom Conservative Government so that they could be privatised. Debt write-offs can be used as an instrument of policy. I may not have agreed with that one, but this is the time for that approach.

John Mason summed it up when he spoke about the principle of mercy. However, even in accountancy terms, when only £2 out of every £1,000 are collectable, administrators will say that it is time to liquidate. By doing that, the £425 million-worth of debt, which is not just a ghost but a phantom number, can finally be still.

**Gavin Brown:** If councils are listening and are concerned about the future collection of council tax, particularly historical council tax debt, does the minister not think that they will be concerned to hear the minister say:

“Debt write-offs can be used as an instrument of policy”?

**Marco Biagi:** Administrations have used write-off for different purposes, including housing debt and for privatisations. To respond to the thrust of what Gavin Brown has said—other than his seeming worship of the poll tax—of course I believe that people should pay their taxes.

Kenny MacAskill and Sandra White set out the campaign that the SNP ran at the time. It supported non-payment as a form of protest and said that people should withhold the tax temporarily until it was abolished and then pay it back—or, pay it back plus 10 per cent, in the case of some particularly enthusiastic protesters. As Alex Rowley said, we should recognise those who did that.

Liking it does not come into it. The tax was imposed by the mandate of a Parliament that had a right to rule, although this party has always sought—democratically—to remove that mandate.

When it comes to tax avoidance and the Conservatives, why are they showing such enthusiasm for this issue? Why the pleasure in harrying people to the modern-day equivalent of a debtors prison?

I saw a Citizens Advice Scotland briefing from September 2013 highlighting the UK Government figure for benefit fraud, which was £1.6 billion in 2012. Campaigners often contrast that with figures from the National Audit Office, for example, which, in 2012, reported that HM Revenue and Customs had 41,000 identified open tax-avoidance cases, totalling £10.2 billion. When the UK Conservative Government is better able to collect tax, perhaps we will be sure that its motivation is to have healthy public revenue rather than just to pick out a certain group of people for extra attention.

We must also remember that the bill is not the first step down this road. The Scottish Government will not be the first to take this action. At best, we will be the 11th, because 10 councils have taken the step and West Dunbartonshire has stated similar support. More than that, last year, 24 of 32 local authorities collected less than £10,000-worth of debt. That is no great spring of cash; it is a trickle that is drying up. Indeed, in 2009-10, £1.3 million was collected, followed by £1.2 million, £900,000, £512,000 and £327,000 in the subsequent years. The time will soon arrive when collection costs outweigh any remaining revenue.

After 20 years, most of the debt is simply not collectable—that is already the law. Debts expire,

even taxes. The bill draws a line under the issue and says, “Enough.”

Malcolm Chisholm’s starting point—the singular unfairness of the poll tax—is my conclusion. Marx did not have many adherents in the UK Government in 1989. However, many professed to adhere to another philosopher: Adam Smith. His first maxim on tax said:

“The subjects of every state ought to contribute towards the support of the government, as nearly as possible, in proportion to their respective abilities”.

Campaigners called it the poll tax because they knew the history of the poll tax and that it was the name given to taxes levied in England from 1377, as Richard Lyle mentioned, which required payment of the sum of a groat to finance the war on France. People did not stand for it and revolted.

We can go further back in history. Theophanes the Confessor chronicled that, in 722 AD, when the emperor in Constantinople sought to levy a poll tax on his domains in Italy, he was met by outrage and rebellion.

The poll tax was a tax so bad it not only made Wat Tyler burn the temples of London, but made Rome declare independence from the Roman empire. Anyone should have known better.

A *Hansard* answer in 1991-92 showed that 6.34 million people received some kind of benefit. That means that everyone else paid the same, whether they were the spiritual inheritor of Wat Tyler or lived in an imperial palace.

If I am talking about history here, that is because for me this is history. When the first poll tax bills dropped through doors in April 1989, I was more interested in the sandpit in Mrs Dougall’s classroom and whether Optimus Prime was the better leader of the Autobots. It is depressing that this supremely unfair tax is still being used.

Let us go back to where we started. Instead of dwelling on the matter, let us remember the participative outflow—the democratic spirit—of the referendum. If £869,000 to write off a bad debt is the price of our democratic renewal, it is one worth paying.

## Community Charge Debt (Scotland) Bill: Financial Resolution

17:00

**The Presiding Officer (Tricia Marwick):** The next item of business is consideration of motion S4M-12171, in the name of John Swinney, on the financial resolution for the Community Charge Debt (Scotland) Bill.

*Motion moved,*

That the Parliament, for the purposes of any Act of the Scottish Parliament resulting from the Community Charge Debt (Scotland) Bill, agrees to any expenditure of a kind referred to in Rule 9.12.3(b) of the Parliament's Standing Orders arising in consequence of the Act.—[*John Swinney*].

