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Thursday 6 October 2016

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Scottish Parliament

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

General Question Time

Wild Salmon Fishing (Angling Clubs)

1. **Oliver Mundell (Dumfriesshire) (Con):** To ask the Scottish Government what support it is providing to angling clubs and the rural economy following recent changes to the regulation of wild salmon fishing. (S5O-00231)

The Cabinet Secretary for Environment, Climate Change and Land Reform (Roseanna Cunningham): The package of conservation measures introduced earlier this year protects our weakest salmon stocks through the introduction of catch and release in areas where stocks are below their conservation limit.

Many angling clubs have expressed concern that the introduction of catch and release would have a negative impact on membership numbers that were already in decline. To help mitigate that potential impact, we made a commitment to provide up to £100,000 of support for angling clubs to promote catch and release as sustainable and responsible practice. The appointment of FishPal as the delivery partner for the two-year programme of support fulfils that commitment. There has been significant interest from angling clubs, and around 30 have signed up to date.

Oliver Mundell: I thank the minister for her answer, but I can tell her that things are pretty bleak in Dumfriesshire. The “Dumfries common good fishings report” has recently shown that ticket sales in 2016 are down by almost 50 per cent, fishing hotels that are normally packed with visitors are sat empty and haaf-netters on the River Nith have been denied the scientific exemption granted to those on the River Annan. I acknowledge that the Scottish Government has made a commitment of £100,000 to the marketing agency FishPal, but what specific direct support will be given to angling clubs? What consideration has the Scottish Government given to stepping up programmes targeted at schools, such as the fishing for the future programme, which currently operates on the River Nith?

Roseanna Cunningham: FishPal has been appointed as the delivery partner through a grant award. FishPal is well recognised in the sector as already having established skills and expertise in marketing fisheries. Practical support to ensure continued participation was considered by us to be

a more productive way forward than direct aid to clubs, which would have been extremely difficult to assess on a club-by-club basis.

Joan McAlpine (South Scotland) (SNP): To what extent can the Scottish Government take into account the cultural significance of traditional fisheries when implementing conservation measures?

Roseanna Cunningham: Part of the consideration for the assessment of any of our rivers already takes into account the various methods used to catch salmon and the likely impact of the activity on the conservation status of the river and our special areas of conservation—I remind members that this is all about ensuring that salmon continue to be available for future anglers as well as current anglers—so the cultural importance of traditional fishing techniques is already factored into the decision making.

Rhoda Grant (Highlands and Islands) (Lab): Given that the policy is based on flawed statistics, because some of the lochs involved were not fished or, indeed, were fished for the whole time when the statistics were gathered, will the cabinet secretary revisit that information and work alongside angling clubs to ensure that the policy is based on robust data?

Roseanna Cunningham: I am conscious that there has been lively debate about the stats on which the policy decision is based. However, I remind Rhoda Grant and others that an annual assessment is being put in place and an assessment of the conservation status of the rivers will be undertaken by Marine Scotland on that rolling basis. I therefore expect some of the debates and arguments to begin to work their way out of the system as we proceed.

Argyll and Bute Ferries (Accessibility)

2. **Donald Cameron (Highlands and Islands) (Con):** To ask the Scottish Government what action it is taking to make ferries serving Argyll and Bute more accessible for disabled people. (S5O-00232)

The Minister for Transport and the Islands (Humza Yousaf): The Scottish Government has established the ferries accessibility fund in line with the commitment that we set out in the ferries plan that was published in December 2012. The second round of applications for the ferries accessibility fund was announced on 13 September 2016. In addition, we have recently published a 10-year accessible travel framework for Scotland that supports disabled people’s rights by removing barriers and improving access to travel; and it ensures that disabled people are fully involved in the work to improve all aspects of travel across the various modes of transport and

travel, including of course ferries. The framework has been developed in close engagement with disabled people from across Scotland.

Donald Cameron: A few weeks ago in Dunoon, I met an Enable Scotland group for adults with learning disabilities, who expressed serious concerns about disabled access. Although I strongly welcome any proposals to ensure that future ferries are fully accessible for everyone in our communities, what reassurances can the minister give today to groups such as Enable Scotland about alleviating this problem now, rather than down the line?

Humza Yousaf: I appreciate that question. I would be more than happy to meet the member to discuss the issue further or, if he wishes to write to me with the specific concerns that were expressed to him, I would be more than happy to take them on board.

I can say what we are doing here and now. We have just announced a ferries accessibility fund of £500,000 of match funding, which means that there is the potential for a £1 million pot of money to be spent to improve access to ports, harbours and ferries.

During my summer tours in the past few months, I noticed that ferries can be much improved for those with accessibility issues. I am more than happy to meet the member to discuss those specific concerns with him. There are opportunities to do things here and now and, as I say, I am open to listening to people's concerns.

Kenneth Gibson (Cunninghame North) (SNP): I am delighted that the Minister for Transport and the Islands came to Arran on 26 September to officially launch the new £12.3 million hybrid ferry, the MV *Catriona*.

Can the minister tell the chamber how the greater capacity of this new Port Glasgow-built ferry will help more people—disabled and otherwise—as well as goods and services to travel between Arran and Argyllshire, boosting both economies?

Humza Yousaf: I was delighted to visit Arran a couple of weeks ago with Mr Gibson. Of course, it would be discourteous of me to mention the fact that he nearly broke the soap machine at Arran Aromatics, almost annihilating the entire industry of the island.

I was also pleased to visit the MV *Catriona*, which is a great vessel that highlights the importance of Ferguson Marine Engineering and its importance to Scottish commercial shipbuilding.

It is worth saying that the vessel will bring great advantages to the economy, as it accommodates 150 passengers, 23 cars and a number of heavy-goods vehicles. It is also important to say that the

environmental impact of these new hybrid ferries can be more easily discounted. They are fantastically energy-efficient and will help us to meet the CO₂ reduction targets that we have set ourselves.

I look forward to returning to Arran in the near future.

Child Homelessness

3. **Elaine Smith (Central Scotland) (Lab):** To ask the Scottish Government what it is doing to address child homelessness. (S5O-00233)

The Minister for Local Government and Housing (Kevin Stewart): The Scottish Government has ensured strong legal rights to housing and support for homeless households with children. Separate guidance has been developed on the particular issues that are faced by children experiencing homelessness.

We are also providing funding to local authorities to develop the housing options approach to prevention. That will be further strengthened by the publication of a training toolkit for local authorities and their partners that will address the prevention of homelessness amongst families with children.

Elaine Smith: Does the minister accept that homelessness is—to borrow a phrase from the Shelter Scotland report—far from fixed, and that 5,000 children in Scotland woke up this morning without a home of their own, which is something that has a terrible effect on their mental health, wellbeing and attainment? Given that we will soon debate the fairer Scotland action plan, will the minister ensure that the Government's approach to homelessness is brought forward as a priority, so that the Government's commitments are delivered as soon as possible?

Kevin Stewart: The Government is committed to delivering 50,000 affordable homes during the course of this session of Parliament, including 35,000 homes for social rent, which is really important with regard to tackling the situations that we are discussing.

I know that Elaine Smith has taken a keen interest in these issues in the previous session of Parliament and in this one. I am determined to ensure that we can provide the best options for families with children in terms of temporary accommodation, where that is required. I am more than willing to discuss with Elaine Smith how we can work together to ensure that we can get our approach absolutely right for homeless people, and particularly homeless families with children.

Heathrow and Gatwick Airports (Expansion)

5. Murdo Fraser (Mid Scotland and Fife)

(Con): To ask the Scottish Government what recent correspondence it has had with the United Kingdom Government regarding the impact on Scotland of the expansion of either Heathrow or Gatwick airports. (S5O-00235)

The Cabinet Secretary for Economy, Jobs and Fair Work (Keith Brown): The Scottish Government has maintained regular contact with the UK Government on matters related to the airports commission and, in particular, our request that Scotland's access to the UK global hub airport be maintained in the lead-up to new runway capacity and increased once that is in place.

Murdo Fraser: As I am sure the cabinet secretary is aware, we expect an announcement in the next few weeks on whether Heathrow or Gatwick is to benefit from a new runway. The Scottish business community is firmly of the view that the Heathrow option is the better one for connectivity to Scotland. Will the Scottish Government join the Scottish Conservatives, even at this late hour, in calling on the UK Government to opt for the Heathrow upgrade?

Keith Brown: I congratulate Murdo Fraser on speaking in the chamber for the first time since the election without mentioning the words "independence referendum".

I am pleased to have some clarity about the Conservatives' position. In 2010, Ruth Davidson opposed the Heathrow option, but apparently she now supports it. The Conservative Party has opposed and supported the devolution of air passenger duty, but I am now not sure what its position is. These are important issues for Scotland's air services.

The delay in relation to the runway has been not just weeks but months and years, and it has been caused by the one body that can make the decisions: the UK Government. We have put pressure on the UK Government—and we have had the right discussions with both Heathrow and Gatwick airports—to ensure that, whatever decision is taken, it is in Scotland's interests in terms of routes, facilities and infrastructure. We will continue to do that to ensure that Scotland's interests are put to the forefront. We will also continue to talk to the UK Government about the need to maintain and guarantee links to Scotland, which is the most important thing for Scottish air travellers.

Maree Todd (Highlands and Islands) (SNP): Links between regional airports such as Inverness airport and the hub airport will be vital to the rural economy. What can the Scottish Government do to ensure that regional links are there and to push for a decision to end the damaging uncertainty?

Keith Brown: We have made it absolutely clear that, whichever London airport prevails—we know the commission's recommendation—Scotland's airports must benefit from enhanced access such as the member mentions. The new Inverness-Heathrow service is evidence of what we can help to bring about under the existing capacity limitations, and it is entirely reasonable to expect significant further gains. A number of airlines have made the point that some additional services could be gained.

It is clear that the decision is long overdue and is having a detrimental effect on the whole of the UK. We can see improved services for the regions, as Maree Todd mentioned, and I suggest that the UK Government get on and make its decision.

Attachment Disorder, Trauma and Loss (Training Teachers)

6. Alex Cole-Hamilton (Edinburgh Western)

(LD): To ask the Scottish Government what plans it has to require local authorities to carry out additional training for teachers and other school personnel on how to deal with children who have an attachment disorder or are affected by trauma and loss. (S5O-00236)

The Deputy First Minister and Cabinet Secretary for Education and Skills (John Swinney):

The improvement of health and wellbeing has been identified as one of the key priorities in the national improvement framework, because we recognise that children need to feel safe and cared for throughout their time in school in order to flourish and achieve positive learning outcomes.

In the recently published document "Delivering Excellence and Equity in Scottish Education: A Delivery Plan for Scotland", we confirm our commitment to review initial teacher education programmes, and we have committed to working towards every professional who works with children being trained on attachment, child development and child protection.

Alex Cole-Hamilton: Many members will be aware of the particular needs of looked-after children, but there are many other children in our schools who face challenges. Teachers should, therefore, be equipped with a range of skills to manage those children's behaviour in the classroom.

Recently, I have been dealing with a number of constituents whose children have been further traumatised due to the failure of school staff to adapt their approach to the individual child's circumstances. One told me that their children were shouted at despite the school staff having been made aware of a history of paternal abuse in

their household that led to very real anxiety. When one of the children brought the matter up with the school in question, they were told that no child could be treated any differently from any other.

Does the cabinet secretary agree that we need to address the way in which teachers are trained to handle the specific needs of children in our schools who face attachment disorder, trauma and loss ?

John Swinney: I make two points to Mr Cole-Hamilton. First, it is absolutely essential that every child's circumstances are taken into account in the way in which their education and wellbeing are supported by individual schools and members of the teaching profession. That approach is driven by the Government's agenda of getting it right for every child, which is widely shared and supported by local authorities. We must ensure that we adapt and take forward an approach that is appropriate to the needs of every young person.

Secondly, if Mr Cole-Hamilton has any concerns about how individual children have been dealt with, the appropriate course of action is to raise those directly with the individual school concerned, as well as with the education authority, which has immediate responsibility for the management of the school. That is the position provided for in statute.

I reiterate my general view that it is essential that we properly equip the teaching profession to provide for the needs of all young people in their care. The Government's priorities and our delivery plan are designed to do that.

Jeremy Balfour (Lothian) (Con): The cabinet secretary will be aware that children who have been fostered or adopted often have attachment issues that are greater than those of other children. Will he or one of his colleagues commit to meeting the adoption agencies in Scotland to discuss what further support they can get from Government and local authorities in regard to issues involving children at school?

John Swinney: I thank Mr Balfour for his question. I am involved in much of that dialogue already. I assure him that, having engaged—as the First Minister has engaged—very recently on the question of support for looked-after children, we recognise that we need to have an approach that directly addresses the challenging and complex needs of such children and ensure that we can provide the best support and outcomes possible. Sustainable and consistent fostering and, ultimately, adoption can be options that can be taken forward, but they must be applied carefully and directly to meet individual children's needs. I assure Mr Balfour of my interest in exploring how we can better meet the needs of looked-after children in those circumstances and

put in place the support that they require to ensure that they can fulfil their potential. It is their right to be supported by the state to enable them to do that.

Red Meat Exports (Brexit)

7. Joan McAlpine (South Scotland) (SNP): To ask the Scottish Government what impact leaving the European Union and the single market could have on Scotland's red meat exports. (S5O-00237)

The Minister for Transport and the Islands (Humza Yousaf): About 80 per cent of Scotland's red meat exports are destined for the European Union. Figures from the industry show that the value of beef and lamb exports from Scotland to the EU in 2015 was about £73 million. However, if Scotland were subject to the tariffs that are applied to countries outwith the EU, it would cost importers about 50 per cent more to buy the same volume of our beef and lamb. In a highly competitive market, the consequences could be profound, with potentially much-reduced sales or lower prices paid to our primary producers through the supply chain, neither of which is desirable. That illustrates the importance of maintaining access to our largest export market.

Joan McAlpine: As the minister is aware, the south of Scotland produces a significant amount of Scottish beef and lamb for United Kingdom and EU markets, so the potential impact on livelihoods is very worrying. Will he advise how many free-trade agreements with countries outwith the EU include provision for beef and lamb exports? What might happen if Scotland was forced out of the EU against our will?

Humza Yousaf: To answer the member's question directly, we have free-trade agreements on red meat exports with five markets outside the EU: Switzerland, Norway, Monaco, Hong Kong and Canada. Those markets equate to a total volume of beef sales of 4.8 per cent and of lamb sales of 2.5 per cent, whereas our sales to the EU, as I have said, equate to 80 per cent of exports. For some countries outwith the EU, the tariffs on red meat exports can be up to 30 per cent, so there would be profound consequences.

We have learned two things from this week's Tory party conference. The first is the Tories perceived dislike of foreigners. The second is that they are pushing for a hard, hard Brexit. It would be extremely detrimental to those in the south of Scotland and in other regions across Scotland who are looking to export their red meat to the European continent if we were not members of or did not have access to the single market.

Neil Findlay (Lothian) (Lab): I have no doubt that there may be uncertain times ahead following

Brexit, but does the minister agree that Joan McAlpine's daily apocalyptic predictions on any issue—[*Interruption.*—some with the most tenuous links to the EU, are in danger of turning a very serious matter into what some might call project fear on steroids?

Humza Yousaf: To be accused of making apocalyptic, hyperbolic assertions by Neil Findlay—the man who scares on every issue under the sun, from health and St John's hospital to transport—is, to be frank, like being accused by Donald Trump of being anti-Muslim.

First Minister's Question Time

12:00

Engagements

1. Ruth Davidson (Edinburgh Central) (Con): To ask the First Minister what engagements she has planned for the rest of the day. (S5F-00317)

The First Minister (Nicola Sturgeon): First, I welcome Ruth Davidson back from Birmingham. I hope that she is thoroughly ashamed of the xenophobic rhetoric by which she has been surrounded over the past few days.

Later today, I have engagements to take forward the Government's programme for Scotland.

Ruth Davidson: I assume that even the First Minister would acknowledge that I made my positions perfectly clear at the party conference.

Today's report from the Fraser of Allander institute spells out plainly the challenge that Scotland, along with the rest of the United Kingdom, will face over the coming years as we leave the European Union. Like most members, I did not vote to leave the EU, but the question now is how we maximise the opportunities ahead and, of course, mitigate risks. The report says that the focus must now be on areas such as food and drink as well as manufacturing. What work is the Scottish Government doing to ensure that those two sectors get protection from risks and take advantage of opportunities?

The First Minister: It is a bit rich to be asked what the Government is doing to protect Scotland from the risks when they were created by the Conservative Party of which Ruth Davidson is a member and the leader in Scotland.

As I have said repeatedly in the chamber and outside it, the Government will do everything in its power to protect Scotland's interests and mitigate the serious risks that Scotland faces—risks that are set out clearly in today's Fraser of Allander report. We are working intensively with all sectors across our economy. That work is being led by our Cabinet Secretary for Economy, Jobs and Fair Work and by Mike Russell, whom I appointed to deal specifically with the Brexit negotiations. However, it is not just about manufacturing and food and drink: earlier this week, I sat down with the financial services sector to discuss its concerns about Brexit and about the growing indications that, under the Conservatives, we are heading for the hardest of hard Brexits.

Unlike Ruth Davidson's position, my position has not changed. I continue to think that Brexit is a bad idea and I therefore continue to think that it is

my responsibility to do everything that I can to protect Scotland from it.

Ruth Davidson: Let us talk more specifically about things that the Government could do to drive Scotland forward as we go through this period. The First Minister's Government is expected to make an announcement today on underground coal gasification. Graeme Blackett, who is the head of Biggar Economics and a member of the First Minister's growth commission, said:

"Subject to the robust planning and regulatory processes that we rightly have, there are major advantages in being the first movers in this technology, and becoming a world leader."

I know that the First Minister is restricted in what she can say, but her adviser thinks that we could use that type of new technology to boost thousands of jobs and add billions of pounds to the Scottish economy. Does she agree?

The First Minister: I am sure that Ruth Davidson is aware that the United Kingdom Government is also looking carefully at the issues around UCG and that she is aware—perhaps more aware than I am—of the direction of travel in which it might be going.

As she did last week, Ruth Davidson seems to suggest that we should ride roughshod over evidence and the reports that we have commissioned. When Paul Wheelhouse makes a statement to the chamber this afternoon, he will report on the work that we asked Professor Campbell Gemmell to undertake on our behalf. All members of the Parliament—indeed, everybody in the country—will be able to look in detail at that work. Paul Wheelhouse will confirm the conclusions that the Government has reached as a result of the work that it asked to be undertaken.

That is the responsible way to proceed, because it puts the concerns that people have and the interests of our environment and our economy front and centre, and balanced judgments will be reached as a result of the work. That is the way in which we will continue to proceed on this important matter.

Ruth Davidson: In the same way, people can still look on the Scottish Government's website at the last report that the First Minister commissioned on fracking, whose advice she did not take.

Let us move on to another sector that was emphasised by today's Fraser of Allander institute report: food and drink. Whisky producers tell us that Latin America—a market of 600 million people—has the potential for massive growth in the coming year yet, south of Texas, Scottish Development International has only one tiny office.

Like me and the First Minister, the Scotch Whisky Association did not want us to leave the

European Union, but it now wants us to focus on developing opportunities. What action is the First Minister taking to expand our trade footprint around the world?

The First Minister: Let us walk ourselves through that question step by step. First, those who know what they are talking about on UCG and fracking will note that Ruth Davidson managed to switch between the different technologies; I do not know whether she did that in full knowledge or whether she needs to do a bit more homework. What we are talking about today is underground coal gasification, which is a very different technology from fracking. Before she came to the chamber to ask questions about the issue, I would have thought that she might know and understand that.

Secondly, on whisky, I met the Scotch Whisky Association last week or the week before. It wanted to raise with me the success of the Scottish whisky industry and its concerns about Brexit and the likely impact of that decision on the industry.

As far as our international presence is concerned, I am sure that, if anyone here were to do a quick Google search, they would find plenty of examples of the Scottish Conservatives criticising the Scottish Government's international presence and saying things such as, "It's nothing to do with us—we should leave these matters to the UK Government." Thankfully, we do not listen. In addition to the excellent work that SDI is doing—of course we are considering carefully how we make sure that SDI is properly equipped in the climate that we have been put in as a result of the Tory Government's recklessness—we have recently announced the opening of new investment hubs in London, Dublin and Brussels. We are making sure that we are not reliant on the likes of Boris Johnson to represent us overseas and that we have the ability to represent ourselves.

Ruth Davidson: The First Minister seems to be more interested in discussing my position than in discussing her own Government's. I do not believe that I have ever hidden my position. My position is that people from the EU and elsewhere are welcome here and that this is their home, and that we should retain the closest possible trading relationship with our European friends and neighbours while expanding trade abroad, but that we should also face up to the realities ahead of us, mitigate risks and take advantage of opportunities.

This Parliament faces a choice about whether to put the lion's share of its efforts into examining practical solutions or simply to complain about the result. Which is it to be, First Minister?

The First Minister: Ruth Davidson is perhaps protesting a bit too much. She says that I am more interested in her position. If anybody can work out what her position is on these matters any more, they are doing better than I am, because she has flipped and flopped over and over again since the referendum result.

Yesterday, Ruth Davidson said—I commend her for doing so—what I said the morning after the EU referendum: that people who have chosen to make their homes here are welcome here, that they make a contribution and that we want them to stay and continue to make that contribution. Unfortunately, the difference between her and me is that she wants control over immigration to stay in the hands of the xenophobes, whereas I want it to come into the hands of this Parliament, so that we can put those sentiments into practice.

Scotland finds itself in a situation that we did not ask to be in. We are facing all the risks that we face because of the recklessness of the Conservative Government at Westminster. My job, and the job of the Scottish Government, is to protect Scotland's interests, and that is exactly what we will continue to do.

HIV Scotland

2. **Kezia Dugdale (Lothian) (Lab):** To ask the First Minister when she will next meet HIV Scotland. (S5F-00341)

The First Minister (Nicola Sturgeon): As an organisation that is almost fully funded by the Scottish Government, HIV Scotland is one that officials of the Scottish Government have regular contact with. Indeed, the Minister for Public Health and Sport last met the chief executive of HIV Scotland on 23 August.

Kezia Dugdale: Across Scotland this morning, tens of thousands of people stood on station platforms as they started their daily commute. In October 2014, as Minister for Transport and Veterans, Keith Brown said that the new franchise agreement that had been awarded to Abellio was not only

“a world leading contract to deliver for rail staff and passengers”

but one that would

“benefit the whole of Scotland.”

Does the First Minister believe that those promises to passengers have been kept?

The First Minister: The contract was awarded because it was considered to be the contract in the best interests of passengers across Scotland. However, it is absolutely incumbent on Abellio as the holder of that contract to continue to ensure that it delivers services that meet the expectations

of the travelling public. The Scottish Government will continue to liaise with ScotRail on an on-going basis to ensure that that is the case.

I am delighted that the recent dispute around driver-operated doors has been settled and that the public do not have the expectation of further industrial action episodes as a result of that.

Kezia Dugdale: I doubt that commuters on the morning train from Dundee to Edinburgh or North Berwick to Edinburgh, or on the nightly commute from Cumbernauld to Dalmeir, would agree that Scotland has a world-leading contract or, indeed, that the expectations of the public are being met.

In the past few months, Scotland's rail passengers have faced cancellations, delays and overcrowding, and new figures this week show that a third of all routes in Scotland have services that are late more often than they are on time. At the same time, Abellio is raking it in: it is getting £1 million a month in profits from that franchise. Does the First Minister agree that, although Scotland's rail network might be working for the transport bosses, it is certainly not working for Scotland's commuters?

The First Minister: Kezia Dugdale is right to raise the concerns of the travelling public, as they have a right to expect services that run on time and which they can rely on. It is because the Scottish Government is so firm in that commitment that, under the contract terms, it requested from ScotRail on 26 August an improvement plan. I assume that Kezia Dugdale is aware of that. That was received on 16 September.

We are absolutely committed to working with ScotRail to deliver a quality service to passengers. That is our responsibility, and we are serious in ensuring that we discharge that responsibility.

Kezia Dugdale: That is interesting, as I have that improvement plan in front of me. In fact, there is a boast of a press release from Humza Yousaf this week about £3 million-worth of extra investment to improve passenger comfort and accessibility on our railways. It says that the Government will spend money on passenger counting equipment so that we can see how overcrowded the trains are. The First Minister should just get on a train to appreciate how overcrowded the trains are.

The First Minister needs to be honest about the experience that passengers face. Here is the thing: since 2011, the average weekly earnings of commuters rose by only 6 per cent, but the Scottish Government's cap on rush-hour rail fares increased by over 23 per cent. Let me make that absolutely clear: that is a rise four times faster than the rise in earnings. Those who travel by train to their work every day are paying more for a shocking service and Scottish commuters are fed

up of the First Minister's excuses. This is her responsibility. What will she do to get things back on track?

The First Minister: I do not think that anybody who is listening to this exchange will have heard me make any excuses. I have said that it is our responsibility, working with ScotRail, to ensure that a quality service is delivered. That is exactly why the Minister for Transport and the Islands has taken the action that he has taken, and we continue to invest significant sums of money in the rail network to ensure that that responsibility is discharged.

I do not quibble at all about Kezia Dugdale's right to come to the chamber to raise those concerns. I understand the concerns of the travelling public, but my job and the transport minister's job is to get on with fixing the problems, not to just carp from the sidelines.

The Presiding Officer (Ken Macintosh): There are a couple of supplementaries, the first of which is from Bruce Crawford.

Bruce Crawford (Stirling) (SNP): Will the First Minister confirm that she is aware that HSBC is intent on relocating around 200 high-quality jobs from Stirling? *[Interruption.]* The lot on the Labour benches should listen to what I am saying. Does the First Minister agree that that intention will have an obvious impact on individuals and the local economy? Given that disappointing news, does she agree that that strengthens the case for Stirling to successfully secure a city deal that is based on its excellent business case?

The First Minister: I am, of course, aware of the situation at HSBC, and I fully appreciate how anxious a time this is for the company's employees and their families. The Scottish Government will do all that it can to support those who are affected at this time. Scottish Enterprise is already engaging with HSBC to explore all possible avenues for supporting the business and its workforce. In the unfortunate event that any redundancies proceed, our partnership action for continuing employment organisation will, of course, be fully engaged.

I had a brief conversation about the Stirling city deal at another event with the leader of Stirling Council yesterday. I understand that the discussions are progressing well and, while no conclusions have been reached, I hope that Bruce Crawford will see from the experience in other cities such as Glasgow, Inverness and Aberdeen that the Government is very committed to taking forward city deals where we can.

Neil Bibby (West Scotland) (Lab): The First Minister will be aware that on 23 October First Glasgow will make substantial changes to bus routes. That will affect many of my constituents, as

well as bus passengers in her constituency and the transport minister's, too.

Under this Government the number of bus passenger journeys is down by 74 million since 2007, and routes have been cut by 66 million kilometres over the same period. How many bus services have to be withdrawn before this Government backs any form of regulation? At the very least, does the First Minister not think that it should not be so easy for bus companies to walk away at short notice, without any formal consultation, from the communities that we represent?

The First Minister: First Glasgow, and indeed all other bus companies, should consult very closely with local communities before making any changes to local services. That is what I would expect of First Glasgow. As a local constituency MSP representing the south side of Glasgow, I regularly have discussions with First Glasgow about services that run in and through my constituency, and I know that other MSPs do likewise. These are important issues—people in our constituencies depend on bus services and I expect their views to be taken into account when decisions are taken.

David Stewart (Highlands and Islands) (Lab): Will the First Minister join me in welcoming to the gallery a delegation of campaigners from the Dunoon to Gourock ferry action group from my region? Can she confirm that it is the Scottish Government's policy to provide a vehicle and passenger ferry service between Gourock and Dunoon town centres, and whether David MacBrayne Limited, which is wholly owned by the Scottish ministers, was instructed to tender under the Gourock to Dunoon exercise?

The First Minister: First, I welcome to the chamber the campaigners from the Dunoon to Gourock ferry service. I know many of them well, because in one of my previous Government jobs I had the responsibility for taking forward this work. I absolutely appreciate the strength of feeling about the town centre to town centre vehicle service issue. As David Stewart will appreciate, we are now in a live procurement exercise and there are strict limitations on ministerial involvement in that tendering exercise and what I am able to say at this stage. I hope that he, and indeed the campaigners, will appreciate from my previous involvement how serious we are in seeking to make sure that there is a service running on that route that meets the expectations of those who rely on it.

Cabinet (Meetings)

3. **Willie Rennie (North East Fife) (LD):** To ask the First Minister what issues will be discussed at the next meeting of the Cabinet. (S5F-00346)

The First Minister (Nicola Sturgeon): Matters of importance to the people of Scotland.

Willie Rennie: We have heard the Conservative Secretary of State for International Trade branding European citizens working here as “cards” in the European Union negotiations. We have heard the Conservative Home Secretary advocating listing of foreign workers. Those “cards”—those foreign workers—are our neighbours and our friends. They are our families. People who voted for Brexit across the United Kingdom did not vote to send their friends home. What can the First Minister do to ensure that EU citizens are treated with respect and dignity in the negotiations?

The First Minister: The first thing that I can do, which is what I did on the morning after the EU referendum, is say unequivocally that people who have come from other European countries—or from any country—and have chosen to make Scotland their home and to make a contribution here are welcome here. This is their home: this is where they belong and it is where we want them to stay. All of us have a responsibility to say that as often as we possibly can.

Since the EU referendum, we have taken steps to liaise with the community of EU nationals living in Scotland. The Cabinet held a question-and-answer session a number of weeks ago in order to hear their concerns directly. We have also taken practical steps—for example, on university tuition fees—to give reassurance to EU nationals where we can, and we will continue to look for other areas where we can do that.

Unfortunately—it is a matter of real regret to me—I do not have the power to guarantee the right of EU nationals to stay here in Scotland. I will continue—I hope that I have the backing of every single member in this chamber when I say this—to call on the UK Government to stop using human beings as bargaining chips and to give them the guaranteed right to stay where they belong, which is here in Scotland.

Willie Rennie: Many EU citizens work for organisations such as Amazon. They deserve decent treatment. This week, Amazon celebrated its recruitment of more people at a rate below the proper living wage. The recruitment was described as a “bonanza”. I have raised the issue before and the First Minister promised action, but nothing has changed. This week the Scottish Government did not utter a peep—not one word of criticism. Amazon has had millions of pounds in Scottish Government grants but pays poverty wages. Does the First Minister still intend to do anything, or has she lost interest?

The First Minister: That is an unfair criticism from Willie Rennie, because he knows how seriously we treat the living wage. I know that he

agrees with us, in that regard. We encourage—I will go further: we expect all companies that can do so to pay the living wage, and we have taken a lead on that.

I wish that I had the power here in Scotland not just to guarantee the right of EU nationals to stay but to legislate on minimum wage levels, so that we could raise the statutory minimum wage to the level of the living wage. Let us argue not just for companies to do the right thing but for having those powers in the hands of this Parliament, so that we do not have to call on the UK Government to do the right thing for us.

Clare Haughey (Rutherglen) (SNP): The First Minister will share my concern at today’s news that a hard Brexit could cost Scotland 80,000 jobs. A report from the Fraser of Allander institute shows that the weaker our economic integration with the European Union, the greater the negative impact. Does the First Minister think that it is high time that the Tories dropped their bluster over leaving the single market and revealed—at long last—a plan?

The First Minister: The Tories should have had a plan to deal with Brexit before the referendum. It is absolutely shocking that they did not. It is equally shocking that, three months on, we still have only the sketchiest of details about what happens now. It is unfortunate that the details that we have suggest that we are heading down the road of a hard Brexit, which—as today’s Fraser of Allander institute report said—will cost people in Scotland in lost wages and lost jobs. That is completely and utterly unacceptable.

What has been clear from the Conservative conference this week is that decisions by the Prime Minister are being driven more by her desire to appease the Tory right than they are by the genuine interests of the country. I think that that is wrong, regrettable and deeply irresponsible.

Douglas Ross (Highlands and Islands) (Con): When Andrew Flanagan, the chair of the Scottish Police Authority, was asked yesterday about public concern about sex offenders and violent criminals being tagged, he said that he thought that worry would be “understandable”. Can the First Minister assure the public that her Government will not use an extension of electronic monitoring for such criminals, given the real concerns that have been voiced by the public and victims of crime?

The First Minister: Public safety is at the heart of all such decisions. As I said in an exchange just a couple of weeks ago, it is not for politicians but for courts to decide appropriate sentences. When a court is deciding on the appropriate sentence—whether it is prison or an alternative to prison, including electronic monitoring—risk assessment

and issues of public safety will be integral to the decision. That is right and proper and the public would expect no less.

Daniel Johnson (Edinburgh Southern) (Lab):

As the First Minister is no doubt aware, two weeks ago today a major rupture in a water main that supplies Edinburgh occurred in Liberton, in my constituency. The destruction that was caused was substantial and many families had to vacate their homes. The only reason why there was no loss of life where the greatest destruction took place was that an elderly couple are currently in a care home.

I had a constructive meeting with Scottish Water on Tuesday this week, but it was revealed that the main regulating valves for the supply of water to Edinburgh are causing Scottish Water serious problems, to the point at which the company is operating 24-hour supervision. The same type of valves are used to regulate the supply of water to Glasgow and Milngavie. Will the First Minister assure me that her ministers are looking into the matter and give Parliament detail on the steps that are being taken to ensure that the issue is remedied?

The First Minister: I am aware of the disruption and concern that was caused to Daniel Johnson's constituents as a result of the incident that he talked about. I know that Scottish Water will deeply regret that inconvenience. I am more than happy to ask the minister who has responsibility for such matters to raise with Scottish Water the particular issue that the member has brought to the chamber today and to correspond with him when he has Scottish Water's feedback.

Tavish Scott (Shetland Islands) (LD): Is the First Minister aware of the turmoil in the Crofting Commission that has been caused by the intolerable behaviour of the current convener? Does she know that the other commissioners have asked for his resignation and that the previous chief executive, Catriona Maclean, left because of the convener's behaviour and the pressure that is being placed on commission staff? In those circumstances, will the First Minister and her Cabinet Secretary for Rural Economy and Connectivity now take action to make the Crofting Commission work for crofters across the crofting counties without the disruptive presence of the convener?

The First Minister: Tavish Scott has raised an important issue. The Cabinet Secretary for Rural Economy and Connectivity has already welcomed the apology from the board of the Crofting Commission, but it is disappointing that the convener was not a party to that apology. It is important that we get to the stage of being able to draw a line under recent events. The resources that have been spent in dealing with these issues

by the commission would, in my view, have been far better used by it being an effective regulator and contributing to a sustainable future for crofting.

I note that crofting commissioners have unanimously called for the convener to resign. The Scottish Government has requested from the convener further information about last week's events. Although the Government would not ordinarily intervene in the internal operations of an independent statutory body, legislation gives Scottish ministers the power to act if required. I assure Tavish Scott that the Cabinet Secretary for Rural Economy and Connectivity continues to monitor the situation closely and will be happy to discuss it further with him.

Scottish Social Attitudes Survey

4. Christina McKelvie (Hamilton, Larkhall and Stonehouse) (SNP): To ask the First Minister what the Scottish Government's response is to the recent Scottish social attitudes survey, which shows that levels of prejudice in Scotland are falling. (S5F-00336)

The First Minister (Nicola Sturgeon): I welcome the findings from the survey. It is encouraging to see that Scotland is becoming a more inclusive society with more people embracing and valuing diversity.

However, we should not be complacent. It is completely unacceptable that some groups in society still face prejudice. We need to continue to work together to eradicate discriminatory attitudes in Scotland and I assure the member that the Government is absolutely committed to doing so.

Christina McKelvie: I thank the First Minister for her answer and commitment.

This week, the Tory party conference saw the most disgraceful display of reactionary, right-wing politics in living memory, with the Tories hinting that they will target foreign workers and name and shame businesses for not hiring British employees. Perhaps we saw an early glimpse of that from the Scottish Tories in recent weeks when they questioned Christian Allard's right to take part in public life. How will the First Minister work to ensure that we build a tolerant, inclusive Scotland where people are judged on the contribution that they make to our society and not on the place where they were born?

The First Minister: We do that by standing strong and, I hope, united in defence of that inclusive and tolerant society. We should value people by the contribution that they make here not where they were born or, indeed, the colour of their passport.

That work is undermined by some of the rhetoric that we have heard from the Tory conference this week. Theresa May's speech yesterday was endorsed by Marine Le Pen, the leader of the French far right. Nigel Farage said yesterday that "virtually everything" that Theresa May said in her speech were things that he had said over the past few years. All of us have an obligation to stand up against intolerance, prejudice, discrimination and xenophobia in all its forms. I hope that everybody in this Parliament will do so.

Ross Greer (West Scotland) (Green): The First Minister has already called out the hateful and disgusting rhetoric that came out of the Tory party conference this week. Perhaps the most sinister of their proposals was that of Amber Rudd, the Home Secretary, that companies will be forced to disclose the proportion of their workers who were born outside the United Kingdom. Will the First Minister and the Scottish Government support businesses in Scotland who refuse to comply with such a disgusting proposal?

The First Minister: I would absolutely stand four-square beside any company that refused to comply with any request to publish details of foreign workers. What I find particularly offensive is the idea that companies will be named and shamed for the foreign workers that they employ, as if there was something shameful about employing workers from other countries. It is absolutely disgraceful.

I know that Amber Rudd went on the radio yesterday morning and tried to row back from the proposal by saying that it was not something that the Tories were definitely going to do. I think that it is about time that the Tories stood up and said that it is something that they definitely will not ever do because it would be downright disgraceful and disgusting, and this Government would have absolutely nothing to do with it.

Anas Sarwar (Glasgow) (Lab): First, I associate myself with the First Minister's comments about the Tory party conference. All of us on this side of the chamber would fully agree with her on that point.

We welcome the broad findings of the Scottish social attitudes survey, as well as figures out last week that show that hate crimes in Scotland have fallen over the past year. However, we cannot be complacent. Bad things are, too often, still happening in Scotland. For example, in the past year, Islamophobic hate crimes have increased by 89 per cent. Prejudice and hatred have no place in any of our communities and certainly not in any part of our society. What specific action will we take to highlight the issue of Islamophobia and to reduce hate crimes?

The First Minister: First, I agree absolutely with Anas Sarwar's comments; indeed, I said in my first answer to the question that we must not be complacent. There is no disagreement whatsoever from me on that. The Government continues to work with faith communities and through all of our equality work to combat discrimination and, in particular, the rising trend of Islamophobia.

Last Friday, I spoke at an interfaith event organised by the Ahl Al-bait Society, where I made specific mention of the need to ensure that, while we continue to welcome the fact that hate crimes have fallen, we do not in any way become complacent about that.

I know that Anas Sarwar is very familiar with the range of work that we do to seek to bring people together in communities and to make diversity something that we celebrate as a key strength of our country and not something that we fear and exploit. That will always be the way that this Government conducts itself. I hope that, in doing so, we will continue to have the unanimous support of everybody in this chamber.

Drug-related Hospital Stays

5. Donald Cameron (Highlands and Islands) (Con): To ask the First Minister what steps the Scottish Government is taking to tackle the rise in the number of drug-related acute hospital stays. (S5F-00318)

The First Minister (Nicola Sturgeon): While drug taking among the general population is falling, and the number of young people taking drugs is at the lowest level in a decade, we remain determined to tackle problem drug use. With our partners, and supported by an investment of more than £600 million since 2008, we are working to reduce the harm caused by drug and alcohol use.

The rise in the number of hospital stays is the result of an ageing cohort of drug users. The reality is that, as drug users get older, they become more vulnerable, which means that they have a greater need for the support and care of the national health service. We will continue to work with sub-sector groups to identify and understand the current and particular needs of those individuals.

Donald Cameron: The First Minister will be aware from the recently published "Drug-Related Hospital Statistics Scotland" report that general acute admissions increased by almost 500 in the last financial year. The same report showed that around half of those patients lived in the 20 per cent most deprived areas of Scotland. Will the First Minister accept that the Scottish Government needs to do much more to reduce serious drug misuse in our most deprived areas?

The First Minister: Of course I will. While we still have a problem of drug use, there will always be more that the Government needs to do. However, I would genuinely point the member to some of the trends that I highlighted in my opening answer. The number of young people taking drugs is at the lowest level in a decade. That would suggest that the initiatives that we are taking are having some success.

Coupled with that, it is right to say that we are seeing an increasing trend of hospital admissions, but that is related to the ageing cohort of drug users. As people become older, having spent their life, or a substantial part of it, taking drugs, they increasingly need hospital treatment. That is the explanation behind that trend.

We should not be complacent about drug use in any community, but particularly not in our most deprived communities. We must continue to do everything possible to combat it.

Kenneth Gibson (Cunninghame North) (SNP): Does the First Minister agree that drug-related acute hospital stays are often related to illegal drug use? Can she confirm that drug-related crime has fallen dramatically since the Scottish National Party came to office, with a fall of 45.7 per cent in North Ayrshire alone, from 1,235 cases a decade ago to 671 last year?

The First Minister: I certainly welcome and point to the recently published recorded crime figures, which highlight the reduction in drug offences in North Ayrshire and reflect other positive trends in that area. North Ayrshire routinely exceeds the national performance standard that expects 90 per cent of people who are in need of drug or alcohol treatment to access it within three weeks. However, as I have just said in response to earlier questions, there is no room for complacency. We know about the vulnerability of the ageing cohort of people who have been using drugs for many years and we must deal with that. Kenny Gibson is right to point out that there is also cause for optimism. Nationally, drug taking among the general population is falling and, as I said, for young people, it is now at the lowest level for a decade. So there is cause for optimism, but we must continue to tackle the problem, because it affects too many lives and often in a very dramatic way.

European Union Spending Rules (Infrastructure Projects)

6. **Jackie Baillie (Dumbarton) (Lab):** To ask the First Minister what impact the breaching of European Union spending rules has had on the funding of infrastructure projects. (S5F-00343)

The First Minister (Nicola Sturgeon): In 2015, the European Commission suspended three

European structural and investment fund programmes. The suspensions prevented the Scottish Government from being reimbursed for money that it had already spent, for the duration of the suspensions, but there was no impact on the projects themselves. All suspensions have now been lifted, with the final one lifted in September this year.

Jackie Baillie: I think that the First Minister has been badly advised on her response, because I am talking about European statistics authority regulations in relation to infrastructure projects. She has perhaps answered a different question.

The First Minister will, I hope, now be aware that at least four major capital projects breach EU rules on funding—the Aberdeen western peripheral route, the Edinburgh sick kids hospital, Dumfries and Galloway royal infirmary and the national blood centre. The total capital required for all four projects will be at least £900 million. According to Audit Scotland, capital was transferred from housing and Scottish Water, and £300 million was borrowed last year to fill part of the gap. What further borrowing will be necessary to finance those and other planned projects? What is the opportunity cost if we still have to find the balance of the £900 million and what projects will be delayed?

The First Minister: I now understand that Jackie Baillie was talking about the Office for National Statistics reclassification. I am not sure how anybody could have taken that from the wording of the question, but nevertheless I am glad that we now have a meeting of minds on the question that I am answering.

As Jackie Baillie knows, there are a number of issues with the ONS reclassification. We have seen one in recent weeks about housing associations, where the ONS reclassified from private to public. The United Kingdom Government has similar issues to contend with. On the capital projects that she talked about, the Scottish Government has made full provision for those and there will be no interruption in those projects. We continue to ensure that our capital programme is taken forward to deliver the infrastructure that the country needs and deserves.

Murdo Fraser (Mid Scotland and Fife) (Con): A report by the Auditor General for Scotland last week tells us that a sum of £14 million has been lost from the Scottish Government's accounts due to its financial incompetence and inability to comply with EU accounting rules. Which projects have been cut or delayed because of that incompetence?

The First Minister: I see that Murdo Fraser had the same interpretation of Jackie Baillie's question as I did, so I should say that my initial answer to

Jackie Baillie stands in respect of Murdo Fraser's question.

The effect of the suspensions, which have all now been lifted, was to temporarily prevent the Scottish Government from being reimbursed for money that we had already paid out to projects. There was no impact whatsoever on the projects concerned. The European Commission regularly and routinely audits projects under those funds, and that also applies to other Governments. We learn lessons and we have applied those lessons in the current rounds of structural funding. Of course, it is the actions of Murdo Fraser's party that are putting the future of structural funding under so much threat.

Article 50 Deadline

7. Emma Harper (South Scotland) (SNP): To ask the First Minister what the Scottish Government's response is to the proposed deadline of March 2017 for the triggering of article 50. (S5F-00337)

The First Minister (Nicola Sturgeon): It seems clear that the decision on article 50 timing is being driven more by the Prime Minister's desire to appease the Tory Eurosceptics than by a rational consideration of what is in the best interests of the country. That is deeply irresponsible. As we have already heard in this First Minister's question time session, the Fraser of Allander institute report that was published this morning shows the damage that Brexit, especially the hard Brexit that the Prime Minister now seems to favour, will do to our economy. That is why the Scottish Government will continue to do absolutely everything in our power to protect Scotland's interests.

Emma Harper: Given the time that it has taken for the Prime Minister to set a timescale, what is the First Minister's best bet on how long it will take the United Kingdom Government to come up with a plan or any substantial notion of what Brexit really means?

The First Minister: I have no idea how long it is going to take the UK Government to come up with a plan. It should have had one by now.

What I get more concerned about with every day that passes is the direction in which the UK Government seems to be going. This is not just exit from the European Union, but exit from the single market. Let us be quite clear about what that will mean: it will mean tariffs and non-tariff trade barriers to our companies that export to the European Union; it could mean our financial services companies losing their passporting rights; and it could mean all of us having to pay for the privilege of travelling across Europe. Those are real implications for each and every single one of us. That would be bad enough, but it is even

worse, because Scotland did not vote to be in this position.

I hope that everybody in the chamber will unite behind a call from the Scottish Government to stay in the single market, because notwithstanding the result of the referendum, I do not believe that Theresa May has any mandate to take the UK out of the single market. How many times did we hear the leave campaign say that leaving the EU did not mean leaving the single market? I hope that Ruth Davidson will go back to one of her previous positions and again get right behind the Scottish Government when it says to Theresa May, "Keep the UK as a whole in the single market and stop putting the interests of the Tory Eurosceptics and UKIP ahead of the interests of the country."

Head Injuries (Contact Sports)

8. Liz Smith (Mid Scotland and Fife) (Con): To ask the First Minister what discussions the Scottish Government is having with the governing bodies of contact sports regarding head injuries. (S5F-00321)

The First Minister (Nicola Sturgeon): First, I want on behalf of Parliament to take this opportunity to convey sincere condolences to the family and friends of Mike Towell, who sadly lost his life following a boxing match in Glasgow last Thursday. As the British Boxing Board of Control is investigating the circumstances of the incident, it would obviously be inappropriate for any of us to comment on the details at this time.