**The Presiding Officer:** The question on the motion will be put at decision time.

## Health and Social Care (Safety and Quality) Bill

17:00

**The Presiding Officer (Tricia Marwick):** The next item of business is consideration of motion S4M-12187, in the name of Shona Robison, on the Health and Social Care (Safety and Quality) Bill, which is a private member's bill and United Kingdom legislation.

*Motion moved,*

That the Parliament agrees that the relevant provisions of the Health and Social Care (Safety and Quality) Bill, introduced as a Private Members' Bill in the House of Commons on 2 July 2014, relating to the regulation of healthcare professionals, so far as these matters fall within the legislative competence of the Scottish Parliament, should be considered by the UK Parliament.—[*Shona Robison*].

**The Presiding Officer:** The question on the motion will be put at decision time.



## Decision Time

17:01

**The Presiding Officer (Tricia Marwick):** There are five questions to be put as a result of today's business.

The first question is, that amendment S4M-12182.1, in the name of Alex Fergusson, which seeks to amend motion S4M-12182, in the name of Nicola Sturgeon, on the Chilcot inquiry, be agreed to. Are we agreed?

**Members:** No.

**The Presiding Officer:** There will be a division.

### For

Brown, Gavin (Lothian) (Con)  
 Buchanan, Cameron (Lothian) (Con)  
 Carlaw, Jackson (West Scotland) (Con)  
 Davidson, Ruth (Glasgow) (Con)  
 Dey, Graeme (Angus South) (SNP)  
 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)  
 Scanlon, Mary (Highlands and Islands) (Con)  
 Smith, Liz (Mid Scotland and Fife) (Con)

### Against

Adam, George (Paisley) (SNP)  
 Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)  
 Allard, Christian (North East Scotland) (SNP)  
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)  
 Biagi, Marco (Edinburgh Central) (SNP)  
 Brodie, Chic (South Scotland) (SNP)  
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)  
 Burgess, Margaret (Cunninghame South) (SNP)  
 Campbell, Roderick (North East Fife) (SNP)  
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)  
 Constance, Angela (Almond Valley) (SNP)  
 Crawford, Bruce (Stirling) (SNP)  
 Cunningham, Roseanna (Perthshire South and Kinrossshire) (SNP)  
 Don, Nigel (Angus North and Mearns) (SNP)  
 Doris, Bob (Glasgow) (SNP)  
 Dornan, James (Glasgow Cathcart) (SNP)  
 Eadie, Jim (Edinburgh Southern) (SNP)  
 Ewing, Annabelle (Mid Scotland and Fife) (SNP)  
 Fabiani, Linda (East Kilbride) (SNP)  
 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)  
 Harvie, Patrick (Glasgow) (Green)  
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)  
 Hume, Jim (South Scotland) (LD)  
 Hyslop, Fiona (Linlithgow) (SNP)  
 Ingram, Adam (Carrick, Cumnock and Doon Valley) (SNP)  
 Johnstone, Alison (Lothian) (Green)  
 Keir, Colin (Edinburgh Western) (SNP)  
 Lyle, Richard (Central Scotland) (SNP)

MacAskill, Kenny (Edinburgh Eastern) (SNP)  
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)  
 Mackay, Derek (Renfrewshire North and West) (SNP)  
 MacKenzie, Mike (Highlands and Islands) (SNP)  
 Mason, John (Glasgow Shettleston) (SNP)  
 Matheson, Michael (Falkirk West) (SNP)  
 Maxwell, Stewart (West Scotland) (SNP)  
 McAlpine, Joan (South Scotland) (SNP)  
 McArthur, Liam (Orkney Islands) (LD)  
 McDonald, Mark (Aberdeen Donside) (SNP)  
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)  
 McLeod, Aileen (South Scotland) (SNP)  
 McLeod, Fiona (Strathkelvin and Bearsden) (SNP)  
 McMillan, Stuart (West Scotland) (SNP)  
 Paterson, Gil (Clydebank and Milngavie) (SNP)  
 Rennie, Willie (Mid Scotland and Fife) (LD)  
 Robertson, Dennis (Aberdeenshire West) (SNP)  
 Robison, Shona (Dundee City East) (SNP)  
 Rowley, Alex (Cowdenbeath) (Lab)  
 Salmond, Alex (Aberdeenshire East) (SNP)  
 Scott, Tavish (Shetland Islands) (LD)  
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)  
 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)  
 Yousaf, Humza (Glasgow) (SNP)