On the broader issue of concussion in sport, Liz Smith will be aware that we were the first country in the world to introduce standard guidelines on dealing with concussion in sports with the publication of the Scottish sports concussion guidelines in May last year. Those guidelines were developed with a range of experts, including the chief medical officer at the Scottish Government, Scottish Rugby and the Scottish Football Association, and they have been made available to all sports clubs and coaches for both contact and non-contact sports.

Liz Smith: I thank the First Minister for that response and for the very helpful letter that she sent me this time last year following another First Minister's question time at which I raised the same issue. In that letter, she said that she fully recognised the seriousness of the issue and intimated that guidance would be updated regularly. Have those updates taken place, and has consideration been given to the fact that different sports have different guidance for serious concussion injuries? For example, in boxing, suspension from the ring is for a minimum of 28 days, whereas the minimum in rugby is seven days away from the sport. Does the First Minister agree that the medical expert panel to which she

referred in her letter might like to look at whether there should be a standard approach?

The First Minister: As I said in my original answer, we have introduced standard guidelines on dealing with concussion in sport. I think that when Liz Smith last raised the issue with me, she raised the prospect of legislation, and the consensus among medical experts at this stage appears to be that that would not necessarily be helpful. However, I will say today what I said then: we need to ensure that we keep the matter under review, and that as we do so, we are informed by the best medical opinion. I am very happy to take the comments that Liz Smith has made today and ensure that they are discussed by the panel of medical experts who inform these decisions, and I will be happy to enter into further correspondence with her when that happens.

Island Health Boards

The Deputy Presiding Officer (Linda Fabiani): The next item of business is a members' business debate on motion S5M-01639, in the name of Liam McArthur, on island health boards. The debate will be concluded without any question being put.

Motion debated,

That the Parliament considers local NHS boards to be key in delivering frontline services across Scotland's distinct communities; believes that a one-size-fits-all approach rarely works, particularly in delivering health care in Orkney and Shetland where, more often than not, island communities require different solutions to the central belt; acknowledges that the nature of delivering health and care services in rural and remote island communities inevitably requires additional resources; recognises that decisions about how those services are most effectively delivered are best made locally; considers therefore that concerns that the Scottish Government's intention to "examine the number, structure and regulation of health boards" could lead to the amalgamation of NHS boards to the detriment of providing the best possible health care in the islands, and notes calls for the Scottish Government to undertake to protect island health boards, including NHS Orkney and NHS Shetland, in its forthcoming review.

12:46

Liam McArthur (Orkney Islands) (LD): I thank colleagues for the cross-party support that has allowed the debate on island health boards to take place. I look forward to hearing the contributions of those who participate, including the minister.

I was slightly surprised that no Scottish National Party MSP felt able to support my motion, even though it says nothing that is unduly controversial. In the Cabinet Secretary for Health and Sport's recent response to me and my colleague, Tavish Scott, she reasonably accepted many of the same points. She acknowledged the

"unique nature of the islands",

that NHS Orkney and NHS Shetland are

"very distinct communities"

and that the

"respective NHS services are experienced in the demands of serving those populations".

As I set out why our island health boards deserve protection, I am encouraged by what appears to be a decent amount of common ground between me and the health secretary.

Nevertheless, the First Minister's intention, as set out in her programme for government, to

"examine the number"

and

"structure ... of health boards"

has had alarm bells ringing in Orkney and Shetland. From my conversations with those who are directly employed in delivering health and care services in Orkney, as well as with the many members of the public who have been in touch with me in recent days, there can be no doubting the strength of feeling or the determination to resist any dilution of local control.

Some of those concerns will not be confined to the island communities that Tavish Scott and I represent, because all the evidence shows that large-scale structural changes inevitably distract attention from the day-to-day business of delivering services. Those changes can affect morale and organisations' ability to recruit and retain staff, and the savings that are often used to justify them invariably prove elusive, if not illusory. Anyone who doubts that need only look at what has happened since the Government decided to create a single, centralised police force. Five years on, surely only Kenny MacAskill believes that that has been a success or that it has delivered what was promised.

A review of how health boards are performing is prudent. Given the crises in many areas of health and care provision, a review is perhaps overdue, but I caution against believing that structural reform is the answer to the maiden's prayer. Certainly for rural and island areas, such reviews tend to signal a retrenchment of services and decision making into the centre. That matters, not least to those who rely on those key services. At NHS Orkney's annual general meeting earlier this week, the local patient group voiced its opposition to NHS Orkney being subsumed within a larger board that serves a wider geographic area. Preserving NHS Orkney's identity is important as that identity shapes the ethos, priorities and approach of the organisation.

Little wonder that there is such anxiety in the islands at what might be lost in any move to centralise services and decision making. Bringing together different boards with different identities—or even different priorities—offers no guarantee or much likelihood that island needs would be effectively heard, understood or—far less—met. Moreover, it would remove the ability to be nimble in responding to local needs, to develop services that best suit island circumstances in conjunction with communities and to enhance the skills of staff in ways that ensure both quality and breadth of provision.

This is not an isolationist approach. Island health boards already work collaboratively with counterparts on the mainland. NHS Grampian is the obvious example with respect to the northern isles, but there may be opportunities in the future to work with others in providing specialist

treatment that it would be impractical to deliver in an island setting.

Here again, though, I sound a note of caution. If the Government plans to merge mainland health boards, it must take account of the impact on all patients. For example, recent problems that affected the oncology department at Aberdeen royal infirmary meant that some Orkney and Shetland cancer patients were offered treatment in Dundee and Glasgow. Although the treatment might have been exceptionally good, if they are to go outwith Aberdeen, isles patients face more complex travel arrangements and limited access to the support structure that CLAN Cancer Support and the Red Cross provide in the north-east.

Far from the services that are available in the islands being reduced, I want them to be increased. That ambition is shared by NHS Orkney, staff, patients and local communities, which see it as crucial to their efforts to attract and retain people and effectively serve their populations. The recent decision to locate a computed tomography scanner in Orkney is a case in point. I know from speaking to the staff involved that it has already made a big difference in terms of early diagnosis, allowing more effective treatment and improving and in some cases saving lives, which justifies the long, hard-fought campaign.

More is possible. Telehealth opens up opportunities to increase the availability of treatment in Orkney, as it reduces the need for patients to travel south or even to travel within Orkney. For those who live in the smaller isles, the option of a consultation in their local surgery, supported by their general practitioner or nurse, may appeal a great deal more than getting on a boat or a plane and travelling into Kirkwall, particularly during the winter months. Such an approach can therefore help to improve patient care, reduce travel and accommodation costs, unlock economies of scale and open up more interesting career paths for those who work in health and care services in our islands.

That point is important given the challenges that are faced in recruiting and retaining staff in remote and rural settings. The Royal College of Surgeons of Edinburgh shone a light on that in its report last week. There are no easy solutions, but we need to do more to give those who are in training a taste of what island working has to offer. We need to develop a workforce that is comfortable across a range of general skills rather than training ever more specialists, and we must ensure that more isles students can access Scottish medical schools. Widening access needs to be about rurality and not just about poverty. At the same time, there is no escaping the fact that financial incentives will play a part in the equation as well.

Delivering good-quality health and care services in our islands to a population that is living longer but with more complex conditions presents enormous challenges, and meeting them is beyond the gift of any health minister. We also need decent transport links, for example, including reliable air services—I note that the Minister for Transport and the Islands is by Maureen Watt's side, which is helpful—together with good mobile and broadband coverage, the need for which is routinely and compellingly raised by GPs and nurses throughout my constituency. Those factors and others fundamentally affect the way in which health and care services are delivered in Orkney and, in turn, that has a fundamental bearing on the economic wellbeing and sustainability of the islands that I represent.

My plea to the minister today is to ensure that the review—it would help to hear a little more about the timeframe and the process that are involved—protects island health boards and recognises their unique status and the risks that are inherent in submerging them in larger, less responsive or less accountable set-ups. Failure to do that would drive a coach and horses through the Government's commitment to island proofing. More important, it would undermine the ability of health and care provision to be tailored to the specific needs of our island communities. That cannot and must not be allowed to happen.

12:54

Donald Cameron (Highlands and Islands)

(Con): I thank Liam McArthur for bringing the debate to the chamber. I commend him for his efforts not just in highlighting concerns about health services in his Orkney constituency but in acting as a champion for the islands. I signed his motion and I support the principles that it sets out.

As an MSP for the Highlands and Islands, I share the concerns that Liam McArthur has raised about the SNP's manifesto commitment to review "The number, structure and regulation of health boards".

In particular, I am concerned about how that might affect the health boards that cover my region.

The needs of people in rural and remote areas of Scotland are vastly different from those of people who live in more densely populated areas, so a very different approach is required to the provision of healthcare services. That is even more the case in island constituencies such as Orkney and Shetland, but it is also the case in the Western Isles and in the many smaller islands in Argyll and Bute.

I spoke on this very matter here in Parliament at a recent meeting, hosted by Kate Forbes, with the Royal College of Surgeons of Edinburgh, which

has just launched its report, to which Liam McArthur referred, on the delivery of care in rural surgery. The RCS notes that there is a clear difference between the provision of healthcare services in urban Scotland and that in rural Scotland.

The president of the RCS made a particular point in the foreword to the report that

"one size does not fit all' when it comes to service delivery in these challenging environments and ... the needs and provision will vary depending upon the speciality and the region."

That statement is poignant in the context of the discussion because, time and again when it comes to the organisation of our public services, we have seen an increasing drive to centralise services by the SNP Government. We have seen it with our fire services, following amalgamation. We have seen it with our police, with the creation of a single force—we all know of the many problems that have been reported in that. We are now seeing it even in education, in the proposals that John Swinney announced a few weeks ago to create regional education boards, which will take powers away from local councils and centralise them in a larger body.

Recent history serves as a powerful reminder of the dangers of overhasty, top-down centralisation. At a time when health boards are still adjusting to the huge reorganisation that the recent integration of health and social care has caused, there are many valid concerns about committing to further reorganisation unless it can clearly be shown to be in patients' best interests.

The Conservatives are sceptical about the possible creation of health superboards that would be run on a regional basis—if that turned out to be the case. I say "if" because all of us here are somewhat shooting in the dark, as we do not know what the proposals are. There might be elements that we can support, and we will of course hold off from expressing a concluded view until something concrete has been put on the table.

Like Liam McArthur, I acknowledge that there is already joint working and collaboration across health boards. However, it is vital that we know what the Government's proposals are as soon as possible, not simply so that we as elected representatives can be made aware but, more important, so that the public—the patients—can be consulted in a meaningful way and have their say.

I will finish with a question to the minister that repeats a call that I made in early July for clarity on the proposals. Will she give clear details today of the Scottish Government's plans for the organisational structure of NHS boards? If she is unable to do that today, will she tell us when that announcement will come?

12:58

Maree Todd (Highlands and Islands) (SNP):

First, I declare an interest in that I am a pharmacist registered with the General Pharmaceutical Council and, until my election in May, I was employed by NHS Highland.

I am grateful to Liam McArthur for the opportunity to speak in the debate. I represent the Highlands and Islands region, which covers nearly half the landmass of Scotland and is served by six health boards. I take the opportunity first to acknowledge the aspects of the motion that I believe that we can all agree on. Like Mr McArthur, I believe that island communities often require different solutions from those for the central belt. However, I would go further and suggest that many communities require their own solutions. It is clear that providing health and care services in remote communities requires a higher per capita investment, and I recognise that decisions about how those services are most effectively delivered are best made locally.

Unfortunately, I cannot in all conscience agree that the potential amalgamation of NHS boards would be to the detriment of the best possible healthcare in the islands. As a health professional, I was encouraged to ask regularly whether the way in which we had always done things was necessarily the best way. Innovation and change are vital to improving healthcare. We should always be looking for ways to improve how public services are provided. Whatever the financial constraints are, our focus must be on patient outcomes and quality of care. Governance and quality must not get lost during reorganisation.

Bigger health boards could be just as capable of reflecting the needs of a community as smaller boards are. The key to success is for the individuals on the ground, in the small local operating units, to be empowered to deliver local solutions.

I absolutely understand that people in the northern isles might be frightened that they will lose their voice. I assure them that people all over the Highlands share the same concern. We know very well that one size does not fit all. In fact, NHS Highland provides an example of a large health board area that covers remote and urban areas and island and mainland areas. For health and social care integration, it operates different models to suit local needs; it has a lead agency model in one part of its area and an integration joint board model in Argyll and Bute.

If there is to be a change, it is vital that the engagement and consultation process enables us to make an informed decision. People must have the opportunity for discussion and a chance to identify any benefits as well as risks. Some things

are already done well Scotland wide—for example, NHS National Procurement uses combined buying power to get the best deal on buying drugs, and the savings go right back into patient care.

I have heard from people who work in island health boards that it can be difficult for the smaller health boards to compete with larger, better-resourced ones to attract certain skilled staff. It is probably easier to conduct research and develop specialist knowledge and expertise in the large centres. Having fewer health board areas might encourage the sharing of that precious resource or at least remove the barriers to staff in remote areas tapping into it. Duplication of effort might also be reduced. Could having fewer health board areas reduce unnecessary variation in practice and outcomes? Might it improve the quality of care? False boundaries are an issue, and the proposed change could see them disappear.

The most important question in the debate is: how can we best deliver high-quality care to communities? We have to answer that question by looking at the evidence and consulting widely. I hope that that is exactly what the review will do.

13:02

Rhoda Grant (Highlands and Islands) (Lab): I congratulate Liam McArthur on securing the debate.

When examining health board structures, we need to make sure that they are fit for purpose. Service delivery must be at the forefront of decision making, and the structure must be that which best delivers that service.

Our islands are unique. People who live and work on the mainland think that weather can be disruptive, but they do not recognise the challenges that it places on island life. Although island life is wonderful in many ways, people on our islands cannot plan in the way that those on the mainland take for granted. It is normal to have plans disrupted because of weather, so the provision of services on an island must have at its heart the determination that systems will work in spite of the weather. We do not expect a lesser service; we simply expect services to be delivered differently, dependent on the local circumstances.

Our island health boards are crucial, given their knowledge and understanding of local conditions, and they can plan services to fit their unique local circumstances. That is not to say that they do not need support. Let us take the patient transport budget that was rolled up into this year's settlement for NHS Highland. I find that worrying because, due to the size of their populations, our island health boards' budgets are small, which

means that they do not have the economies of scale that will enable them to absorb the changes.

I believe that the funds that were transferred to meet the costs were insufficient and that cuts will have to be made. Those cuts must not have a detrimental effect on patients. However, as I speak to people about transport, I am staggered by the number who have been taken off island for routine check-ups that they felt were unnecessary and disruptive to their lives. They felt that the check-ups could have been carried out locally through videolinks. The patients of island health boards need to be able to request and receive consultations via telehealth.

I know that island health boards have such technology and expertise because they use it interisland, but some clinicians on the mainland appear to be reticent about embracing the technology. It would not augur well if the health boards that will not embrace the technology were put in charge of delivering services to the islands. If they had the technology, using it would provide better services that are patient centred, which is why the island health boards use it in responding to the needs of people who live not on a main island but on small islands that surround it.

If the health boards that understand such challenges were to disappear, we would lose that knowledge and patients would be worse off. What we need from the larger health boards is a better understanding of the needs of remote and rural communities—they need to fit telehealth facilities into their consulting rooms—and what we need from the Government is better broadband in our remote rural and island communities so that they can access those services. It is not just mainland health boards that have to change but services such as the Scottish Ambulance Service, which operates a model for urban areas that simply does not work in rural areas either as an emergency service or as a patient transport system.

We need change, but the change must be of the mindset rather than of the structure. We need to protect local knowledge and support the island health boards to deliver for their patients.

13:06

John Finnie (Highlands and Islands) (Green): I, too, thank Liam McArthur for bringing this very important debate to the chamber. The motion talks about distinct communities, and my colleague Rhoda Grant talked about changing the mindset. If members were to read the “Scottish Government Urban Rural Classification”—if they had nothing better to do—they would see that there are various classifications, all of which are fixated on centres of population. The classification of “remote rural” is somewhere

“with a drive time of over 30 minutes to a settlement of 10,000 or more”.

That is challenging, because we are talking about communities that might be classed as being beyond “very remote rural” because they are significantly impeded by geography.

The motion also talks about a one-size-fits-all approach not working, and I agree with that, although there are some exceptions that members have previously alluded to—for example, standards of care and terms and conditions for staff, which should be protected however the administrative arrangements are configured. Nevertheless, there are challenges associated with that, too. In the previous session, I wrote to the Cabinet Secretary for Health and Sport about the challenges that are faced in delivery of training to people in social care on Orkney’s small islands. Of course, there is an assessment of needs, but there must be a practical approach to how that is delivered that bears in mind—quite literally—time and tide. I have no doubt that such approaches are best determined locally.

Island communities require different solutions and although impact assessments inform a lot of our decision making in this building, it is hard to change mindsets—it is a two-way thing: urban-rural, rural-urban—and I do not think that there is a clear understanding of some of the practical implications. The solutions come from communities. For example, I commend the new and innovative model of care on the small islands in the NHS Highland area. Called the nuka model of health and care services, it was created and is managed and owned by Alaskan native people, and it has enabled the islands of Eigg and Muck to come up with their own solutions to problems as well as delivering jobs there.

Another phrase in the motion—“inevitably requires additional resources”—is important because, as has been said, there are additional travel costs and other costs associated with travel. When Highlands and Islands Enterprise had the budget for training, it took cognisance of the actual costs. However, when Skills Development Scotland took over that budget, it moved to one-size-fits-all delivery of training per capita, which has impacted desperately on some of the small providers; indeed, Argyll Training went out of business just last Friday. All decisions are best made locally and on an informed basis.

A colleague mentioned NHS Highland. I can stand at the north end of that board’s catchment area and look over to Liam McArthur’s constituency in Orkney and I can stand at the southern end and look over to Glasgow. It is a ridiculous size—it covers an area the size of Belgium and Wales, with Argyll and Bute added on. It is not the model that we should be looking

at, and it is certainly not the one that I am promoting.

Integration of health and social care is a factor, too, but I do not know whether that factor has prompted some of the Scottish Government's proposals. My party and I suggest that there should be more rather than fewer local management decisions. There is no doubt that collaboration will continue, but not every health board could or should have every specialism.

As we have heard from Mr McArthur, the scanner in Orkney has made a difference. Telehealth and the information technology infrastructure that underpins it are important.

The NHS is a shared resource and a valued public service and it should be managed locally. For the good folk of Orkney, that should be from within the islands by NHS Orkney.

13:10

Douglas Ross (Highlands and Islands) (Con):

I welcome the opportunity to contribute to today's debate and congratulate Liam McArthur on securing Parliamentary time for an important subject for Orkney and all our island health boards.

As a member for the Highlands and Islands region, which covers an area with the same land mass as Belgium, I know that a one-size-fits-all model will never work for an area with such diverse and distinctive communities. The healthcare that is provided in Kirkwall can never be the same as that which is provided in Keith. Liam McArthur alluded to that, and I was encouraged when he said that the Cabinet Secretary for Health and Sport's letter also accepted the distinctive challenges in the very different communities within the same region.

The signs are that the Scottish National Party is, despite having its fingers burned by many other mergers, moving on with further centralisation of services. As my colleague Donald Cameron mentioned, anyone who followed the merger of Scotland's previous eight police forces into the national Police Scotland could not have failed to witness the havoc that that merger has caused. Jobs have been lost, staff morale is at an all-time low and—despite crime figures falling—public confidence that communities are safer is also falling. The chief constable stated recently that it will take a two-year to three-year adjustment period to balance the force's finances. I put that point to the First Minister last week. She was, as usual, quite dismissive about it. However, communities in Orkney, Shetland and the Western Isles will have looked at that centralisation of services and will be worried that a similar

approach is being proposed for their local health services.

When I listen to Maree Todd, a back-bench SNP MSP, I worry—

Maree Todd *rose*—

Douglas Ross: I will give way in a second. I worry that Maree Todd does not recognise the failure of the mergers and just assumes that similar problems would not happen were the islands' health boards merged and made bigger.

I give way to Maree Todd.

The Deputy Presiding Officer: I will allow you the time back, Mr Ross.

Maree Todd: Will Douglas Ross acknowledge that people in Moray, which is in his region, have raised concerns with him and with me about the false boundaries that are caused by the health board areas? People in Moray who may live closer to Raigmore hospital than they do to Aberdeen royal infirmary are forced, because of the area that NHS Grampian covers, to travel to ARI. Will he at least acknowledge that it is worth looking at mergers as a potential solution to some boundary issues?

Douglas Ross: I am not sure that Maree Todd made the point very well for her own argument. People in Moray are saying to me that because they live between Aberdeen and Inverness, the service that they get from the NHS is not as good as the service that people who live closer to those places get. A person who lives in Moray should not just have to put up with services being lost. We should look at delivering services locally, which is exactly what we are discussing in the debate, and not merging them into far bigger functions, because places such as Moray would get lost and forgotten about, which is a serious concern in our area.

NHS Orkney serves a population of approximately 21,500 people. Its challenges are well known. The 620 staff who are employed by NHS Orkney do a fantastic job and the Scottish Conservatives commend them for the role that they play across the Orkney Islands. When presenting the NHS Orkney annual review earlier this week—which Liam McArthur mentioned—Cathie Cowan took the opportunity to acknowledge the efforts that are made in Orkney, in particular to recruit and retain staff on the isles. They are a key asset and they will be troubled, I think, by some of the Scottish Government's proposals.

I hope to meet the board chief executive, Cathie Cowan; I have met the board chairman, Ian Kinniburgh. I know how passionate they are about delivering the best possible care as locally as possible. Consequently, it is difficult to hear some

of the examples given about people having to go as far as Dundee to get vital treatment.

I have always found that the best decisions are made locally and with the full involvement of the people who will be affected by them. Although there are no firm proposals on the table, there is a clear statement from the minority—I focus on the fact that it is a minority—Scottish Government that it will

“examine the number, structure and regulation of health boards”.

As a Scottish Conservative MSP for the Highlands and Islands, I urge the Scottish Government to consult fully on its plans. It is worrying that the Royal College of Nursing noted in its briefing for the debate that there has been

“little or no engagement on the government’s stated intention”.

The briefing also suggests that that could lead

“to a perception that change is being introduced by stealth, by a government talking behind closed doors.”

That cannot be allowed.

I welcome the debate, which allows us the opportunity to debate openly in Parliament, and I will listen carefully and with great interest to the Scottish Government’s response.

13:15

Tavish Scott (Shetland Islands) (LD): As other colleagues have, I thank Liam McArthur for bringing the debate to Parliament.

I will briefly concentrate on the care that medical staff bring to the islands. In particular, I thank staff at the Gilbert Bain hospital and throughout the NHS for the care that they gave my father recently. We sometimes take it for granted, but the professionalism of our staff is worthy of mention in a debate about process and structure.

It would be helpful for the minister to be clear with Parliament about what is going on. In today’s *Press and Journal*, the Cabinet Secretary for Health and Sport is quoted as saying that the Government’s objective is to

“reduce bureaucracy and remove ... barriers to effective patient care.”

I hope that, in her closing speech, the minister will be able to say exactly what those bureaucratic bits and the barriers are. When I ask the health service in Shetland to detail them, it would be interesting to compare the notes that the minister clearly has that illustrate why the need for change is so great. Of course it is right to remove barriers to patient care and to reduce bureaucracy, but instead of just the language of that, let us have some

concrete examples from the minister that illustrate why the Government is taking that approach.

As other members do, I, too, hope that the minister will in her closing speech commit to bringing the Government’s proposals to Parliament. We know that any changes to the structure of health boards and the geographic coverage of our territorial health boards can be made by ministerial direction. However, I hope that, instead, the minister will confirm that, if the Government concludes its plan to introduce proposals to Parliament, it will do so through primary legislation so that they are fully and properly scrutinised and consulted on.

I will make a couple of points on the general issues that have been raised well by members from all parties. The first concerns the integration of health and social care. As Audit Scotland has made very clear, integration is challenging, to put it mildly. It is challenging throughout Scotland but, as Douglas Ross said, it is certainly challenging in areas where boundaries are not coterminous. Therefore, it is beyond belief that anyone would propose merging the island health boards—whether in the Western Isles or the northern isles—with mainland health boards, thereby making the situation for those integration joint boards even more challenging. I hope that the minister will, based on that argument alone, recognise the importance of maintaining the geographic consistency of the boards that are being worked on.

That is not to say that the merger of health and social care is not difficult, because it certainly is. That is best illustrated by the report in last week’s *Shetland Times* that the integration joint board in Shetland decided not to close a ward in the Gilbert Bain hospital in Lerwick not least because of the argument that was made by one of its councillor members, who pointed out that there is only one intermediate care team, whereas four would be needed to deliver care, were that ward to close. That is an example of the importance of the accountability of our local health services to sensible arguments about the geography that we all face. It is the principal argument for not making a change to the island health boards.

The second argument is that, as we have seen time and again in Scotland, the management tier in a structural reform concentrates, through no fault of its own, not on the service—in this case, patient care—but on its own jobs and the future of its organisation. That will surely happen. We need look no further than Police Scotland for the way in which chief constables throughout Scotland had to deal with the consequences of the merger for their staff. I hope that the Government at least recognises that point and will be prepared to respond to it.

The essential point to bear in mind when it comes to designing healthcare in local areas is that it should be designed around the expertise of those who are involved in the service. I know that recruitment challenges are faced not just in Orkney and Shetland, but right across the Highlands and Islands, as many people have said in recent days—not the least of them being David Alston of NHS Highland. I suggest that the one thing that will not help us with those challenges is another process of structural reform. It seems that there are some very good arguments for not proceeding with such reform; I hope that the minister is listening.

13:20

The Minister for Mental Health (Maureen Watt): I welcome Liam McArthur's motion and the opportunity to discuss the points that are raised in it. The Government has placed the needs and aspirations of our island communities at the very centre of our agenda, and will continue to do so. I welcome the opportunity to talk about how we are delivering on that commitment.

The review of health boards' structures and functions and their relationships with local authorities has not yet begun, but I reassure members that the final proposals will ensure that the unique needs of our islands are reflected. Parliament does not yet have a timetable for introduction of the legislation; the Cabinet is still in discussion on the initial papers. It will be brought forward in the normal way and will, of course, go out to consultation of all those who wish to be involved in the process.

We are committed to services being delivered locally where possible, and we know that our islands' healthcare services are experienced in serving the unique needs of their populations. The NHS staff on the islands should rightly be proud of their delivery of those excellent services. As Rhoda Grant and others have said, healthcare professionals know their populations and their needs. That is precisely our direction of travel.

NHS Orkney and NHS Shetland are both developing new models of care so that services can be delivered locally for patients who would previously have had to travel to the mainland. For example, NHS Shetland has successfully worked with the Golden Jubilee national hospital to provide a shared pathway for patients who undergo joint replacement in Glasgow. That means that much of the pre-assessment and post-operative follow-up for those patients is provided in Shetland by local physiotherapists and nursing staff using telehealth techniques. I take on board Rhoda Grant's point that telehealth is sometimes restricted by the lack of availability of broadband services. That is why we need to continue with the

work that we are doing through the digital Scotland programme to upgrade broadband provision. NHS Shetland is now also working with NHS Grampian to use the approach that is being followed with the Golden Jubilee hospital in other parts of the orthopaedic pathway.

NHS Orkney is increasing provision of locally delivered services, including enhanced chemotherapy and gynaecology. Liam McArthur mentioned the £200,000 of funding for the acquisition of a CT scanner, which has enabled 800 scans—for which patients previously had to travel to the mainland—to be carried out in Orkney. That is an example of newly available local delivery.

John Finnie: Does the minister accept that there has always been such cross-border collaboration on specialist treatment? That does not require any alteration of the administrative structures, which should be local.

Maureen Watt: Yes, I accept that. As someone from the NHS Grampian area, I know about the CLAN Cancer Support services, on whose delivery we have worked with local people. I recognise the huge contribution that is made by the islands to the services that are provided at Aberdeen royal infirmary. However, local delivery of such services is possible only if we have the workforce to support it; we recognise the challenges of recruiting staff in the unique areas that we are discussing.

We also know that island boards are leading the way in designing models of care that maximise the contribution of the whole healthcare team. As I was saying before John Finnie intervened, there is more, not less, that we can deliver locally, and that is the direction of travel.

In Shetland, the largest GP practice has improved access to the healthcare centre by successfully introducing an advanced practice skills mix to its primary care team, which now includes GPs, advanced nurse practitioners, practice nurses and a pharmacist.

We seek to work more effectively for patients not only in the health service. Through health and social care integration, we have continued to build on the islands' long history of joint working across the public sector. That has empowered communities in the islands to develop and shape their health and social care services, and it allows them to control how best to use resources, based on their detailed understanding of the needs of their populations. Local people are developing local solutions. That is community empowerment and devolution to communities, not the centralisation that Liam McArthur and Donald Cameron tried to assert it is.

Liam McArthur: I really could not disagree with any of what Maureen Watt said, but what she describes has gone on for some time, as John Finnie illustrated. The island boards have demonstrated their willingness to work collaboratively within themselves and between themselves and larger health boards. The concern is that a merger of island health boards into a larger health board area would dilute the voice of the island health boards, which can currently stand alone and make representations as they see fit.

Maureen Watt: There are no firm proposals on the table yet, so Liam McArthur is just surmising that that will happen.

In reply to Liam McArthur and Tavish Scott, as the Cabinet Secretary for Health and Sport has said, we want to reduce

“unnecessary backroom duplication”

and remove structural

“impediments to better care.”—[*Official Report*, 7 June 2016; c 10.]

Given that we now have integration joint boards, do we still need to have the health boards, as well, or do we need a structure that reflects the change that has taken place?

We are supporting improvements through substantial financial investment across Orkney and Shetland. Resource budgets have increased by 15.5 per cent in real terms between 2010-11 and 2016-17. The uplifts for both boards for this financial year include £1 million for social care as part of the health and social care integration agenda.

We are making significant infrastructure investments, including more than £60 million in the new state-of-the-art Balfour hospital. That will support a range of first-class primary care, emergency and elective diagnostic, out-patient, day case and in-patient services. That is all to reduce the amount of time that folk need to travel to the mainland.

I say to Douglas Ross that I, as a Keith quine, would expect patients in Keith and Kirkwall to get the same high standard of care, however differently it might be delivered.

Someone made a point about artificial boundaries. That is exactly the situation that people in Moray find themselves in. They may want to go to Inverness, but a service being delivered at Dr Gray’s hospital instead of their having to go to Raigmore hospital is better. We have to remove the artificial boundaries that currently exist.

The commitment of the Government has been seen with the appointment of the Minister for Transport and the Islands, who is here with me.

We have said that we will in the future island-proof everything that we do.

In conclusion, it is right and proper for the Government to review the existing structures to support improvements in patient care. We will continue to identify specific solutions for our island communities to help them to continue to flourish and prosper in the years ahead. That will be not just for the benefit of Orkney, Shetland and the Western Isles, but for all of Scotland’s 93 island communities.

13:28

Meeting suspended.

14:30

On resuming—

Underground Coal Gasification Review

The Deputy Presiding Officer (Christine Grahame): Good afternoon. The first item of business this afternoon is a statement by Paul Wheelhouse on the review of underground coal gasification. The minister will take questions at the end of his statement and, therefore, there should be no interventions or interruptions.

The Minister for Business, Innovation and Energy (Paul Wheelhouse): This Government is taking a clear and consistent approach to understanding the potential role for emerging technologies that could be used to further develop Scotland's hydrocarbon resources. That approach is one of caution while we gather and consider evidence on those new technologies. A precautionary approach is the right approach, and it is one that has been widely supported by communities, industry and other interested parties.

I am aware that there have been some recent examples of misunderstandings regarding the different technologies involved. Therefore, it would be useful to take a moment to reiterate our position on unconventional oil and gas, before I turn to the separate issue of underground coal gasification.

On 28 January 2015, the Scottish Government put in place a moratorium on unconventional oil and gas, which means that no such activities can currently take place in Scotland. That moratorium covered hydraulic fracturing, or fracking as it is often referred to, and coal-bed methane. The moratorium followed the publication of a comprehensive report by our independent expert scientific panel on unconventional oil and gas. I encourage members to look at the report to refresh their memories on its detail. The report recognised that, although there was a considerable body of international research and evidence on unconventional oil and gas, there were gaps in key areas of evidence, including on climate change impacts, public health and decommissioning.

The moratorium on unconventional oil and gas ensures that no fracking takes place while we explore in detail those and other issues—like traffic and economic impacts—before holding a full and comprehensive public consultation. I can confirm today that the independent projects that we commissioned to examine unconventional oil and gas in more depth are nearing completion. As was widely reported at the time, there were delays to commissioning the transport research project and, despite acting swiftly to resolve those issues,

that sequence of events has had an inevitable effect on the timetable for completing and publishing our research. I assure members that the final project reports—which will form one of the world's most wide-ranging investigations into unconventional oil and gas—will be published in full as soon as possible after recess.

As members are no doubt aware, there are strongly held views around Scotland on unconventional oil and gas, and real concerns in communities. We must recognise, listen to and respond to those concerns. That is why the publication of the research reports will be followed by an extensive public consultation that will take place in winter 2016-17 as planned. The consultation will give people in Scotland the opportunity to consider, scrutinise, debate and set out their views on those technologies and the evidence. Given the seriousness of the issue, that is the right and proper way to proceed. To make a decision now would be to deny the people of Scotland a voice on that crucial issue.

I turn to a different technology, and one that is also very much a matter of interest to communities around Scotland, particularly around the Firth of Forth. Underground coal gasification—or UCG—is a process for converting coal into gas via combustion, while still underground. The technology requires two wells to be drilled: an injection well through which gases are pumped to create high-pressure combustion of the coal, and a production well through which the resultant syngas can be brought to the surface. Syngas is a mixture of gases—methane, hydrogen, carbon monoxide and carbon dioxide—which can be used as fuel or as a feedstock for chemical products.

Unlike hydraulic fracturing or coal-bed methane, there are very few examples of UCG technology being used commercially anywhere in the world. In recent years, however, there has been interest in deploying the technology in Scotland and, through the Coal Authority, the UK Government has issued coal mining licences for potential UCG sites in the Firth of Forth. I stress that no planning or environmental consents for UCG have been issued in Scotland. Planning and environmental protection are fully devolved matters and both consents are necessary before a development could begin.

On 8 October 2015, the Scottish Government put in place a specific moratorium on UCG—separate to the moratorium on unconventional oil and gas—using the planning powers available to the Scottish Government, so that evidence on that technology could be gathered and considered. To develop that evidence base, we asked Professor Campbell Gemmell, professor of environment research, policy, regulation and governance at the University of Glasgow, to undertake an

independent examination of UCG. I advise members that Professor Gemmell's report has now been published and copies are available at the rear of the chamber. I thank Professor Gemmell for his work and for preparing a confident and comprehensive assessment of the technology.

The report, which has been informed by literature and through in-depth interviews with academics, industry, non-governmental organisations, community groups and regulators, notes that there are substantial coal resources in Scotland that could potentially be exploited by UCG technologies, with the greatest reserves of coal being in central Scotland, Ayrshire, Clackmannanshire and east Fife. The commercial value of those reserves, if utilised for UCG development, would of course depend on gas market prices and competition, the quality and volume of gas, consistency of throughput and other economic factors.

On potential impacts from UCG, Professor Gemmell's report makes a number of observations that I believe raise serious concerns over the future of this industry in Scotland. First, there are very few comprehensive or peer-reviewed studies that examine the environmental and health impacts. Where impacts have been documented, they have been from trials rather than from full commercial-scale activity.

Where the industry has operated, typically at a pilot or trial scale, there is emerging evidence of significant environmental impacts including soil contamination and exposures of workers to toxins resulting from major operational failures. A number of failures in Australia have resulted in prosecutions being brought. Professor Gemmell also raises concerns that the current regulatory framework is insufficiently clear and would need to be improved to protect the environment, public health and workers' health and safety.

I turn to the important issue of climate change. Professor Gemmell notes that UCG produces a variety of greenhouse gases, many of which are without current viable market outlets. He concludes:

"Climate change and decarbonisation targets would be very seriously impacted by unmitigated releases of UCG GHGs—

greenhouse gases—

"if operated at scale, making the achievement of current or stronger commitments much more difficult if not impossible."

That would particularly be the case where gas production was not combined with a suitable removal, storage, offset or compensation method—for example, carbon capture and storage.

Professor Gemmell concludes that a step change in the availability of robust data and science would need to take place before the technology could be reliably assessed. In his words, a

"very substantial transformation in available data"

would be needed. In conclusion, Professor Gemmell states:

"it would be wise to consider an approach to this issue based upon a precautionary presumption".

He states:

"it would appear logical ... to progress towards a ban".

Having considered the report in detail, the Scottish Government's view is that UCG poses numerous and serious environmental risks, and on that basis the Scottish Government cannot support this technology. Accordingly, UCG will have no place in Scotland's energy mix at this time.

I acknowledge the interest that there has been in the technology in Scotland and I am confident that any companies with an interest in UCG would aim to operate to the highest standards. I also acknowledge the shortage of reliable information that Professor Gemmell was able to identify. I am grateful to him for the lengths that he went to, which ensured that he reached out to a broad spectrum of interested parties and community groups both in Scotland and worldwide.

I will therefore ensure that there is sufficient opportunity for views and evidence to be brought forward and considered as we develop and consult on our energy strategy for Scotland, which will set out an energy mix for the future that does not include underground coal gasification. Today, I wrote to the Secretary of State for Business, Energy and Industrial Strategy setting out the Scottish Government's concerns. I have asked him not to grant any further licences for UCG in Scotland and to revoke all existing licences.

I understand that the UK Government is also considering its position on UCG, and an announcement is due shortly. I expect that the Conservative members in the chamber may have thought to familiarise themselves with the position that is likely to emerge. However, it is a matter of great regret that this Parliament does not have the necessary powers over the licensing regime for UCG. The Scottish Government therefore intends to continue to use the planning powers that are available to us to ensure that UCG applications do not receive planning or environmental permission. I cannot predict what clean energy technologies may be available in the decades to come, but what is certain is that the coal resource will still be there.

The position on UCG that I have announced today is a clear validation of the evidence-based

approach that this Government is taking. We live in a world where the pace and scale of technological innovation are increasing. That is a testament to our collective ingenuity and it must be supported and embraced wherever possible. However, when necessary, we must be ready to pause so that we can consider and interrogate the evidence and be ready to act accordingly, which I believe we have done today.

The Deputy Presiding Officer: The minister will now take questions on the issues raised in his statement. I intend to allow around 30 minutes for questions, after which we will move on to the next item of business.

Alexander Burnett (Aberdeenshire West) (Con): I thank the minister for advance notice of his statement. However, along with many oil workers who are trying to find re-employment, I am deeply disappointed by the stance that the Scottish Government is taking on UCG today. Its taking that position two weeks before the SNP conference is no surprise, but it marks yet another missed opportunity for the SNP.

It is evident that we must switch to a low-carbon economy, and UCG is certainly one of the fuels that we can use to do that. It is perhaps a shocking indictment that the Government's own expert, Professor Campbell Gemmill, writes in his report:

"The regulatory framework is potentially adequate but is currently fragmented, insufficiently clear and does not fit well together for the ease of use by the operator, for the integrated protection of the environment or for the reassurance of the public."

Does the minister agree that one of the main reasons why UCG cannot go ahead is because the regulatory framework in Scotland is not good enough? Whose fault is that?

Paul Wheelhouse: It is very interesting that Mr Burnett has changed his tone on the issue markedly since his performance, if I can call it that, on "Good Morning Scotland" this morning. The presenter asked him:

"The Scottish Government has gone through a process here, a moratorium, an independent report, is that not the right way to proceed?"

In response, Mr Burnett said:

"I think so but at the end of the day when you have a report you have to listen to the scientific advice you are given and we don't believe the Scottish Government is doing that."

What are we doing other than listening to the scientific evidence that says that the UCG industry cannot safely be deployed in Scotland?

On Mr Burnett's point about the oil industry, he cannot seriously question the Scottish Government's commitment to the oil and gas

industry. We are doing extensive work through our oil and gas jobs task force, and I am sure that he is aware of the transition training fund to help workers from the oil and gas industry into alternative employment. We are doing everything that we can in that regard.

Mr Burnett picked up on an issue on which he obviously had to change his script—I presume after consulting his colleagues south of the border. On his point about the low-carbon economy and regulation, there is no point in putting in place regulation for an industry that is not going to be acceptable because of its impact on the environment, and the scientific evidence proves that the industry is not acceptable at this time. Professor Gemmill has recommended that we move towards a ban. Perhaps Mr Burnett should listen to him.

Claudia Beamish (South Scotland) (Lab): I thank the minister for prior sight of the statement and Professor Gemmill's "Independent Review of Underground Coal Gasification." The statement highlights concerns about

"soil contamination and exposures of workers to toxins resulting from major operational failures",

and a great deal more. Concerns about climate change are also recognised in the statement and in the report. It is a welcome first step that the Scottish Government

"intends to continue to use the planning powers that are available to us to ensure that UCG applications do not receive planning or environmental permission",

and that UCG will not be included in the energy strategy.

The report recognises the importance of the precautionary principle and states that

"it would appear logical ... to progress towards a ban".

Surely a similar precautionary principle applies to all forms of unconventional oil and gas extraction. The Parliament has already raised concerns about unconventional oil and gas extraction. Will the Scottish Government now respect the will of the Scottish Parliament and introduce an outright ban immediately on all forms of unconventional gas extraction?

Paul Wheelhouse: First, I welcome Claudia Beamish's welcome of the steps that we have taken today—that is positive. I understand the position that the Labour Party has taken on the issue and I am not challenging its right to do so. However, I gently put it to Claudia Beamish and her colleagues in the Labour Party that we have proven today that we can take a sensible precautionary approach. There is a moratorium in place that prevents any activity involving hydraulic fracturing from happening in Scotland while we do the necessary scientific research to understand

the impacts of the industry. The expert panel revealed that there were some significant gaps in our understanding—I am sure that Claudia Beamish recognises that. Those gaps need to be filled, and we are going through that process.

I have set out today the rough timescale for the publication of our reports, and we have committed to having an extensive public consultation thereafter to allow the people of Scotland to have a say on the matter. That is very important. The evidence that Professor Gemmell has set out is extremely clear in the case of UCG technology, but we are trying to deal separately with two separate technologies on the basis that we have set out to Parliament previously and which I have repeated today.

I give Claudia Beamish an undertaking that we will take very seriously the scientific evidence that comes forward on those technologies but will also consult the public. We will give stakeholders, from environmental NGOs through to the industry and the wider public, the chance to have a say on that evidence and to augment it where necessary, or to criticise it where they feel that that is justified.

Angus MacDonald (Falkirk East) (SNP): The vast majority of my constituents in Falkirk East will warmly welcome the Scottish Government's decision on UCG.

Clearly, opening up any new fronts in fossil fuel extraction is bad for the climate. Only this week we heard again about renewables achieving new records, with the news from WWF Scotland that, for two days in September, wind power generated the equivalent required to meet all Scotland's electricity needs for the day.

Does the minister agree with WWF and the Committee on Climate Change that we must build on our renewable electricity revolution and expand it to other sectors such as heat and transport?

Paul Wheelhouse: I very much agree with the sentiment behind Mr MacDonald's question. As I am sure he knows, we plan to publish a draft energy strategy by the early part of next year—by January, I hope—to coincide with the delivery of the climate change plan. The two strategies are closely integrated.

We seek to have a balanced energy mix in Scotland, and it will be no secret that this Government believes that our future relies on a low-carbon, decarbonised electricity generation system, and that is where we are putting a considerable amount of effort. We will set out, technology by technology, what approach we believe that we can take to pursue that low-carbon future and to support the growth of renewables.

Before I am criticised by Conservative members, it is worth saying that we very much

believe in the future of our oil and gas industry as a traditional industry. We have to achieve a low-carbon future, but we know that oil and gas will be important for many years to come and will supply feedstock for the petrochemical industry and other industries.

I reassure Mr MacDonald that we take the development of our renewable energy industry extremely seriously, and we challenge the UK Government to back that industry with appropriate routes to market for onshore wind and tidal energy and other technologies, such as pumped hydro, to ensure that we can maximise the opportunities in Scotland.

Murdo Fraser (Mid Scotland and Fife) (Con): Until recently, the Scottish Government's website said:

“alternative mining technologies, such as underground coal gasification, are attracting interest both globally and from a number of developers in Scotland. The Scottish Government are supportive of such innovative technologies which offer the potential for a secure, economic and low carbon energy store.”

Indeed, in April 2015, the minister's predecessor, Fergus Ewing, said:

“We should never close our minds to the potential opportunities of new technologies.”—[*Official Report*, 28 January 2015; c 19.]

Does the minister recognise the dismay of many in industry that the open mind of Fergus Ewing has been replaced with his closed mind?

Paul Wheelhouse: It is nice to see that Murdo Fraser is being as charitable as ever.

On the comment on the website that Murdo Fraser mentioned, I would say that we have taken a genuinely technology-neutral stance on the issue. We have looked at the technology and my predecessor, Fergus Ewing, whom the member accuses of having an open mind, commissioned the very research that I am reporting on today, which concluded that this technology cannot be safely deployed at this time in Scotland. Because of that, this Government is taking forward an energy strategy that has no place for underground coal gasification in the energy mix. I think that that is a reasonable approach to take.

The results of the research that was commissioned by Fergus Ewing and reported on by me might be unappealing to Murdo Fraser, given his predisposition towards fossil fuels, but I challenge him to challenge Professor Gemmell's research, which is conclusive about the risks that underground coal gasification poses to the environment and to the health and safety of the workers involved, with the risk of explosions, both underground and on the surface. We have to take account of those matters and, in this case, we have decided that the industry is not an

acceptable one in Scotland at the moment. However, as I said, the resource will remain where it is. The coal will still be there and if safe, clean technologies that do not damage the environment are developed in the future, it can still be exploited.

John Mason (Glasgow Shettleston) (SNP): The minister referred to the energy strategy. Is he convinced that we can generate the energy and jobs that we want and need, allow people to heat their homes and safeguard the environment? Can we get a balance between all of those issues?

Paul Wheelhouse: I very much agree with Mr Mason that with our energy strategy, we are taking a whole-system approach to Scotland's energy use and energy supply. Crucially, we will be considering how we can reduce demand. We will also address fuel poverty and help individuals to have a more sustainable future and deal with the financial implications of rising costs of energy. We will deliver, as well, on our climate change policies, which are about trying to ensure that we meet our ambitious targets for 2020 and 2050.