### Abstentions

Baillie, Jackie (Dumbarton) (Lab)  
 Baker, Claire (Mid Scotland and Fife) (Lab)  
 Baker, Richard (North East Scotland) (Lab)  
 Baxter, Jayne (Mid Scotland and Fife) (Lab)  
 Bibby, Neil (West Scotland) (Lab)  
 Boyack, Sarah (Lothian) (Lab)  
 Chisholm, Malcolm (Edinburgh Northern and Leith) (Lab)  
 Dugdale, Kezia (Lothian) (Lab)  
 Fee, Mary (West Scotland) (Lab)  
 Ferguson, Patricia (Glasgow Maryhill and Springburn) (Lab)  
 Findlay, Neil (Lothian) (Lab)  
 Gray, Iain (East Lothian) (Lab)  
 Griffin, Mark (Central Scotland) (Lab)  
 Henry, Hugh (Renfrewshire South) (Lab)  
 Hilton, Cara (Dunfermline) (Lab)  
 Kelly, James (Rutherglen) (Lab)  
 Macdonald, Lewis (North East Scotland) (Lab)  
 Macintosh, Ken (Eastwood) (Lab)  
 Marra, Jenny (North East Scotland) (Lab)  
 Martin, Paul (Glasgow Provan) (Lab)  
 McCulloch, Margaret (Central Scotland) (Lab)  
 McDougall, Margaret (West Scotland) (Lab)  
 McMahan, Michael (Uddingston and Bellshill) (Lab)  
 McMahan, Siobhan (Central Scotland) (Lab)  
 McNeil, Duncan (Greenock and Inverclyde) (Lab)  
 McTaggart, Anne (Glasgow) (Lab)  
 Murray, Elaine (Dumfriesshire) (Lab)  
 Pearson, Graeme (South Scotland) (Lab)  
 Pentland, John (Motherwell and Wishaw) (Lab)  
 Smith, Drew (Glasgow) (Lab)  
 Smith, Elaine (Coatbridge and Chryston) (Lab)

**The Presiding Officer:** The result of the division is: For 15, Against 63, Abstentions 31.

*Amendment disagreed to.*

**The Presiding Officer:** The next question is, that motion S4M-12182, in the name of Nicola Sturgeon, on the Chilcot inquiry, be agreed to. Are we agreed?

**Members:** No.

**The Presiding Officer:** There will be a division.

**For**

Adam, George (Paisley) (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)  
 Baxter, Jayne (Mid Scotland and Fife) (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, 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)  
 Don, Nigel (Angus North and Mearns) (SNP)  
 Doris, Bob (Glasgow) (SNP)  
 Dornan, James (Glasgow Cathcart) (SNP)  
 Dugdale, Kezia (Lothian) (Lab)  
 Eadie, Jim (Edinburgh Southern) (SNP)  
 Ewing, Annabelle (Mid Scotland and Fife) (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)  
 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)  
 Hilton, Cara (Dunfermline) (Lab)  
 Hume, Jim (South Scotland) (LD)  
 Hyslop, Fiona (Linlithgow) (SNP)  
 Ingram, Adam (Carrick, Cumnock and Doon Valley) (SNP)  
 Johnstone, Alison (Lothian) (Green)  
 Keir, Colin (Edinburgh Western) (SNP)  
 Kelly, James (Rutherglen) (Lab)  
 Lyle, Richard (Central Scotland) (SNP)  
 MacAskill, Kenny (Edinburgh Eastern) (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)  
 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)  
 McArthur, Liam (Orkney Islands) (LD)  
 McCulloch, Margaret (Central Scotland) (Lab)  
 McDonald, Mark (Aberdeen Donside) (SNP)  
 McDougall, Margaret (West Scotland) (Lab)  
 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)  
 Murray, Elaine (Dumfriesshire) (Lab)  
 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)  
 Rowley, Alex (Cowdenbeath) (Lab)  
 Salmond, Alex (Aberdeenshire East) (SNP)  
 Scott, Tavish (Shetland Islands) (LD)  
 Simpson, Dr Richard (Mid Scotland and Fife) (Lab)  
 Smith, Drew (Glasgow) (Lab)  
 Smith, Elaine (Coatbridge and Chryston) (Lab)  
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)  
 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)  
 Yousaf, Humza (Glasgow) (SNP)

**Abstentions**

Brown, Gavin (Lothian) (Con)  
 Buchanan, Cameron (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)  
 Scanlon, Mary (Highlands and Islands) (Con)  
 Smith, Liz (Mid Scotland and Fife) (Con)

**The Presiding Officer:** The result of the division is: For 96, Against 0, Abstentions 14.

*Motion agreed to,*

That the Parliament calls for Sir John Chilcot's official inquiry into the invasion of Iraq in 2003 and the subsequent war to publish its findings and all evidence ahead of the UK general election; acknowledges that the Iraq war resulted in the deaths of 179 UK service personnel and hundreds of thousands of Iraqi civilians; notes that the cost to taxpayers of the war is estimated at £9.6 billion, and believes that, six years after the inquiry was established and three years after hearings concluded, it is in the interests of transparency, accountability and democracy that the report is published as soon as possible and that any further delay in publication is completely unjustifiable.