As the member will be aware, the First Minister has signalled that we seek to increase the ambition of this Government to tackle climate change. That makes it all the more important that we take into account the impact of an industry such as the one that we are talking about on climate change targets. Without the potential for mitigation through CCS or other approaches, that impact is another significant reason why we cannot pursue that industry at this time.

I give the member an assurance that issues such as district heating and heat mapping are very much in our minds. Taking forward Scotland's energy efficiency programme as a national infrastructure project will enable us to tackle fuel poverty and reduce emissions from our domestic sector.

Claire Baker (Mid Scotland and Fife) (Lab): I first asked the Scottish Government to ban UCG in 2013, and I have been raising concerns about the issue ever since. The previous energy secretary said that it was not possible for the Scottish Government to rule out UCG, so I am glad that the current energy minister takes a very different view. I commend him for taking the decision today to rule out UCG as part of Scotland's energy mix. Is he planning to issue revised and appropriate planning guidance to local authorities on the back of today's decision?

Paul Wheelhouse: Issues to do with planning policy are a matter for the relevant minister, so it is not within my gift to do that. However, I will make sure that the point is raised with my colleagues.

Given a firm statement in our energy strategy and the fact that we have made it clear that we are

not going to issue any planning permissions or environmental consents, it would be impractical for a project to be developed in Scotland. We have legal constraints on us, as the licensing is still undertaken by the UK Government, but we have made an appeal in the letter that was sent today to Greg Clark, the Secretary of State for Business, Energy and Industrial Strategy, for the existing licences to be revoked and for new licences not to be issued out of respect for the decision that we have made today. I will make sure that the matter of planning policy is raised with my colleagues.

Joan McAlpine (South Scotland) (SNP): I, too, welcome the minister's statement. The UK Coal Authority has already issued licences for underground coal gasification beneath the Solway at Gretna, but I am pleased to say that the company that received those licences has now abandoned its plans and has folded. Does today's announcement mean that my constituents in the area can be reassured that underground coal gasification will not now take place under the Solway in future?

Paul Wheelhouse: That is an important point. As I outlined in my statement, the Scottish Government intends to use its powers to block UCG activity in Scotland. I have written to the secretary of state, making clear the Scottish Government's view that the UK Government should not issue further licences for UCG in Scotland and that existing licences should be revoked. That would mean that no UCG activity could take place. The licence that was issued for the Solway Firth is due to expire in December 2016 and I understand that the licence holder, Five-Quarter Energy Holdings Ltd, has ceased to trade in the UK. I trust that those actions will reassure the member.

Maurice Golden (West Scotland) (Con): Given the fact that climate change is a global issue that requires global solutions, can the minister assure the chamber that this is not a parochial decision by categorically stating that Scotland will not import gas that has been obtained via this method, now and in the future, from anywhere else in the world?

Paul Wheelhouse: I encourage Mr Golden to have a conversation with Mr Fraser, because there seems to be a dichotomy in the Conservative Party on the future of Grangemouth. On the one hand, we have a member praising the importing of gas to Scotland to secure the future of Grangemouth while, on the other hand, we have a member criticising that approach. These are commercial decisions that are taken by Ineos, which is a major employer in the area. [*Interruption.*] The Government supports the Grangemouth plant, recognising its important role in the local economy, and believes that those

matters are best left to the company. I point out to the member that Jim Ratcliffe—

Murdo Fraser: You will import the gas from somewhere else.

Paul Wheelhouse: Presiding Officer, I am being barracked from a seated position.

The Deputy Presiding Officer: I thought that you were tough enough to take it, minister. Mr Fraser, you have had your say.

Paul Wheelhouse: Jim Ratcliffe, whom Mr Golden will recognise as a key figure in Ineos, has said that Grangemouth has at least 20 years of life in it with the importing of gas to Scotland from overseas. That is a commercial decision that the company has taken.

Colin Beattie (Midlothian North and Musselburgh) (SNP): Does the minister share my astonishment that the Scottish Government has repeatedly been criticised by the Tories for taking advice from a wide range of independent experts, for pledging to publish that advice in full and for promising to give the people of Scotland a chance to make their views heard?

Paul Wheelhouse: I absolutely do. We have been—and are the only political party to be so—consistently clear on our position on unconventional oil and gas.

I disagree with Michael Gove, a colleague of the Conservatives, who said during the European Union referendum that people in this country had had enough of experts—and look where that got him. Maybe the country would not be in such a big mess given the impact of what is likely to fall on us as a result of Brexit if Conservative ministers—of which, at the time, Michael Gove was one—had listened more to the experts.

The people of Scotland are smart enough to see the value of seeking out evidence and interrogating it before coming to a decision. We are committed to allowing the public to have their say on this crucial issue. I would challenge the Conservatives on why they are afraid to listen to the people of Scotland's views on these important technologies and to hear the people's thoughts on their future.

Mark Ruskell (Mid Scotland and Fife) (Green): I warmly welcome the report and its conclusions. It validates not only a robust science-led approach, but the concerns of communities around the Firth of Forth, on the Solway and across Scotland. Their concerns, which had been rubbished by an aggressive industry over many years, are now endorsed by this Parliament; their voices have been heard.

Now that the minister has identified the use of planning powers as the route to a permanent ban,

when will the Scottish Government amend the Scottish planning policy and the national planning framework to embed the decision into policy in a legally watertight way? I heard the minister's answer to Claire Baker about embedding it into the energy strategy. I also note that he wrote to the heads of planning in 2015. That is not enough. The minister needs to explain how he will embed the ban into planning policy.

Paul Wheelhouse: That is a very important question, and I acknowledge that Claire Baker made the same point. Today, the Government has announced its policy decision on the future of UCG. We have committed—I mentioned this in my statement—to undertake a strategic environmental assessment as part of our energy strategy, where we will set out that we are not supporting this technology. Obviously, we have to wait for that to be concluded. We are clear about our position, but we have to go through due process. Once that is concluded, the energy strategy has relevance in relation to planning decisions and matters, but I will take forward Mr Ruskell and Claire Baker's points and ensure that we can give clarity to both members and any other members who are interested in the issue.

Clare Adamson (Motherwell and Wishaw) (SNP): As Mr Ruskell and Angus MacDonald have mentioned, I am sure that communities on both sides of the Forth will be relieved to hear the minister provide such clear assurances on underground coal gasification and on his willingness to let the people of Scotland's voice be heard. Will the minister give an assurance that their views will be taken fully into account when also considering hydraulic fracturing—or fracking—should that happen in Scotland?

Paul Wheelhouse: Our consultation on unconventional oil and gas, which will take place on schedule this 2016-17 winter will, I promise, be a comprehensive exercise that will take on board a range of views from the public and allow scientific evidence to be presented both for and against the relevant technology. We will give everyone who has an interest in the issue an opportunity to express their view. Consultation with the people of Scotland will be a key element of our understanding of the issues around the future of both technologies. I give a commitment to the member that we will be listening very carefully to the people of Scotland's views.

Jackie Baillie (Dumbarton) (Lab): I welcome the minister's announcement, which recognises the significant risk to the environment, communities and UCG workers. What preparations has the minister undertaken for a legal challenge, should there be one? What is his expected timeline for a UK Government response, confirming that it will revoke the licences?

Paul Wheelhouse: I do not want to be churlish about the UK Government, but my expectations on the timing of its reply are coloured by the slow pace of its replies to me on other matters. This is a high-profile matter and, with the support of Conservative members here to seek clarity on the issue, I am sure that we can get a quick reply from Mr Clark.

I highlight that we are going through what we believe to be the due process. Campbell Gemmell's evidence gathering has been thorough, we have read the report and we have come to a decision about the technology's future. Given that we are not proposing to bring in a new technology, our suggested approach is to make the decision clear in the energy strategy and to take the matter forward through the strategic environmental assessment associated with that strategy. That gives a potential route for people who want to complain about the approach to make their views known. Once the energy strategy is adopted and finalised, our position will be ratified, assuming that there are no show-stoppers during the SEA process. I am happy to keep the member informed as we undertake that journey.

Willie Coffey (Kilmarnock and Irvine Valley) (SNP): There appears to have been confusion among some Tory MSPs recently about the difference between underground coal gasification—UCG—and fracking. Does the minister share my hope that the forthcoming publication of the expert reports on unconventional oil and gas will lead to a better-informed debate in the chamber and throughout the country?

The Deputy Presiding Officer: We have time in hand, minister, so you can give a very full response. We have only Ms Smith to come next.

Paul Wheelhouse: I will happily do so, Presiding Officer.

Willie Coffey makes an important point. There has been a lot of confusion in some quarters of the media and the chamber on the different technologies. That is why I took some time in my statement to try to make clear the differences between them and the fact that we have different procedures in place to ensure that we gather the scientific evidence.

In the case of the work that was done by the expert panel on unconventional oil and gas, some significant issues needed to be addressed on the health impact, decommissioning and climate change impacts. That required us to commission and receive reports. I have yet to see the reports myself but I will do so in the near future and will be able to report back to the Parliament on the findings.

However, we were able to address underground coal gasification separately through Professor

Campbell Gemmell. There is far less evidence of its deployment on anything other than a trial or pilot basis, as I said in my statement. Therefore, we were able to come to a clear conclusion on the basis of the analysis that Professor Gemmell presented to us.

I take Mr Coffey's point entirely. Once we have published the reports, I hope that the process will help to educate members about the differences between the technologies and, crucially, inform the public and invite them to give their view on the future of those technologies.

The Deputy Presiding Officer: Having said that I had time in hand, I now have an additional two speakers, which I do not mind at all. Elaine Smith will be followed by Graham Simpson and Liam McArthur in that order.

Elaine Smith (Central Scotland) (Lab): I welcome the Government's decision to stop UCG based on Professor Gemmell's review. I note that, in his statement, the minister also mentioned fracking, which is of concern to many constituents in Central Scotland. Of course, the Parliament voted to ban it. Is he, like me, concerned that it has been given the go-ahead in Lancashire today, particularly given the previous earth tremors in Blackpool? When will his consultation on fracking close and when can we expect a Government decision?

Paul Wheelhouse: The decision on Lancashire is obviously a matter for the UK Government. I contrast that with the approach that we have taken to date of looking at scientific evidence and reaching a considered conclusion on UCG, as well as the approach that we are taking in regard to hydraulic fracturing—fracking—and coalbed methane, on which we will gather scientific evidence and then consult the public on their view. I dare say that the community that is affected in Lancashire might not have been fully consulted in the process.

We have consulted all the stakeholders—the industry, the communities and the NGO community—on our thinking on the timing of the reports. We will try to avoid compressing the consultation due to the Christmas period. Therefore, we will choose the timing carefully so that people will have as long as possible to submit their views. We will also try proactively to engage community councils and other stakeholders to ensure that access to the consultation is as open as we can possibly make it and will use existing Government portals to promote the consultation online.

I assure Elaine Smith that we are doing what we can to prepare for a thorough consultation in the expectation that there will be a lot of interest in it throughout the country, not just in the affected

communities, and to ensure that we take on board all views as best we can. I assure her that we will keep the Parliament informed about timing and will do our best to ensure that nobody is unaware of the consultation.

Graham Simpson (Central Scotland) (Con): I have a practical question for the minister on planning. I was not sure about his answers on the matter. If an application were to come before a local authority, which granted it, what would the Government's response be?

Paul Wheelhouse: I will put on record our position on that to help members, because I appreciate that Mr Simpson is the third member to ask a similar question on certainty.

We are saying that the Scottish Government does not support the development of a UCG industry in Scotland. As I said in response to the second such question that was asked, the forthcoming energy strategy will set out an energy mix for the future and the Scottish Government's preferred position is that underground coal gasification should have no place in those plans.

As I said, today we have written to Greg Clark on the issue of licences, and I hope that that is progressed as quickly as possible to prevent new licences from being issued—if no licences are issued, that will remove the need to even consider planning issues—and to revoke the existing licences so that there are no existing planning issues to resolve, either. In the absence of any licences being issued, there will be no need for the Government to deal with any planning applications.

No planning or environmental consents for UCG have been issued in Scotland. Such matters are fully devolved, and both consents are necessary before a development can begin. The Scottish Government will continue to use its powers to prevent UCG from taking place in Scotland. However, I take Graham Simpson's point. By coming to the chamber, through the Scottish Parliament information centre or by other means, we will make sure that members are briefed on the precise approach that we take to stop that happening.

The Deputy Presiding Officer: Liam McArthur will be the last questioner.

Liam McArthur (Orkney Islands) (LD): I thought that it would be helpful for me to allow colleagues who are to participate in the next debate a little more time to get to the chamber—

The Deputy Presiding Officer: I have handled that already.

Liam McArthur: I never had any doubt, Presiding Officer.

I thank the minister for advance sight of the statement. I very much welcome the decision that he has announced today, and I put on record my thanks to Campbell Gemmell and his colleagues for the arduous work that they have done over a number of months in producing what is a very helpful report for the Parliament.

In response to Elaine Smith, the minister went into a little more detail on the consultation on fracking. I understand why he might not be able to put a timeframe on that, but will he explain what weighting, if any, will be given to the responses that come through in that consultation? As he has acknowledged, views on the issue are extremely polarised. The concern might be that it might just be a numbers game, or that the consultation might almost be prejudged. Any advice that he can offer on the way in which the consultation and submissions to it will be handled would be very helpful.

Paul Wheelhouse: I am happy to address that. As I said, we commit to giving more detail to colleagues across the chamber as soon as we can.

Will it just be a numbers game? I do not think so—I do not think that that would be appropriate—but we will obviously take account of the strength of support for or opposition to the technology. That is an important dimension among the communities that might be most affected by such developments. We must also look at the merits of the arguments for and against and try to take a considered view.

I do not want to prejudice how we will go about that process, but we will provide clarity so that those who take part in the consultation know how they can best contribute to it and have an impact on it. We will take into account the quality and the level of detail of the information that is supplied. We expect to receive a mixture of individual responses from a large number of people who are pro or anti the industry, submissions from environmental NGOs and evidence from the industry that it believes is pertinent to its case. As I said, we are trying to be as open as possible to allow as many people who wish to take part in the exercise to do so.

That will have resource implications, so it is difficult to be precise about the timing of publication, but we are trying to run the consultation in the context of delivering our energy strategy, and I think that Mr McArthur is aware of the timescales for that.

The Deputy Presiding Officer: Thank you. That concludes questions on the statement.

Before we move on to the next item of business, I will allow the front-bench team to change over.

BBC Royal Charter and Framework Agreement

The Presiding Officer (Ken Macintosh): The next item of business is a debate on motion S5M-01828, in the name of Fiona Hyslop, on the draft BBC charter.

15:09

The Cabinet Secretary for Culture, Tourism and External Affairs (Fiona Hyslop): I welcome the opportunity to open this debate on the renewal of the BBC charter. The draft charter, which was published on 15 September, sets out the United Kingdom Government's expectations of the corporation for the next 11 years. For the first time, the Scottish Government has had a consultative role in the charter's development, which I ensured would apply throughout the process.

The Scottish Government's approach has been to seek consensus and agree a vision that would bring the BBC up to date, make it more relevant to a devolved nation and bring its governance and delivery much closer to Scotland's audiences. The process has involved a genuinely constructive dialogue with the many people who believe in public service broadcasting and believe that it can be better. That includes independent producers, other broadcasters, equality and diversity bodies, broadcast experts and, indeed, the Scottish Parliament in the motion that was passed on 23 February.

During that process, I have met the former Secretary of State for Culture, Media and Sport and the current one to reiterate our proposals and suggest how they might be incorporated into the charter. I contributed to David Clementi's review of the BBC's governance and regulation, met Ofcom's chief executive and engaged with the BBC trust, the relevant parliamentary committees and a number of stakeholders whose expert views I have been keen to factor into our thinking. I have also had meetings with the BBC director general and BBC Scotland.

I will update members on what we have achieved and where we think the charter could be improved. The draft charter is an improvement, but it does not fully deliver the BBC that needs to be in place to properly serve the people of Scotland. Our vision for the BBC's future is rooted in three overarching objectives, which are predicated on our commitment to the corporation's on-going editorial independence.

The first objective is to empower BBC Scotland to address the concerns of audiences and deliver better outcomes, including more representative content across all outputs. The second is to

ensure that the BBC's governance and structure are more responsive, reflect the devolved nature of the UK and can deliver similarly decentralised decision making. Thirdly, through those structures, we expect the BBC to deliver better outcomes for audiences and implement commissioning and editorial practices that will support the growth and sustainability of Scotland's creative industries.

We have achieved welcome improvements, including an enforceable service licence for Scotland. The secretary of state has confirmed that that will ensure that the commitments that Lord Hall made flow through to Ofcom's new licensing regime and, more important, that the BBC will have to deliver for Scotland against tangible targets. We have achieved the welcome improvements of a dedicated board member for Scotland; a commitment to continued support for Gaelic broadcasting and MG Alba; proposals for the BBC to report on its contribution to Scotland's creative economy for the first time; the removal of the charter from the election cycle; and a new public purpose to reflect, represent and serve the nations and regions.

We have moved into a new era of accountability and scrutiny. The Parliament will have powers to scrutinise the BBC, to call it to appear before the relevant committee and to hold it to account. The Parliament has already begun to scrutinise the charter through the work of the Culture, Tourism, Europe and External Relations Committee.

The new BBC board will have a non-executive member for Scotland whose job will be to ensure that Scotland's interests are understood and taken seriously. The unitary board structure that is set out in the charter is consistent with part of our proposals, but we believe that, to deliver better outcomes and greater transparency, Scotland, Wales and Northern Ireland should also have their own national boards.

Tavish Scott (Shetland Islands) (LD): I noticed that the letter that Fiona Hyslop received from the UK Secretary of State for Culture, Media and Sport says that her involvement in the process for appointments to the unitary board over the coming weeks will include asking for her agreement to the final appointment. Is that indeed the case? Will the Scottish Government have what I might describe as a veto over the appointment?

Fiona Hyslop: We currently have input on the BBC trust appointment, and we expect to input constructively into what should be an open, fair and transparent public appointment to the position. Therefore, we will be involved. As in many areas of culture and heritage, we will do that constructively. I hope that the appointee will not only serve Scotland but have active input into a range of issues on a UK-wide basis. That person could be a link between the unitary board for the

BBC and the Scottish board, which we still think there should be.

If the BBC is to remain relevant, it needs to keep pace with the realities of devolution. It should decentralise, its funds should be redistributed, and editorial and commissioning decisions should be devolved. Gaelic broadcasting is a good example of where a clear step change on one relatively small area of broadcasting would deliver improved outcomes across a number of areas, such as audience satisfaction and investment in our creative industries.

The agreement sets out a commitment for the BBC to continue its partnership with MG Alba for the next 11 years. We welcome that, but it does not go far enough and we must continue to press it home that nothing short of a credible move towards parity with the funding model that is in place for S4C is acceptable. The ask is modest—it is for 10 hours of original programming a week. That would constitute a relatively small investment from the BBC, but it would be a just and positive outcome that would have an enormously positive impact for audiences and for the creative sector.

We have emphatically championed the BBC's editorial independence throughout. The BBC plays a crucial role in supporting the social, cultural and democratic life of our nation. Our policy position to decouple the charter from the Westminster election cycle has been achieved and the 11-year cycle is enshrined in the charter.

The BBC must be empowered to play the best role that it can in social, cultural and democratic experiences for audiences in Scotland. I am sure that we all look forward to a *Daily Mail* front page claiming that the charter blocks the creation of a "Scottish Six", winning its author a particularly uncoveted prize from the Scottish Parliamentary Journalists Association later this year. The fact that STV might steal a march on the BBC with an "STV Seven" shows what can be done.

The draft charter sets a stronger public purpose—to reflect, represent and serve the diverse communities of Scotland and the other nations and regions of the UK. I have continuously pressed for that and we have achieved it. What is more, in delivering that, the BBC must also invest in the creative economies of the nations and for the first time be accountable for that. That means that we should—and we expect to—see increased and improved content and programming that is made in Scotland for the people of Scotland and for the wider network, and which draws on the technical and creative talent that we have in Scotland, across all the BBC's services.

That should not just deliver greater investment in our creative sector but see strides being made in the representation and engagement of

Scotland's diverse peoples, with richer and more complex narratives emerging in the wake of greater visibility for stories from Scotland and participation by women, minority ethnic people, disabled people and lesbian, gay, bisexual and transgender people across Scotland and across the UK. The BBC as an institution needs to have more diversity in its decision-making arrangements and it needs to draw on the diversity of talent and experience across the country.

That public purpose, coupled with the promises made by the BBC's director general in May 2016, including additional funding for improving services for more dedicated content, marks a significant commitment to Scotland's people—a commitment that we must hold the BBC to. The charter directs the BBC to set out in its annual plan how it will deliver on its duties, including improving services for Scotland, and we welcome the moves to strengthen the BBC's requirement to report against its creative remit nation by nation.

I expect that requirement to encourage the BBC to look at the big picture across Scotland and take a more strategic approach, with an eye to a future that is structured by ambition, vision and energy, instead of the current situation in which it retrospectively assesses investment simply to deliver for the quota and relies on snooker coverage, for example, to make up the quota numbers. Snooker from Sheffield is hardly Scottish. I also urge the BBC to consider how it will take audience views into account.

The BBC is now required to report in detail on how well it is delivering against its plans, and Ofcom will act as regulator. A strong and well-resourced Ofcom is key in holding the BBC to account. I met Ofcom's chief executive on 23 August and gained her commitment to work with us to ensure that the needs of Scotland's people are properly served—specifically through a service licence that makes clear the expectations that are placed on the corporation. However, as we recently made clear, the regulator can regulate effectively only if it is properly resourced to do so; that should not be through top-slicing the BBC licence fee. I have committed to working with Ofcom to help with understanding the shape and scope of the service licence and I look forward to further discussions on the matter.

BBC radio remains part of the fabric of life in Scotland, and it is worth asking again how the BBC really views BBC Radio Scotland. Does the BBC see it as a truly national station, such as Radio 4, or does it view Radio Scotland as another regional station? Throughout the process, I have been clear that the BBC needs to invest more in radio in Scotland, in commissioning for the wider BBC radio network and in the funding of Radio Scotland and BBC Radio nan Gàidheal. It must

also acknowledge the appetite for the expansion of national radio provision.

I welcome the secretary of state's co-operation in her response to our requests and in my meeting with her. However, I urge her to go further. Scotland's ask has been simple and credible and has been supported by a wide range of organisations and individuals who agree that business as usual is not acceptable.

It is unjust, unfair and plain wrong that Scotland raises more than £320 million in licence fee revenue but sees only 55 per cent of that return to Scotland in BBC spend. Without full commissioning and editorial control in relation to the licence fee money that is raised here, the BBC in Scotland will not be all that it can and should be. A simple analysis of the BBC's accounts lays bare the misrepresentation about Scotland getting what it deserves and the remaining moneys being invested in wider services that Scotland's audiences enjoy, because the BBC invests more in the other nations. Scotland has been losing out for years, and that must be put right.

We continue to press for change. The UK Government has at times taken what seems to be an arbitrary view on which matters are policy decisions for the BBC and which are legitimate items for a charter. We continue to assert that it is not appropriate to leave such crucial matters to the commitment of individuals who come and go.

Although the commitments that Lord Hall set out in his letter of 12 May, such as the commitments to

"set 'portrayal' objectives for all television commissioners"

and to make Scotland

"one of our Centres for Excellence for factual television production"

are welcome, decentralisation needs to be properly secured. Only by anchoring decentralisation in the charter can we hold the BBC to account.

Why is it that views from Scotland are somehow seen as partial and self-interested in comparison with views from the offices of BBC executives in London and Salford? A readjustment in the relationship will be good for all, enhance decision making and accountability and provide a better offer for audiences.

Now is the time for the BBC to be truly bold and ambitious for itself and, in so doing, to be ambitious for Scotland. I urge the corporation to seize the opportunity to deliver a step change in what it does and how it does that, to provide substantive, quality public service broadcasting now and in the future.

I move,

That the Parliament notes the publication by the UK Government of the draft BBC Royal Charter and draft BBC Framework Agreement.

15:22

Jackson Carlaw (Eastwood) (Con): My goodness—the cabinet secretary finished just as someone else finished their speech yesterday, by saying that it is time for change and let us seize the moment. There we go.

Unlike in my favourite children's television programme, this is not a speech that I made earlier. I was keen to hear what the cabinet secretary said in her introduction. I agree with a great deal of what she said; there is a considerable amount of consensus. She made a number of points that are challenges to the BBC, and I might not entirely share the analysis that underpinned those points. I will touch on that later.

In her speech yesterday, the Prime Minister bundled the BBC and the national health service together. I suppose that, in a sense, they are both cradle-to-grave services that we expect and enjoy. For me, it began with "Andy Pandy" and "The Woodentops" and continued through "Blue Peter" and "Animal Magic" to "Doctor Who" and on to "Nationwide" and "Reporting Scotland"—then with the formidable Mary Marquis, now with the equally formidable Sally Magnusson—and programmes from "Colditz", "Secret Army", "I, Claudius" and "Dad's Army" to "The Night Manager" and "War and Peace".

On the radio, there was "Junior Choice with Ed Stewart", then Radio 1, then Radio 2—I sometimes think that a radio two and a half would suit me now. Drama, comedy, "The Archers" and the "Today" programme on Radio 4 are all part of my daily life. I am told that I will eventually revert to "Andy Pandy" and "The Woodentops" when I reach a later stage in my life.

Stewart Stevenson (Banffshire and Buchan Coast) (SNP): Will the member take an intervention?

Jackson Carlaw: No, because I know that Mr Stevenson was probably on all those programmes at an earlier stage in his career. I am not putting myself through that. [*Laughter.*]

I benefited personally from the BBC World Service. My family was in Cyprus during the Turkish invasion in 1974, and we turned to the World Service for all the information on which we relied. Perhaps that is why Kofi Annan said that the BBC World Service is

"Britain's greatest gift to the world in the 20th century".

Throughout my life, the *Radio Times* has been a feature for looking at and cherishing all the quality programmes that are produced.

I am a friend and a fan of the BBC, but I am not uncritical of it, and nor was the former First Minister, who referred to the BBC's coverage of the referendum as being nothing short of *Pravda*, which came as a great surprise to Comrade Bird and Comrade Taylor.

What we have is a charter for the next 11 years, which, as the cabinet secretary said, takes it outwith the electoral cycle. The participation of the Scottish Government and the Scottish Parliament was one of the commitments that were made in the Smith commission and I hope that all parties feel that it has been fully vindicated and honoured. The Scottish Government has participated actively in the process, as have the other devolved nations. The BBC will now present itself to parliamentary committees having laid its annual accounts open to us. There is also an opportunity, halfway through the charter review, for an interim review, which is especially important.

Much of what could be available to us as a result of the charter will depend on the spirit with which the BBC seeks to deliver it. The interim review at the midway point will allow us to test whether that spirit is there.

Fiona Hyslop: I appreciate the arguments that Jackson Carlaw makes about the interim review, but he should be aware that there are concerns that, should there be a political wind change about the BBC, an interim review might be seen to be a threat rather than an opportunity.

Jackson Carlaw: I understand the point that the cabinet secretary makes. However, the charter ought to give the BBC the political guarantee that it needs. The cabinet secretary has identified areas in which she wishes to see the BBC respond to the new charter, so there has to be an opportunity for the Scottish Parliament as much as any other body to interrogate whether that is happening.

Such areas come down to editorial independence and commissioning here in Scotland. I will try to stay free of the jargon that many of us have picked up so, other than saying that I am not referring to it, I will not say the term "lift and shift". The past charter said that a percentage of programming was meant to be established in Scotland, but producers and others found that the convenient way to bypass that requirement was to relocate established programmes to Scotland to tick the box, without leaving any sustained or permanent outcome for the creative industries in Scotland.

Such a policy has underpinned the 55 per cent figure that the cabinet secretary referred to. The amount of spend is a function of the genuine commissioning that takes place in Scotland. Because "Waterloo Road" was cancelled, that led

to a drop in the share of that expenditure that was being allocated to Scotland.

That is not good enough, which is why I welcome the appointment of Ken MacQuarrie to a post that was abolished in 2009 and why I welcome the appointment of drama and comedy commissioners in Scotland. However, the key thing will be not just the fact of their desks being at Pacific Quay but their being able to genuinely influence the budget decisions that are made about the spend on programming here in Scotland.

There is a challenge for the Government. When the BBC launched the charter, it announced that a number of key programmes such as "Holby City" and "Songs of Praise" would be available for tendering around the UK and from the independent sector. The very same afternoon, Invest Northern Ireland was in touch with Northern Ireland Screen and all the independent companies in Northern Ireland to see how they could work together to secure those programmes in Northern Ireland.

From talking to the independent sector in Scotland, it is clear that Scottish Enterprise has nothing like the same enthusiasm for getting involved in investing in the creative industries. It is not just Creative Scotland with its small budget that we need; we need Scottish Enterprise, which is the equivalent of Invest Northern Ireland, to work with Creative Scotland and the Government to make sure that independent producers can take advantage of the new commissioning opportunities.

Programming is not just drama, although drama is hugely important. Programming can be documentary, which does not require studio facilities. We do not want programming that is just about Scotland; we want Scotland to make programmes about the world. If we are talking about drama, it is important that we have the studio capacity in Scotland to deliver that, and we do not.

I know that the Government has invested in supporting the Cumbernauld facility that is the home of the digital drama production "Outlander", but there is huge potential beyond that. That is why I hope that the Pentland studios proposal, which I know is under active consideration—perhaps for a little longer than many would like—succeeds.

If we are to take advantage not just of the commissioning opportunities of long-term BBC series production here but of new international digital high-quality drama network production, both of which stimulate the tourism industry—as VisitScotland has found with "Outlander"; it is producing an "Outlander" tourism map for the

many people who are coming here—we must have the studio capacity. The independents that want to take advantage of the BBC commissioning budget that could come to Scotland will need that studio capacity to produce programmes here, create the infrastructure and nurture the talent that we want to be developed in Scotland. There has to be a degree of leadership, not just from the BBC but from the Government, to ensure that we capitalise on that.

There are huge challenges for the BBC, and I agree with much of what the Government has said. The BBC's editorial independence is fundamental. The charter gives us huge opportunities and we, through the Culture, Tourism, Europe and External Relations Committee and the Government, will work to maximise the potential for Scotland in the new environment.

15:31

Lewis Macdonald (North East Scotland) (Lab): Scottish Labour welcomes the debate and the progress that has been made in recent months. We believe that the draft charter and framework agreement now offer a more certain future for the BBC in general and public service broadcasting in Scotland in particular.

A few months ago, there was real cause for concern. Changes proposed by Conservative ministers to the governance of the BBC appeared to call into question the editorial integrity and independence of the corporation. At the same time, the process of charter renewal in Scotland was in danger of getting drawn into the constitutional debate, which would have threatened the independence of the BBC from a different direction.

Today, we appear to have moved on, at least in some important respects. The UK Government has accepted that it should be the BBC and not ministers who appoint a majority of board members and that there should be a senior independent director, as well as a chair appointed by Government. The cabinet secretary's approach to today's debate confirms that SNP ministers also recognise the draft charter and framework agreement as a basis for further progress, although she clearly continues to have reservations, not all of which may be addressed in the weeks ahead—we shall see. Our focus now should not be on issues of constitution or governance; it should be on investment in creativity and adding economic value.

Stuart McMillan (Greenock and Inverclyde) (SNP): Lewis Macdonald mentioned governance. Surely governance is crucial in any organisation.

Lewis Macdonald: It certainly is. Mr McMillan will agree that the changes to governance contained in the charter have moved things forward, and moved them in the right direction. There is sufficient in that to allow us to focus on the issues of creativity and economic benefit that lie ahead.

A year ago, we had a debate on an Economy, Energy and Tourism Committee report on the economic impact of television and other creative industries, in which I highlighted the importance of quotas, under the BBC's existing charter, for production outwith London and the stimulus that they already offered to Scottish production companies. That sector was well represented in evidence that was heard at last week's meeting of the Europe and External Relations Committee, and its views on the draft charter are worth noting. David Smith of Matchlight said:

"The charter is a welcome step forward, but it is not the end of the journey by any stretch."

David Strachan of Tern TV said:

"The charter offers a number of checks and balances that did not exist before that allow for scrutiny by this place and by other organisations."

Rosina Robson of PACT—Producers Alliance for Cinema and Television—said:

"we are pleased with the overall shape of the charter and the agreement. There will be more opportunities for production companies in Scotland and around the UK to pitch for, because the BBC will be that much more open."—*[Official Report, Europe and External Relations Committee, 27 September 2016; c 2, c 1, c 2.]*

Those witnesses set the tone for the committee's evidence session and I hope that it is that approach that sets the tone for our debate today.

As well as improving the governance proposals for the BBC as a whole, the draft charter builds on the existing charter in strengthening the BBC's focus on the nations and regions of the UK and its ability to further strengthen the independent production sector in Scotland.

As has been mentioned, very specific requirements are now placed on the BBC, which has been welcomed. The accountability of the BBC to the Scottish Parliament and the devolved Administrations here and elsewhere is central. We can look forward to many more opportunities to scrutinise the senior management of the BBC, as committee members did last week, and to hold it to account for delivery of its strategy and plans.

The amended public purpose is significant. The BBC must

"reflect, represent and serve the diverse communities of all of the United Kingdom's nations and regions".

That of course does not just require representation of Scotland as seen from Holyrood or Pacific

Quay; Scotland's regions must be fully represented, too. Further, in meeting that duty, the BBC must

"support the creative economy across the United Kingdom".

Again, that is good news for all of our creative hubs—Aberdeen as well as Glasgow and the Hebrides as well as the central belt.

The framework agreement commits the BBC to continued support for Gaelic broadcasting in partnership with MG Alba. That partnership is responsible for around half the total number of hours that are commissioned from production companies in Scotland, so that commitment really matters. However, as Fiona Hyslop said, it is not enough on its own. BBC Alba currently makes 4.2 hours of new Gaelic-language programmes each week, compared with the BBC's equivalent Welsh-language commitment to 10 hours a week. We want a commitment to 10 hours weekly to really secure the future of that service. We believe that that should be funded centrally by the BBC across the UK and not simply diverted from the spend that is already undertaken by BBC Scotland. That would surely meet the spirit of the BBC's new purpose, which is to represent the diversity of communities across the United Kingdom.

Television is hugely important but, as Jackson Carlaw said, it is not the whole story. Real progress has been made since 2006 through quotas for TV production outwith greater London, but we need to see real progress on radio and online content over the term of the next charter. The BBC can, if it chooses, set targets for the share of network radio programming and online content that is made in the nations and regions and, if it does so, Scotland stands to benefit accordingly. We believe that the new board of the BBC should make that an early priority.

The draft charter and agreement provide a framework for the work of the BBC over the next 11 years. By definition, a framework is not prescriptive. It does not tell the BBC what to do day by day or issue by issue, but it clearly indicates the direction of travel. It is for the BBC now to make its own decisions as a public service broadcaster independent of Government control. The appointment of Ken MacQuarrie as BBC director of nations and regions is to be welcomed as an indication of intent. There is also the intention to appoint commissioners in Scotland. The Parliament must use our new responsibilities to encourage such decisions by the BBC, which will move us further forward over the next 11 years.

One thing that the Economy, Energy and Tourism Committee found last year was that, on film and TV, Scotland had lost ground relative to other nations and regions in the UK. Jackson

Carlaw mentioned Northern Ireland, which has forged ahead with top-class studio facilities and a Government agency that is dedicated to the film and TV sector. I know that the cabinet secretary is aware of the positive lessons to be drawn from that and is seeking to address that. Northern Ireland's success is also down to a culture of partnership working. Politicians there do not seem to see the BBC as a problem; they see it as a partner that brings in business and adds value. That is the culture that we should aim for over the next 11 years. We should work together to achieve sustained growth in programme production in Scotland and to realise the full potential that the draft charter now offers.

The Presiding Officer: We now enter the open part of the debate.

15:38

Joan McAlpine (South Scotland) (SNP): I welcome the consensual nature of the debate. In fact, it is so consensual that many of the points that I was going to make have already been made by Jackson Carlaw and Lewis Macdonald as well as the cabinet secretary, so that is a bit of a surprise.

As Lewis Macdonald and Jackson Carlaw said, last week the Parliament's culture committee took evidence on the BBC charter from witnesses from the independent production sector, MG Alba and the BBC. As Lewis Macdonald said, independent producers in Scotland have welcomed the charter as a step in the right direction. I congratulate the cabinet secretary and previous committees of the Parliament, such as the Education and Culture Committee, on their input to the charter and its current shape.

Independent production companies, in particular, welcomed paragraph 5 of article 6 of the charter, which states:

"In commissioning and delivering output the BBC should invest in the creative economies of each of the nations and contribute to their development."

The BBC must also report on its creative remit on a nation-by-nation basis, which is a good thing.

Article 6 outlines five public purposes, one of which is to

"reflect, represent and serve the diverse communities of all of the United Kingdom's nations and regions".

The charter therefore says that strengthening television production in Scotland has both a cultural and economic purpose.

As the cabinet secretary said, director general Tony Hall admitted in May that the corporation has "not done enough" to reflect Scotland to itself and to the rest of the UK. Obviously, I hope that the

draft charter will address that, but I am concerned that, in her oral evidence to the European and External Relations Committee last week, Lord Hall's deputy Anne Bulford did not appear to show the same understanding as her boss. That is worrying, given that Mrs Bulford is in charge of the BBC's finances.

As others have pointed out, the committee heard that only 55 per cent of the licence fee raised in Scotland is spent here, compared with 74 per cent in Northern Ireland and 95 per cent in Wales. Members have quoted David Strachan of the independent production company Tern TV, who explained lift and shift thus:

"there are companies that move to Scotland temporarily, rent a desk or two, put up a brass name-plate and consume quota, and then disappear as soon as their commission has finished."—[*Official Report, European and External Relations Committee, 27 September 2016; c 6-7.*]

An early example of that was "The Weakest Link", and another example is the snooker from Sheffield, which is under review by Ofcom. That sort of thing has a real impact on employment. The committee heard that, between 2012 and 2015, employment in Scottish TV production fell by 27 per cent, despite the fact that Ofcom's network production target was met. That happened because of lift and shift.

Lift and shift is not a new thing. It has been criticised for years; indeed, it was criticised during the Economy, Energy and Tourism Committee's inquiry into the creative industries in the previous session of Parliament. Industry witnesses told that committee's members of very poor experience in gaining access to London-based commissioners in order to pitch their ideas; they spoke of phone calls not being returned and emails requesting meetings being ignored. The inquiry report, which was published in March last year, recommended that commissioners abandon their reliance on lift and shift and invest in independent TV companies with a permanent base in Scotland, setting a deadline of late 2016 in that respect. In fairness, that recommendation was addressed to Channel 4 as well as the BBC.

However, at last week's evidence session, Ms Bulford point-blank denied that there was any evidence of prejudice by commissioners against companies outside London. MSPs repeatedly asked Ms Bulford for assurances that the 55 per cent situation would not happen again and requested that she name a more ambitious target. However, she failed to do so. She and other BBC witnesses fell back on discredited excuses, such as the assertion that, in return for its licence fee, Scotland gets access to prestige network services. As David Smith from Matchlight said, Wales and Northern Ireland also benefit from network productions, sporting events such as the Olympic

games and Radio Four, but they still keep more of the licence fee.

The European and External Relations Committee also took evidence from Donald Campbell of MG Alba, who was pleased at the statement in the draft agreement that

"The BBC must ... support the provision of output in the Gaelic language in Scotland"

and provide a television service through partnership with MG Alba. However, he was concerned that there was no coherent policy in respect of minority languages. I think that we will all agree that BBC Alba, which reaches 15 per cent of the national audience, is of extremely high quality. It is also important to point out that there is no lift and shift in Gaelic TV: every penny allocated to Scotland is spent here. I note that Bannan, an MG Alba drama, is already being sold internationally, which puts it ahead of English-language drama from Scotland.

The industry witnesses to whom the Economy, Energy and Tourism Committee spoke during its inquiry identified a lack of high-end drama from Scotland as a major cultural and economic failing. Last week, the BBC made great play of the appointment of a new drama commissioner in Scotland. However, as the committee discovered, they will still have to defer to decision makers in London and will have no realistic budget.

I also draw attention to the fact that, even when it has made a major economic contribution, much of the drama that has been made in Scotland up to now has not necessarily reflected authentic Scottish experience. "Waterloo Road" is a very good example of that. It would have been a good idea if "Waterloo Road" had built up the infrastructure in Scotland to allow us to do other things, but it has gone without appearing to have done so. That is a really significant problem.

Anne Bulford did not seem to recognise the fact that authentic drama that would appeal across the UK could be made in Scotland. That ignores the fact that vernacular dramas such as "Trainspotting"—one of our biggest cinematic successes—and American television dramas such as "The Wire" have been very successful in the past. They are very specific to the place that they come from, but they are still very popular.

The charter goes far in addressing some of the problems that we have identified in Scotland in the past, but it should be toughened up. If it remains unchanged, we should ensure that the Scottish Parliament gets the opportunity to scrutinise what the BBC is doing. We should ensure that the BBC is decentralised so that it delivers what everyone in the Parliament wants for the economy and the culture of Scotland.

15:46

Rachael Hamilton (South Scotland) (Con): As a child, I was never allowed to watch “Tiswas” for fear that I would get out of hand. My parents banned ITV, believing that Chris Tarrant and Sally James getting pied and drenched in semolina, baked beans and custard was not a good example to set children. Instead, when the door was open, I obediently set the big old television to channel 1 to watch “Swap Shop” with Noel Edmonds on the good old Beeb, which was suitably inoffensive and educational entertainment.

Even if we have veered away in recent times to online streaming platforms, the BBC is always reliable. That is why many of us, particularly Ruth Davidson, still sneak a fix of “Strictly Come Dancing” or the “Andrew Marr Show”. To give it its due, the BBC is central to the lives of many people here and overseas, and it has a global audience of 348 million people across radio, the BBC World Service, BBC World News, television and online content. However, for the BBC to progress, reform is essential.

We debate the BBC’s charter renewal today because the current BBC charter expires at the end of the year. We welcome the new draft charter and, in particular, the enhanced emphasis on the nations, the increased input from the devolved legislatures—including the Scottish Parliament—and the commitment from the UK Government to listen carefully to the issues raised in our debates before submitting the final documents.

More than 300 organisations and experts have engaged in the charter review process and more than 190,000 responses to the public consultation were received. Eighty per cent of the consultation responses said that the BBC serves its audience well or very well. However, for all its notable successes, the BBC faced questions about its governance, its distinctiveness, its market impact, how it serves society, its efficiency and its value for money. Technology was also a key area of discussion. Further, the 2006 charter looked at digital switchover but said nothing about the BBC iPlayer. As the charter also said nothing about BBC Alba, it ignored two of the most successful TV content initiatives of the past decade.

Throughout the charter review process, the UK Government consulted the Scottish Government on the contents of the draft BBC charter and framework agreement, particularly on the areas that affect Scotland. Decisions on the forthcoming investment and on commissioning decisions will further develop the BBC’s offering in Scotland, and the BBC has affirmed its commitment to continue working with BBC Scotland to build Scotland’s share of network commissioning.

Giving evidence at the European and External Affairs Committee meeting last week, the deputy director general of the BBC, Anne Bulford, announced the appointments of a new drama commissioner and a new comedy commissioner for Scotland. The new commissioners will set portrayal objectives so that all areas of network content will accurately and authentically reflect the lives of audiences around the whole of the UK. A drama development fund will also be set up and Scotland will be identified as a centre of excellence for the BBC in factual production. Those promises are meaningful and we hope to see the intention that different cultures and alternative viewpoints will be represented. Additionally, the new draft charter ensures that a non-executive director for Scotland will sit on the BBC’s new unitary board and, as Fiona Hyslop said, become a link.

Members across the chamber put our trust in the BBC to meet its commitment to reflect the diversity of the United Kingdom in both its output and its services. Revisions have been made to reflect devolution and changes in our democracy in news and sport coverage, with the announcement of a nations edition of home pages for the BBC news website and, to follow, nations editions for the BBC iPlayer and the BBC sport website.

Delivering accountability to the devolved nations is integral, as stated in paragraph 5 of article 6—like Joan McAlpine, I quote the charter—in order

“To reflect, represent and serve the diverse communities of all of the United Kingdom’s nations and regions and, in doing so, support the creative economy across the United Kingdom”.

We hope that those words will be put into action by Ken MacQuarrie, the new director of nations and regions. Mr MacQuarrie has been appointed as the voice for Scotland. He told the committee last week:

“how we invest in the nations and regions, and the creative economy of the nations is absolutely at the top of the director general’s priorities.”—[*Official Report, European and External Relations Committee, 27 September 2016; c 34.*]

Under the charter, the BBC will agree a new partnership with Creative Scotland that will aim to match the partnership that it has with Northern Ireland Screen. Jackson Carlaw alluded to that.

Mr MacQuarrie’s comments about commitment to Scottish production were underpinned by the evidence that the committee took last week from stakeholders including Creative Scotland. The stakeholders want to see high-quality productions being staged and managed in Scotland that ultimately contribute to Scotland’s economy, avoiding the lift and shift concept, which has been mentioned. The new director of nations and

regions also talked about encouraging new talent through Skills Development Scotland and setting up apprenticeships to further contribute to the growth of Scotland's creative economy.

So, I leave it with you, dear Beeb. We are willing you all the way to represent Scotland's stories of our hills, our lochs and our people. You have listened, and now it is time for action.

I will ask one final, parting question. Will the spirit of the new BBC charter entice the granny that everybody wants—Scots-loving, iconic baker Mary Berry—and the beloved quick-witted and satirical “Bake Off” duo Mel and Sue to produce a new series set on Carberry Hill in East Lothian entitled “Mary, Queen of Tarts”?

15:52

Stewart Stevenson (Banffshire and Buchan Coast) (SNP): It is perhaps no surprise, given that the first director general of the BBC, although that would not have been his title then, was a dour Presbyterian Scot, Lord Reith, that the original motto of the BBC was

“Nation shall speak peace unto nation”,

which is an adaptation from the book of Micah, chapter 4, verse 3. The BBC was innovative when it started and it remains so in the modern digital age.

Jackson Carlaw was not entirely incorrect in his response to my attempted intervention. I appeared on the BBC on the shores of Loch Earn when he was three years old. Of course, he missed out some of the most spectacular and impressive pieces of broadcasting that the BBC used to make. His biggest omission, which was due to his failure to accept an intervention, was the wonderful programme on a Sunday afternoon called “The Brains Trust”, which first brought Jacob Bronowski to the public's attention. Jacob Bronowski later produced, wrote and was the inspiration for probably my favourite BBC programme, “The Ascent of Man”, part of which moves me to tears. He is standing in a concentration camp and he reaches down into a puddle and picks up some mud. He looks at it and then looks at the camera and says, “This is my family.” There is no more stirring piece of television than that piece by Jacob Bronowski, who came to us via “The Brains Trust”. In all honesty, only the BBC could have considered making those programmes.