**The Presiding Officer:** The next question is, that motion S4M-12176, in the name of John Swinney, on the Community Charge Debt (Scotland) Bill, be agreed to. Are we agreed?

**Members:** No.

**The Presiding Officer:** There will be a division.

**For**

Adam, George (Paisley) (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)  
 Baxter, Jayne (Mid Scotland and Fife) (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, 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)  
 Don, Nigel (Angus North and Mearns) (SNP)  
 Doris, Bob (Glasgow) (SNP)  
 Dornan, James (Glasgow Cathcart) (SNP)  
 Dugdale, Kezia (Lothian) (Lab)  
 Eadie, Jim (Edinburgh Southern) (SNP)  
 Ewing, Annabelle (Mid Scotland and Fife) (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)  
 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)  
 Hilton, Cara (Dunfermline) (Lab)  
 Hume, Jim (South Scotland) (LD)  
 Hyslop, Fiona (Linlithgow) (SNP)  
 Ingram, Adam (Carrick, Cumnock and Doon Valley) (SNP)  
 Johnstone, Alison (Lothian) (Green)  
 Keir, Colin (Edinburgh Western) (SNP)  
 Kelly, James (Rutherglen) (Lab)  
 Lyle, Richard (Central Scotland) (SNP)  
 MacAskill, Kenny (Edinburgh Eastern) (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)  
 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)  
 McArthur, Liam (Orkney Islands) (LD)  
 McCulloch, Margaret (Central Scotland) (Lab)  
 McDonald, Mark (Aberdeen Donside) (SNP)  
 McDougall, Margaret (West Scotland) (Lab)  
 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)  
 Murray, Elaine (Dumfriesshire) (Lab)  
 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)  
 Rowley, Alex (Cowdenbeath) (Lab)  
 Salmond, Alex (Aberdeenshire East) (SNP)  
 Scott, Tavish (Shetland Islands) (LD)  
 Simpson, Dr Richard (Mid Scotland and Fife) (Lab)  
 Smith, Drew (Glasgow) (Lab)  
 Smith, Elaine (Coatbridge and Chryston) (Lab)  
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)  
 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)  
 Yousaf, Humza (Glasgow) (SNP)

**Against**

Brown, Gavin (Lothian) (Con)  
 Buchanan, Cameron (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)  
 Scanlon, Mary (Highlands and Islands) (Con)  
 Smith, Liz (Mid Scotland and Fife) (Con)

**The Presiding Officer:** The result of the division is: For 96, Against 14, Abstentions 0.

*Motion agreed to,*

That the Parliament agrees to the general principles of the Community Charge Debt (Scotland) Bill.

**The Presiding Officer:** The next question is, that motion S4M-12171, in the name of John Swinney, on the financial resolution for the Community Charge Debt (Scotland) Bill, be agreed to.

*Motion agreed to,*

That the Parliament, for the purposes of any Act of the Scottish Parliament resulting from the Community Charge

Debt (Scotland) Bill, agrees to any expenditure of a kind referred to in Rule 9.12.3(b) of the Parliament's Standing Orders arising in consequence of the Act.

**The Presiding Officer:** The next question is, that motion S4M-12187, in the name of Shona Robison, on the Health and Social Care (Safety and Quality) Bill, which is a private member's bill and United Kingdom legislation, be agreed to.

*Motion agreed to,*

That the Parliament agrees that the relevant provisions of the Health and Social Care (Safety and Quality) Bill, introduced as a Private Members' Bill in the House of Commons on 2 July 2014, relating to the regulation of healthcare professionals, so far as these matters fall within the legislative competence of the Scottish Parliament, should be considered by the UK Parliament.

**The Presiding Officer:** That concludes decision time.

*Meeting closed at 17:05.*

Members who would like a printed copy of the *Official Report* to be forwarded to them should give notice to SPICe.

---

Available in e-format only. Printed Scottish Parliament documentation is published in Edinburgh by APS Group Scotland.

All documents are available on  
the Scottish Parliament website at:

[www.scottish.parliament.uk](http://www.scottish.parliament.uk)

For details of documents available to  
order in hard copy format, please contact:  
APS Scottish Parliament Publications on 0131 629 9941.

For information on the Scottish Parliament contact  
Public Information on:

Telephone: 0131 348 5000  
Textphone: 0800 092 7100  
Email: [sp.info@scottish.parliament.uk](mailto:sp.info@scottish.parliament.uk)

e-format first available  
ISBN 978-1-78534-806-8

Revised e-format available  
ISBN 978-1-78534-820-4