Of course, it may be that Jackson Carlaw is related to another member of “The Brains Trust”—the Tory MP Gerald Nabarro. However, if Jackson Carlaw remembers anything about him, he will be hoping that they are not related.

The BBC also has the affection of SNP members for a programme that was first broadcast on 24 November 1962, “That Was The Week That Was”. It brought us David Frost for the first time and the wonderful cartoonist Timothy Birdsall. However, fundamentally, what it brought us was a satirical venue in which it was possible to probe the declining strength of the then Conservative Government under Harold Macmillan, and it probably contributed quite significantly to the ending of that period of Tory rule. We have a lot to be grateful to the BBC for.

I was particularly grateful as a youngster to “That Was The Week That Was”, because it was on late on a Saturday night and I was allowed to stay up that late for the first time to watch it, so it was a wonderful programme for me. However, it also illustrated something that we have kind of lost in modern broadcasting because it was of a length that was appropriate to what was going on in the world that week. In other words, if there was more going on, the programme just kept going because it was live and some of the content was improvised during the course of the programme. The rigid timetables that box off programmes today mean that we have lost some of the spontaneity and spark that we had in that programme.

I have a few general comments. The BBC produces one of the best current affairs programmes that come from Scotland—“Eòrpa”—and it has done so for some time. It is a Gaelic programme, but it is subtitled. It enables us to look through Scottish eyes at things that are going on elsewhere, particularly in Europe but occasionally beyond. Only the BBC has the option of making that kind of programme, and we love the BBC for that ability to pick up difficult subjects and bring them to us.

I will make a couple of points that I hope the BBC, which I am sure will be watching this debate, will take on board. BBC Scotland's Radio Scotland is the poor relation, not simply in terms of the funding and resources that are made available to it but because of how it is delivered to us in the modern digital age. Digital audio broadcasting—DAB—radio, which BBC Scotland is on, is not delivered via any of the BBC multiplexes but via the commercial multiplexes. Two effects stem from that, one of which is that if we are in a car with a DAB radio, it will not retune from multiplex to multiplex as we go across Scotland, whereas we can continue to listen to all the London BBC radio channels as we go across Scotland. Secondly, there is no FM fallback, which means that if we lose the digital signal, there is not enough information provided to our radio set to allow it to fall back to FM, as Radio 4 does.

Radio 4 is one of the crowning glories of the BBC, and many of us in Scotland listen to it, but it has its failings in relation to Scotland but also in relation to the rest of the UK. In the very brief time that I have left, I will give one example. I was listening to a piece on Radio 4 about Sunday trading in England, and comments were being made about how the world would fall apart if shops were allowed to open on Sundays. No reference was made for English audiences to the fact that Scotland has had Sunday trading for many years and the world has not collapsed. However, what was even more fundamental for Scots listeners was that there was no explanation of the Sunday trading situation in England. I did not quite understand it until I went home and looked it up. The piece failed to represent Scotland in an English debate and failed to explain an English issue, which was of interest to us, in a Scottish context. That is simply a metropolitan error that the BBC has to address.

Let us hope that the BBC not only continues to reflect the world to Scotland but continues to reflect Scotland to the world.

15:58

Claire Baker (Mid Scotland and Fife) (Lab): I am pleased to speak in this debate. I welcome the focus that the Scottish Parliament is giving to the BBC and the greater engagement that we are having with the BBC and BBC Scotland. I think that we are developing a more mature and transparent relationship, which is to be welcomed. Indeed, when George Adam and I hosted the showing in Parliament last year of the BBC's "Doctor Who" Christmas special, even the most sceptical BBC-grudging MSP rushed for tickets, so I am pleased that we can all recognise the value of the BBC when we are presented with a quality product.

The BBC is a valued and trusted institution. Its origins are rooted in the aims of educating, entertaining and informing its audience, and generations have grown up watching and enjoying BBC content. Founded in 1922, it is now competing in a much-changed media environment and a more competitive commercial market that presents big challenges for the organisation and its audience. However, it is admired throughout the world as a public sector broadcaster, funded by all of us, that produces quality programming with a depth and breadth not matched by any other broadcaster.

Although the headlines this afternoon are all about the charter, we cannot forget that the BBC has received a challenging financial settlement. I do not agree that the BBC should fully cover the cost of the over-75s licence fee, which will be the primary factor in its budget decreasing by nearly

20 per cent by 2020-21. The BBC faces a decade of declining resources and, although I fully support its role as a public sector broadcaster and the continuing use of the licence fee model, we need to recognise the BBC's need to operate commercially and to be able to generate income when appropriate.

There is much to welcome in the draft BBC charter. I know that the cabinet secretary has raised a number of areas that she feels have not been delivered, but she should not sell herself short. At the start of the process, Ms Hyslop set out to get a good deal for Scotland, to get political consensus on the way forward and to champion the importance of BBC Scotland content. Any fair measure of the draft would say that she achieved those aims. For example, we have a service licence agreement for Scotland, a commitment to continued support for Gaelic, a dedicated board member for Scotland and a significant new public purpose to reflect, represent and serve the nations and regions.

The Scottish Government might not have got the full result that it wanted, but it is one that reflects the views of this Parliament. The recommendations that were in the Education and Culture Committee report are reflected in the draft charter. Those recommendations drew the broadest support from the Parliament, and it is right that they are used to determine the direction of a public sector broadcaster.

The level of Scottish content and spend will no doubt continue to be an issue of debate in Scotland. The figures around how much is commissioned in Scotland and how much is spent in Scotland need to be available and fully discussed. I would like to say a few things about those issues.

First, it is good news that a new drama commissioner and a new comedy commissioner have been announced for Scotland, that a new drama development fund will be established and that Scotland will be identified as a BBC centre of excellence in factual production. Those are all to be welcomed and will make better use of the fantastic talent that we have, build experience, confidence and relationships and secure more Scottish productions and, crucially, network productions that originate in Scotland. We have strengths in our current production.

A few weeks ago, I was at the recording of "The Dog Ate My Homework" at Pacific Quay. Members can look out for me in the school disco section of that programme.

Fiona Hyslop: Really?

Claire Baker: I do not know whether members have seen the programme, but it has a school disco section in which parents and children have

to stand up and dance. It is on CBBC, and members should look out for it. Children's programming is a good example of Scotland's strength in broadcasting. It is an area in which BBC Scotland excels.

We should be proud of where we are successful and are taking a lead, and we should have the confidence and necessary investment to grow, so it is welcome that the charter says:

"In commissioning and delivering output the BBC should invest in the creative economies of each of the nations and contribute to their development."

That is a clear statement that will support that activity. We all have a responsibility to ensure that that is delivered on.

Secondly, I do not support the arguments around share of licence fee. It is an indicator of activity, but it does not tell the whole story. I think that we all agree that the lift and shift system needed to be addressed and that the quota needs to be fulfilled in a more meaningful way. However, the reliance on an interpretation of the licence fee share is not the right way to do that. Comparing Scotland's share to that of Wales or Northern Ireland is not comparing like with like, for a number of reasons, including population difference. Further, the breadth of network programming is a strong argument against a percentage licence fee figure being calculated for BBC Scotland, and it is an attempt at the federalisation of the BBC by the back door. That would be a blunt figure that would not reflect what we get in return for the licence fee, including full BBC programming, radio, the iPlayer and the website. It is right and fair that a proportion of our licence fee contributes towards those services. To create an internal market for those services would be a disaster and would not be in the best interests of the licence fee payer, who is often ignored in these discussions. Audiences should be at the heart of this debate, and a look at any of the viewing figures for programmes such as "Match of the Day" or "Strictly Come Dancing" shows that people in Scotland value those programmes as much as people anywhere else and that we all benefit from being part of the UK network.

Thirdly, the BBC is built on shared values throughout the UK. Its funding model, its founding principles, its innovation and commitment to quality give all of us as a country a public sector broadcaster that is unrivalled around the world, and that is to be valued.

16:05

Tavish Scott (Shetland Islands) (LD): I agree entirely with many of Claire Baker's remarks, although I confess that I am heartily relieved that I do not have to watch CBBC any more. There may

be a stage later in my life when that might happen again, but at the moment that is happily far off.

I apologise to you, Presiding Officer, for having to leave the chamber early this evening due to a number of transport-related challenges in my life. I also apologise to those on the front benches for not being able to stay for the final speeches.

The cabinet secretary set out a pretty fair assessment of the situation, and I genuinely think that the tone of those on the Government front bench on the important issue of the BBC charter has improved greatly. Fiona Hyslop made a very constructive and sensible speech, which is to be welcomed given the importance of the matter.

Nevertheless, Lewis Macdonald was right to set the debate in context. No Government can ever resist the temptation to interfere in the work of a broadcaster that is funded by licence fee payers and therefore, by definition, voters. That happens regularly throughout the world, and it has happened under successive Westminster Governments of all political persuasions. Lewis Macdonald made a fair point about a number of Conservative Governments over the years that have—I have watched it myself—grotesquely interfered in the editorial side of the BBC. I am very glad to see that that is not happening now—long may that continue. If we are to allow a broadcaster—although the BBC does much more than just broadcast—to develop and flourish, particularly if it is, as Fiona Hyslop said, to be an important part of the creative industries not just in Scotland but right around the UK, it is essential that it not be interfered with by any Government of any political persuasion.

Therefore, it is to the credit of the Scottish Government and the UK Government if they recognise the important distinction that Fiona Hyslop rightly drew out. Of course, they should make observations on spend, on investment and on how programmes come to be seen in different parts of the country, and they should push hard for greater investment in the important aspects of the BBC's service across the country, but they should separate all of that very clearly from the BBC's editorial independence.

The cabinet secretary raised three important points in her introductory remarks: about having more representative content; about the creative industries, which I have briefly touched on; and about the need for ever greater decentralisation of decision making. That, I hesitantly suggest, is a call that the Government needs to reflect on. The principle is admirable, but all of us who preach the approach of decentralisation need to carry it through into everything that we do and, as a constituency member, I have been on the end of lots of decisions being taken away from my part of the world by a Government that has centralised.

By all means, the Government should make the argument for decentralisation within the BBC, but I ask it please to be consistent by operating in that way itself.

Fiona Hyslop: Will the member reflect on Lewis Macdonald's point that it is all very well having commissioners for drama and comedy, but the question is whether we will have decision making on the budgets to support that? That is the core of the test that we want to apply.

Tavish Scott: I am happy to come back to that point, but certainly who—he or she—controls the budget will have a major effect on the effectiveness of the roles that the cabinet secretary mentions.

The other point to make in the context of the creative industries is that it is a strength of Scottish broadcasting that STV is not only there but pushes the BBC really hard, mostly in news production. Presiding Officer, you will be well aware of that because you have rightly hosted breakfasts for STV in Parliament—good events at which STV's management team can be questioned. My point is that STV is good for the BBC because it pushes it really hard, in which context the point that was made about the proposed "Scottish 7" is important. Surely the objective test that we should apply to that concerns not only the quality of what we will see on our screens next year but where it will be seen, which I understand is a fairly significant issue, too.

Scotland's independent radio stations are equally important in pushing BBC radio, including BBC Radio Scotland, on its quality, output and newsgathering abilities. Competition is important in both the broadcasting news and entertainment markets.

I am grateful to those who have highlighted the role of the Smith commission in driving the principle of what needed to happen on governance and Scotland's role. As Joan McAlpine mentioned, the Education and Culture Committee in the previous parliamentary session deserves much credit for a series of recommendations that, as far as I can see, probably have been encapsulated in the new draft charter. Obviously, the Government has also played an important role in the draft, but it is occasionally important to recognise the role of a committee and how it has brought matters to pass.

Fiona Hyslop and Claire Baker rightly mentioned the new drama and comedy commissioners. There is the cabinet secretary's point about budgets, but it strikes me as important that those individuals will be there, because their jobs will depend on how much they can get on to the network and how much they achieve within the BBC, and the fact that they will be pushing Scottish quality and a Scottish approach to comedy and drama is a very

positive development, as is the drama development fund that has been mentioned.

A big challenge for the BBC is to invest in news and newsgathering, and particularly in the support of journalists, in Scotland to a greater extent. I graze news—"Today", "Five Live" and "Good Morning Scotland"—in the morning. When the BBC brought up Jim Naughtie to co-present GMS through the events of 2014, he was supported in the same way as he would have been supported on the "Today" programme. I would hope that BBC Scotland would find the people, the resources and the research not only to put behind the excellent quality broadcasters that we have, but to make sure that the programmes have more depth and reach than they currently do.

16:11

Stuart McMillan (Greenock and Inverclyde) (SNP): First, I will touch on Jackson Carlaw's and Tavish Scott's comments. Jackson Carlaw spoke about the Smith commission and the input that Scotland and this Parliament have to the BBC. Clearly, I warmly welcome that, but I have thought that for many years—certainly since this Parliament was re-established. The Scottish Parliament should have had that level of input back in 1999 rather than it just starting now.

The BBC is a hugely important cultural institution and it remains the single most important contributor to public service broadcasting in the UK. It plays an important role in supporting the wider creative economy both directly, through commissioning from the independent production sector, and indirectly, through investment in skills and training.

Examples of programmes have been heard. Joan McAlpine talked about "Waterloo Road", for example. Despite it being a false situation—the programme was lifted and shifted—the programme was based in the old Greenock academy school and it certainly had a positive effect on the Inverclyde economy although, unfortunately, the effect on jobs and increased training has not been long-lasting.

Joan McAlpine: As somebody who comes from Greenock, I endorse Stuart McMillan's points. I note the big effect that such programmes can have on the economy, and that is to be welcomed. Does he agree that having a commissioner of drama with real power and a budget will perhaps ensure that we have a drama series from Scotland that is not axed because the plotline is not particularly credible?

Stuart McMillan: I whole-heartedly agree. The programme was beneficial for the economy, but we need to have a longer-term vision and longer-

term planning, and having that commissioner will aid that.

On audience reach, the BBC trust referred to data indicating that BBC television is consumed by a higher proportion of the population in Scotland than in the rest of the UK. We have a new draft charter, which I welcome, but I cannot help but feel that the proposals represent something of a missed opportunity, namely because they do not deliver fully for the Scottish audience. The Scottish Government supports the ambitions of BBC Scotland staff to be a high-quality broadcaster for the population of Scotland, but their ambitions will be realised only with increased investment and the decentralisation of commissioning authority away from Broadcasting House in London to Pacific Quay. The UK has changed dramatically since devolution, but the BBC has yet to catch up fully with the impact of devolution and truly reflect the complex, varied and rich realities of our society.

The independence referendum energised Scotland in 2014 and prompted a record 85 per cent turnout, as our population engaged with politics on a level never previously seen. That consensual democratic process played out on the world stage with audiences and Governments from far and wide taking an interest in Scotland's future, our values and our culture. Through that and the global coverage of the Glasgow 2014 Commonwealth games, Scotland engaged extensively with the world.

Scotland has clear and distinct needs and it is vital that the requirements of our audiences, our production sector and our wider creative industries are met. The Scottish Government's proposals lay out measures for increased transparency and accountability, which will help the corporation to listen to and reflect its audiences.

A key concern that production companies have raised is that the commissioning process for network television has too much of a London focus. We heard that today and last week in committee. They have said that proximity is a crucial factor, in that it can be difficult for Scottish companies to win commissions because the centralised model, with ultimate decision making in London, puts them at a disadvantage. A federal structure would have empowered the BBC to better reflect the needs of the nations and regions that it serves and given BBC Scotland full control over decision making about how revenue raised here is spent. Full control over commissioning and editorial decisions would have had an enormously positive impact.

It is evident that substantial change is required for the commissioning process to grow the strong, sustainable and competitive creative industries sector that we seek in Scotland. Greater decentralisation of, and accountability for,

commissioning and the accompanying budgets across the nations and regions would certainly rebalance the concern that the BBC has a London bias. It should also benefit the creative industries in Scotland by attracting, developing and retaining talent, thus helping the sector to become strong, sustainable and competitive. It is not enough to improve access to commissioners, welcome though that may be.

Implementing those improvements would not necessarily require the BBC to adopt a federal structure but would require even greater decentralisation of decision making, commissioning and accompanying budgets. It would enable BBC Scotland to take a longer-term, strategic approach to delivering sustainable, high-quality programming that benefits audiences, the global market and the creative sector. That could be a win-win for viewers in Scotland and across the rest of the UK. A fairer share of the licence fee money that is raised in Scotland being spent in Scotland could also deliver up to an additional £100 million of investment here, support up to 1,500 jobs and contribute an additional £60 million to the Scottish economy.

I value the BBC and I want it to succeed. I welcome the new charter and the support that has been pledged for representation of Scotland as a nation, for the creative economy and for the provision of the Gaelic language. However, the charter needs to be the starting point for an improved BBC in Scotland.

The Deputy Presiding Officer (Linda Fabiani): I call Ross Greer, to be followed by Alexander Anderson—sorry, I mean Alexander Stewart.

16:18

Ross Greer (West Scotland) (Green): The BBC is regularly said to be far more than the sum of its parts and that is true. There really is no comparison anywhere else in the world. There is no other public service broadcaster that offers such a variety of content across different mediums and to every corner of the world—Jackson Carlaw has already mentioned the services provided by the BBC World Service.

The BBC is a highly valued institution, up there with the NHS in the consciousness of people across these islands. However, here in Scotland—where support for public services and the principle of public service broadcasting is high—there are some deep-seated dissatisfactions with the broadcaster. I am not referring to conspiracy theories or tilted weather maps. There are widespread and legitimate concerns in Scotland about the nature of the BBC content that is delivered here and the commissioning and

production process itself, which seems not to deliver for the production industry in Scotland.

Only 48 per cent of people here believe that the BBC is good at representing their life in news and current affairs. That compares with figures of 55 per cent in Wales and just over 60 per cent in England and Northern Ireland. None of those numbers is as high as we would want it to be, but it is notable that in Scotland the figure has fallen below the halfway mark. Given the reach of the BBC in Scotland—more than half of adults watch its news and current affairs programmes each week—it has a responsibility to provide high-quality programming that reflects the world that the audience lives in and in which the audience can have confidence.

I am concerned that, throughout the debate on BBC content in Scotland, we have focused quite narrowly on news and current affairs output. The breadth of what the BBC offers here goes far beyond “Reporting Scotland”, “Good Morning Scotland” and “Scotland 2016”. As has been mentioned, even within that narrow debate on news and current affairs, we too often focus on the idea of a “Scottish Six”—a comprehensive news programme in Scotland. I would enthusiastically welcome a “Scottish Six”. We are a nation with our own distinct politics, our own legal and education systems and our own health service. We have come a long way since devolution, and there is clearly a need for our main broadcaster and largest media organisation to reflect that. Scotland has come a long way, but the BBC has not seized that opportunity; it has fallen behind the curve in representing Scotland and our place in the world to audiences here and elsewhere.

I do not hold any grudge against the network news, which naturally leads with stories that have a major impact on or a major interest for a significant majority of its audience, but that is where the problem lies. UK-wide evening news programmes will not often lead with reports of what has happened in this Parliament, nor should they, but viewers in Scotland deserve a service that reflects the reality of the world that they live in. Given that—as Tavish Scott mentioned—commercial rivals have already announced their intention to provide a fully rounded Scottish news service, I am sure that we would all welcome further progress from BBC Scotland.

Progress is particularly needed on engaging with younger audiences. Given that the average age of a Radio Scotland listener is 53 and more than half of BBC Scotland’s news audience is over 55, it is clear that there is much work that we need to do to ensure that BBC services in Scotland are sustainable and that the audience is sustainable. Since the independence referendum, Scotland has seen a welcome rise in new media outlets such as

CommonSpace, which have engaged very successfully with young people, particularly online. BBC Scotland has made a significant effort to expand its online presence, but much more is required for its reach to be sustainable over the coming years.

Of course, the BBC in Scotland does not exist only to provide news and current affairs output, as I have mentioned, nor would we expect all the content that is produced here for the BBC to be specifically or inherently Scottish. Although we have many notable successes that are distinctly Scottish, including “Shetland”, which is airing everywhere from Finland to the United States, there are plenty of success stories here that have no intrinsic attachment to our nation; they are just quality programmes that are produced by the talented and vibrant creative industry that we have here. An example is “Robot Wars”, which is produced in my region. “Question Time” is now produced in Scotland, although the quality of the programme and audience satisfaction with it have much more to do with the guests who are invited than with the production team behind it.

However, the reality is that investment in Scotland is strikingly low, as Joan McAlpine mentioned. For every pound that is raised here through the licence fee, only 55p is spent here. That compares with 75p in Northern Ireland and 95p in Wales—and that excludes spending on S4C. I would not expect spending to reach 100 per cent—that is not how it works, as Claire Baker explained. It is true that spending varies from year to year, but given that spending in 2014-15 was equivalent to 63p in the pound in a year in which so many major events happened in Scotland, it is clear that we are not close to what many of us would consider a satisfactory arrangement in Scotland.

Often, the figures do not tell the full story. As has been mentioned, the European and External Relations Committee recently discovered that significant amounts of snooker coverage, which is produced in Sheffield, was going towards the Scottish production quota, simply by virtue of the production team having a couple of desks at the BBC’s headquarters in Pacific Quay. During that evidence session, it was also disappointing to hear that production companies in Scotland felt that companies from outside Scotland were being offered longer-term contracts to entice them into the country, whereas indigenous companies were not being offered the same opportunities.

The BBC has already pledged to make significant improvements in a huge number of ways. The charter includes a number of welcome steps, and a number of other improvements will be made outwith the charter process. I really hope that an institution that we all deeply value can

bring about the necessary changes to ensure that it has a secure future, with satisfied audiences in Scotland and across these islands.

The Deputy Presiding Officer: I call the very understanding Alexander Stewart.

16:25

Alexander Stewart (Mid Scotland and Fife) (Con): I am delighted to participate in the debate. It has been great to listen to many of the reflections of members about the BBC's output and the programmes and events from their lives.

The idea of looking at nations, regions and communities is included in the BBC's remit of duty. That reflects what happens across the United Kingdom. Prior to the review taking place, there was an acknowledgement that the BBC had somehow fallen short in its broadcasting within and regarding Scotland.

Scotland and the way in which she is governed have changed dramatically over the past 17 years since the advent of devolution. We must now look at the new powers that are coming to Parliament, because they will give us even more responsibility for taxation and expenditure. The BBC must adapt to the new political dimensions and reflect them as it moves forward.

There is no doubt that debates on the BBC about transforming schools south of the border or industrial action by junior doctors have little relevance to many people in Scotland. We must ensure that debates about the education system and the health service in Scotland are promoted on the BBC. They are much more relevant to the listener or the person who is viewing them on the television.

For those reasons, the issue of charter renewal is incredibly important as the debate in Scotland moves forward. I was therefore very pleased to hear that the UK Government's Department for Culture, Media and Sport sought to consult widely during the review—in particular, to take on board accounts of what is happening in the devolved Parliaments and Assemblies. The fact that the charter enshrines the commitments in the memorandum of understanding that was reached between the Scottish Government, the BBC and the Department for Culture, Media and Sport is a good example of positive intergovernmental co-operation. We need positive co-operation. That is the type of collaboration that everybody in Scotland wants to see more of, as it makes a massive impact on all of us.

The fact that the BBC will now have to lay its accounts before the Scottish Parliament can only be a good thing, because that will increase the scrutiny and effectiveness of what is taking place

across the public sector. Large sums of public money are being spent, and we need to ensure that they are protected. Editorial independence cannot be allowed to be removed and Government political infringements cannot be allowed. It is interesting that there were in some consultations overtones that verged on advocating that state control should be looked at. That would be taking things a step far too far.

The new charter will give BBC Scotland greater control over its budget and commissioning so that it can produce more programmes specifically for Scottish audiences. Those programmes must reflect the diversity of Scotland and its ethnic minorities and people with disabilities. We do not see that as much as we should in the sector, and it is important that that takes place.

The new commissioning editors for television comedy and drama in Scotland, coupled with the new drama development fund, will help to promote new programmes and talent across the sector.

The BBC produces some of the best programmes; many members have touched on some of those fantastic programmes. They ensure that we make the best of what we have from the licence fee. Our television channels and radio stations are quite remarkable in moving things forward, and that is very important for us.

The world is changing and, as we move into a more digital age, the BBC in Scotland and the rest of the UK must adapt to cater for people's wishes and give them more access and control. The BBC is able to compete across the sectors. Technology represents a massive opportunity for us to ensure that we have high-quality performance, and programmes that are renowned throughout the United Kingdom. Many of those have already been discussed. They are real flagships for Scotland and they show to the UK, Europe and the world where we are. In moving forward, we need to look at how we ensure that we get the right balance so that we are reflecting what is being done within the process.

In conclusion, I very much welcome the revisions that have come forward today and I look forward to them reflecting the need, in modern times—socially, digitally and politically—to be bold. We need to have courage in moving forward and show that we have high regard for the BBC. Scotland has a big part to play and we can all look forward to the months and years ahead, because I have no doubt that they will be good.

16:30

Emma Harper (South Scotland) (SNP): Many of the points that I will make are related to what others have said, but I have a wee bit of a different angle, although it is worth reiterating a lot of the

points because they show that there is consensus across the chamber.

I am pleased to contribute today and I welcome the Scottish Parliament's new, if not overdue, official role in the charter process. When the previous director of BBC Scotland, Ken MacQuarrie, appeared before the then European and External Relations Committee recently, he encouraged stakeholders to be robust in their critique of the BBC to ensure an open debate. It is in that spirit that I will proceed today.

The Scottish people and the Scottish Government value the vital role that the BBC plays as a public service broadcaster. However, for too long the BBC has not been working for the people of Scotland. The total license fee income in Scotland for 2014-15 was approximately £323 million—I know that some people have put the amount forward as a percentage. However, it was £323 million, but the BBC spend for Scotland for the same period equalled only £190.5 million.

As the budget falls in Scotland, so does viewer satisfaction. Figures from BBC Scotland's annual report show satisfaction rates as low as 48 per cent—Ross Greer has mentioned that already—but the cuts continue. By the end of 2017 the BBC's Scotland-only budget will have suffered a cut of £16 million in cash terms over 5 years. When disappointment is expressed about those figures, we are often told by BBC management in London that Scottish audiences consume a high level of network programming, such as the Olympics or football, and that we must pay for that with some of our license fee revenue.

However, now that we have access for the first time to information in the BBC accounts, that argument is easily dismantled. We now know that in Wales the BBC spends at least 95 per cent of the revenue that it raises from Welsh license fee payers, Northern Ireland spends 75 per cent of what it raises and it is estimated that England spends well over 100 per cent of what is raised there. In that light, I put it to the BBC that one reason for high consumption of UK-wide network content in Scotland may be the lack of any alternative in the form of distinctively Scottish programming.

There is a continuing hypocrisy represented by the savage cuts that are taking place in Scotland, while budgets across many services in England and the rest of the UK are being maintained. That was highlighted when budget cuts led to a substantial number of journalists being forced to take redundancy just months before Scotland's historic referendum. The end result was that, at a time when BBC Scotland should have been demanding more money from the BBC centrally, it was instead accepting less. Mr MacQuarrie is now the BBC's director of nations and regions. While I

wish him well in his new role, I wonder how he will square presiding over Wales, England and Northern Ireland being allowed the privilege of spending the money that they raise while his former colleagues at BBC Scotland continue under the spectre of further cuts and potential job losses.

In relation to employment, commissioning—which was mentioned by Stuart McMillan—is another contentious issue that has been raised with the committee by independent production companies. The use of—I will say this slowly so that I do not make a gaffe—lift and shift to fulfil quotas is undoubtedly harming indie companies, as Joan McAlpine and Jackson Carlaw said. Employment in production in Scotland fell by 27 per cent between 2012 and 2015—network programme making that temporarily decamps to Scotland to meet quotas does not provide sustainable employment. It is also not conducive to the creation of programming that nurtures and reflects our distinctive heritage and cultures. If we in Scotland cannot provide an environment in which people who wish to work in the creative sectors can find sustainable employment, such people will go elsewhere. I am sure that members of all parties agree that we do not want talented people to be forced to leave Scotland. People who want to live and work here should have the opportunity to do so.

It is clearer than ever that real change will come only when funding and commissioning authority come to BBC Scotland. Now is the time for the creation of a Scottish board, as the cabinet secretary said—not just a BBC-appointed sub-committee—to allow BBC Scotland greater control over its budget and to give it meaningful commissioning power. If Scotland's share of the licence fee revenue that is raised here was in line with Wales's share, the BBC would spend at least an additional £128 million per annum in Scotland. Members can imagine what we would be capable of if the same resources were available to us as are available to our neighbours across the UK.

Perhaps some of the extra revenue could be channelled into the draft charter's new public purpose, as members including Claire Baker have said, so that we reflect and raise awareness of the different cultures in the nations and regions. The regions are important. As president of Dumfries Ladies Burns Club No 1, I am all for that. Today is national poetry day, and we could do a lot more poetry events, with more Scots poetry, and that. It is difficult to envisage how all that could be achieved with the current funding levels. BBC Alba offers excellent examples of the standard of programming that can be and has been achieved on a shoestring budget. In the current financial year, the channel received £9.9 million; the BBC spends ten times that on S4C in Wales.

The Deputy Presiding Officer: You must close, Ms Harper.

Emma Harper: This is my final sentence.

The Deputy Presiding Officer: I hope that it is a short one.

Emma Harper: It is.

I hope that members will support the sensible proposals in the Scottish Government's policy paper, and I hope that we can continue to work together to create a new and improved BBC Scotland.

16:37

Lewis Macdonald: We have heard a great deal about the issues on which we should focus over the term of the next BBC charter, to 2027. There are plenty of challenges ahead for the BBC, and there are challenges for this Parliament in supporting developments that will enhance Scotland's cultural life and creative economy. Increased support for Gaelic broadcasting and more Scottish content on radio and online are just some of the developments that members have highlighted.

Fiona Hyslop began by saying that the Scottish Government has pursued a consensual approach. That is broadly to be welcomed. Joan McAlpine endorsed that, but it was disappointing that she did not find anything more positive to say about the BBC's evidence to the then European and External Relations Committee last week. Anne Bulford made some important points that should be welcomed. For example, she talked about how the pattern of BBC spending will change as we go through the 11-year charter period, and about how opening up the whole production base to competition over the course of the period will create new opportunities—not least for independent production companies in Scotland.

Joan McAlpine: I think that I made it clear that I welcome the charter and the framework that it sets out. However, does Lewis Macdonald agree that there is a belief that it is important to hold the BBC senior management to account in order to ensure that it abides by the spirit of the charter, and that there are some doubts about that in the BBC and certainly in the independent production sector?

Lewis Macdonald: In his evidence to the committee, Ken MacQuarrie highlighted the achievements under the existing charter and said:

"I take the criticism that has been offered in an open spirit and accept that there are areas where we have to do better."—[*Official Report, European and External Relations Committee, 27 September 2016; c 35.*]

I agree that that "open spirit" and positive engagement will be important for Parliament's

scrutiny of the BBC in the period ahead, but I think that the "open spirit" must come from both sides in the process.

The context of this debate is that the BBC serves the whole United Kingdom, as is clear in the terms of the charter, but is now directed to do so in a way that better reflects the diversity of our communities, which is welcome. That does not mean that we are moving away from a UK-wide network. I do not accept, for example, that a programme that reports a sporting event in England should not somehow be counted as a Scottish production—a point that was made in the debate. As long as the production company that makes the programme is substantially Scotland based, it can be counted.

What is important for our debate is that there are agreed criteria as to what constitutes "Scottish content" and what constitutes "a substantial base", and that those criteria are applied by all interested parties.

It is not helpful to offer subjective judgments about degrees of Scottishness, as if some production companies that are based in Scotland are somehow more Scottish than others. There is no good reason why a Scottish company cannot make a programme in England—quite the contrary—nor is there any need for Scottish programming to be programmes only about Scotland. As David Smith told the committee last week:

"We want to make representational content, but we do not want to make only representational content. We want to make Lewis Grassie Gibbon and Shakespeare—all those things."—[*Official Report, European and External Relations Committee, 27 September 2016; c 20.*]

It is also wrong to suggest that BBC Scotland is suffering cuts while the rest of the BBC is not. As Claire Baker said, those reduced budgets apply across the board and are to be regretted wherever they are impacting on the BBC.

Lift and shift has been controversial in the debate about meeting production quotas, and we have heard a number of comments about it this afternoon. It is important that those quotas deliver their ultimate objective of sustaining Scotland's creative economy, and it would be wrong to suggest that incentivising companies to move here from elsewhere in the UK is always a failure. David Strachan gave examples to the committee of where lift and shift did not work, but he also made the point that career paths had been created by some programmes, such as in the production of "Homes Under the Hammer". David Smith described how Mentorn Media had lifted and shifted "Question Time" to Scotland and, in doing so, had invested substantially and created a genuinely Scottish business as a result. I was

pleased to meet Ron Jones from that company at a recent conference.

Stuart McMillan: I am sure that Lewis Macdonald will agree that it is not so much the idea of lift and shift that is a bad thing, but when it happens, a medium or longer-term strategy also needs to be put in place.

Lewis Macdonald: Absolutely—and rather than seeing lift and shift as being permanently in competition with Scotland-based production, we should see it as a transitional stage in enabling the Scottish production sector to grow and thrive.

Another issue that has been highlighted today is the question whether a large enough share of the BBC's income from Scottish licence fees is being spent in Scotland. It is fair to use that as a measurement, but it is a mistake to use it as a target. The BBC is a single corporation, serving the nations and regions of the United Kingdom; it is not a series of separate companies sharing only a common brand.

Many programmes that are made in Scotland are not counted against the totals. The live screening of today's debate is paid for from the budget of BBC Parliament and is therefore neither output from BBC Scotland nor a Scottish production commissioned against the Ofcom criteria, but it is still a programme that is made in Scotland. We should be careful about not being too prescriptive about how these things are measured. We want the BBC to produce the best programmes, to support the greatest creativity, and to promote the best talent. Those should be its targets. It should achieve quality production—not aim for accountancy balances.

The BBC plays a central role in the life of this country. It is as important to Scotland as it is to any other part of the United Kingdom and it is as highly valued. Like the United Kingdom itself, the BBC is evolving to reflect the increased roles of the nations and regions of the UK in Britain's cultural life. That evolution is to be welcomed and supported. We believe that the way to do that is to work with the grain of the draft charter and framework agreement, to encourage and enable Scotland's independent production sector and to support those within the BBC who see promotion of the nations and regions as their task for the next 11 years.

16:43

Jamie Greene (West Scotland) (Con): We have enjoyed an interesting debate with some excellent contributions from around the chamber highlighting the importance of the BBC's role in Scotland's creative industries. Having worked for 13 years in television, including a stint at the BBC, I must share with members the fact that I was

always struck by the dedication of BBC staff in creating innovative programming for the whole of the UK.

There is a lot of consensus here and we agree that BBC output has a tremendous impact on our lives daily. It entertains, reports, teaches and informs. The BBC has gone through a remarkable evolution from its first radio broadcasts in the 1920s to 315 million iPlayer requests in just one month in 2016.

A big part of what makes the BBC so appealing to so many is its diversity. That is my point today: creative industries work best when there is a variety of cultures, traditions and opinions to draw from.

We know that 88 per cent of BBC viewing in Scotland is UK-wide network content, from "The Archers" to "Doctor Who". Scottish viewers and listeners benefit from output that comes from across the UK, just as original production from Scotland is seen and sold the world over. I therefore welcome many of the charter's proposals, such as the proposal to introduce a non-executive board member for Scotland, the commitment to ensure that Scotland is a centre of excellence for factual production and, as we have heard much about today, the introduction of new content commissioners in comedy and drama—I am sure that more will follow.

I turn to the contributions of other members. "Tiswas" and "Andy Pandy" were way before my time, but I feel quite enlightened by the nostalgia in the chamber.

Jackson Carlaw: The member bears a remarkable resemblance to Andy Pandy.

Jamie Greene: Thank you. I will remember that.

Like the cabinet secretary, I welcome advances in the charter, such as the board member for Scotland and the setting of tangible targets that this Parliament can monitor. The cabinet secretary made some excellent and relevant points about the importance of regional radio in Scotland and the spend on it as compared with England for example.

My colleague Jackson Carlaw said that, although we can be fans of the BBC, we need to be critical where appropriate. Like many colleagues, he noted the importance of the Smith commission commitments for the future and raised the important point that independent production houses and studios in Scotland need to be supported and that the Government has a responsibility in that respect.

Lewis Macdonald quoted an independent production company saying that this is a charter for 11 years and that

“it is not the end of the journey”.—[*Official Report, European and External Relations Committee, 27 September 2016; c 2.*]

I agree. I also agree that all Scottish regions must be represented and not just the central belt.

Joan McAlpine picked up the point about employment in the production sector. I left Scotland many years ago to seek the gold pavements of London and work as a freelance TV producer, so I appreciate how difficult it is to find such work and am in favour of any moves to support more employment in the sector in Scotland and to encourage companies to set up shop here.

On the issue of the licence fee and the 55 per cent of revenue that is spent here, it is important that Parliament remembers that it is commissioning that drives budget. I do not think that we are looking at this in the right way. We are part of a national licence fee scheme that benefits us overall from the viewing that we get to enjoy across BBC television, radio and online.

Joan McAlpine: I totally agree that we benefit from productions from right across the UK, but one of the points that were made at the committee was that too many of the network productions that benefit the whole of the UK are not made in the nations and regions; they are focused on the south-east. We need to ensure that more of that production is made in the nations and regions.

Jamie Greene: The important thing is to ensure that the commissioning commitments are honoured and that more commissioning takes place in Scotland. I am happy to agree with that point.

Claire Baker made an interesting point about the potential federalisation of the BBC, which does not work in the spirit of the licence fee. I am happy to associate myself with those comments.

My colleague Rachael Hamilton made a good point about the BBC online, which is an important place for news and entertainment. The BBC is developing nation home pages and there are some technical changes coming out in the near future on that.

Stewart Stevenson, as always, made some interesting comments on his appearances at the BBC. He made a moving point about “The Ascent of Man”. However, I wonder whether his speech qualifies as deviation from the subject under the rules of “Just a Minute”.

Tavish Scott made an interesting point—unfortunately he has left the chamber—about Government control of the public broadcast sector. I would like to think that many improvements have been made in that respect over the years.

Ross Greer made an interesting point about satisfaction with output. It is important that the BBC takes note of survey results, and I am sure that it will strive to improve satisfaction results in future. My colleague Alexander Stewart reflected on the changing nature of Scottish politics and governance and said that that should be reflected in BBC output, particularly news. He also mentioned diversity, which has been mentioned a lot today. It is important that we monitor diversity across various communities.

Overall, I consider the current proposals to be positive steps. The charter represents progress in promoting Scottish interests across the BBC and the proposals reflect the suggestions of the Parliament. That is a testament to the constructive debates that we have had in the Parliament, including many before I became a member. I acknowledge the BBC’s commitment to appear in front of and provide reports to the Parliament’s committees. I welcome the fact that the BBC is working closely with Scotland, Wales and Northern Ireland to improve its accountability and provide more diverse content for diverse audiences.

The BBC needs to ensure that its new targets on representation are met, and the Parliament should monitor that closely. A great deal can still be done to better represent Scottish culture and its impact on the wider world. I hope that further openness has been cultivated as a result of the process and today’s debate.

The Deputy Presiding Officer: Ms Hyslop, I will need to cut down your speech to about eight and a half minutes.

16:51

Fiona Hyslop: At the start of the debate, I was desperately and frantically trying to think whether any of the TV programmes that were important to Jackson Carlaw were also important to me. I really struggled until he hit upon “I, Claudius”. Perhaps when I was a teenager, I shared with Jackson Carlaw a liking for political skulduggery and salacious storylines.

A number of important points have been made in the debate and I want to address as many of them as possible. The debate has been important and has shown the progress that has been made since the Smith commission. During the process, we have worked across jurisdictions and with the committees of the Parliament to make a real difference to what should be the outcome and the outputs for audiences and our creative industries.

I have been struck by the depth of insight afforded, the passion and, importantly, the genuine commitment to delivering the kind of BBC that the people of Scotland deserve. We are working collectively with all the partners, including

the UK Government, as it finalises the charter; Ofcom, on the regulation; and the BBC, on delivery and its responsibilities to move the process forward.

The debate comes at a critical point in the process. The draft charter and framework have delivered on some of the Scottish Government's proposition but not all of it. We stand here today looking at a real and tangible opportunity for the BBC in Scotland to deliver more and, importantly, to deliver better for the creative sector and also culturally. From the tenor of the responses and contributions, it seems that the Parliament appears willing to continue to support the Scottish Government to push for the delivery that we have been discussing over many months, including in the previous session of Parliament.

I want the BBC to deliver better and be organisationally structured to do so, with decentralisation where possible of decision making, commissioning and budgets. We should not have to depend on the good will of the individuals in the BBC who are there at the time. As I said at the outset, I have met and continue to meet the UK Government, the BBC and Ofcom to set out that vision and to reiterate the depth of feeling in Scotland behind the views that we are putting forward and the breadth of that across sectors.

I will address some of the points that have been made during the debate. In relation to a fairer share of the licence fee, points have been made about the disparity between Scotland, where 55 per cent of the licence fee comes back to be spent here, and Northern Ireland, where the figure is 74 per cent, or Wales, where the figure is 95 per cent. I take the point that Lewis Macdonald, Claire Baker and others made that that should be a measurement and not a target. The scrutiny that we now have by the committees of the Parliament will allow us to get underneath that and identify what is being spent and why, and whether it is benefiting the creative industries. We should remember that, in evidence to the Education and Culture Committee on 12 January, we heard from Ms Bulford that £35 million is spent on

“above-the-line commissioning for writers, directors, artists and production team talent.”—[*Official Report, Education and Culture Committee*, 12 January 2016; c 16.]

There was additional spend on production studios, outside broadcast rights, executive producers and so on. The point is that we want to ensure that the BBC's investment in Scotland is fair and just and that it addresses proposals to improve the creative economy impact.

On Lewis Macdonald's comments about the need to improve the MG Alba spend, I think that that would do two things. First, it would help with the public service requirement to reflect the

nations and regions and, secondly, it would help with reflecting the impact on and input to the creative economy. After all, MG Alba has a very strong impact on independent producers. Indeed, Joan McAlpine made the same point in relation to the new and very important public purpose of serving Scotland.

In a very good speech, Rachael Hamilton referred to current iPlayer requirements and the fact that there is now a home page for regions on the BBC website. We might well ask why that has taken so long, given how technology changes, and the real challenge is to ensure that whatever is provided is fit for purpose not just now but in future.

Stewart Stevenson, in between references to the book of Micah, made a very important point about Sunday trading, how we can see the same story through a different lens, how helpful it is to have that wider perspective and how important it is not to take a metropolitan view. At this point, I want to quote the Welsh Minister for Lifelong Learning and Welsh Language, Alun Davies—Wales and Northern Ireland are, of course, having similar debates. On 27 September, Mr Davies said:

“This is about how we change ... the culture within the BBC. I agree very much with the analysis from my friend from Llanelli, in that there is a metropolitan culture within the BBC that believes that it knows best for the whole of the United Kingdom.”—[*Record of Proceedings, National Assembly for Wales*, 27 September 2016.]

Moreover, in what I thought was an excellent speech, Jamie Greene made it clear that diversity is a strength that can benefit creativity. That is the mindset that we are encouraging the BBC to adopt both organisationally and structurally where at all possible.

Ross Greer reminded us why we are where we are on this matter by pointing out the deep-seated dissatisfaction with the statistics in the reports by the BBC with regard to how it reflects Scotland to itself. He also made a very important point that much needs to be progressed outwith the charter process. Although we are at the endgame of the charter process, much is still going on, with discussions between Ofcom and the BBC continuing. I should say that I, too, found “Robot Wars” strangely addictive when I watched it with my son, but I had not realised the Scottish production values in that particular programme.

Tavish Scott made important points about governance, but I should make it clear that we want to see a move towards Scotland and the Scottish ministers making appointments to the BBC board. With the current proposal, however, we would clearly take the opportunity to be involved and would have the key say. I do not

think that there would be much of a difference if we led on this and the UK worked to agree things.

As I have said, decentralisation would allow for a greater degree of autonomous decision making at operational board level. The creation of a Scottish unitary board, not just a BBC-appointed sub-committee, is important. As I think Jackson Carlaw pointed out, one of the lessons that we can learn from governance more widely in the UK relates to external aspects to the BBC, either at UK or Scottish level, and we should consider such matters as we move forward.

I was very struck by members' comments about how Scotland sees itself, and I thought that in her speech Emma Harper reflected the opportunities that we have in that respect. I also think that Claire Baker was correct to identify some of what we have achieved: an enforceable Scottish service licence for the first time; a dedicated board member for Scotland; a commitment to continuing support for Gaelic broadcasting and MG Alba, although we need to go further in that respect; proposals for the BBC to report on its contribution to Scotland's creative economy for the very first time; and the removal of the charter negotiations from the election cycle. Finally, as Joan McAlpine pointed out, we have the new and very important public purpose of reflecting, representing and serving the nations and regions.

This has been a very good debate, and it has given us a few things to reflect on as we move forward. I am aware, though, that I have not touched a number of aspects. For example, there is a strong feeling in Scotland that Channel 4 occupies a unique position and we would be against its privatisation. Perhaps we will come back to that at another time; indeed, we have already touched on governance.

As the BBC appoints its new director for Scotland, it can grasp the opportunity—at UK level and Scotland level—to be bold and ambitious. The BBC can serve Scotland and itself and it can ensure that the way Scotland is presented by its public service broadcaster has a sustainable quality for not just today, but many years to come.

Investigatory Powers Bill

17:00

The Presiding Officer (Ken Macintosh): The next item of business is consideration of a legislative consent motion. I ask Michael Matheson to move motion S5M-01832 on the Investigatory Powers Bill, which is United Kingdom legislation.

Motion moved,

That the Parliament supports the principle of modernising the law in the area of investigatory powers; believes that protection of civil liberties, transparency and independent oversight must be at the heart of this process; supports law enforcement in having necessary powers to keep Scotland's communities safe, subject to the most stringent checks and safeguards; agrees that the relevant provisions of the Investigatory Powers Bill, which was introduced in the House of Commons on 1 March 2016, relating to the interception of communications in places of detention, decisions relating to the issue, renewal, modification, cancellation and approval of interception warrants, targeted examination warrants and functions relating to mutual assistance warrants, the subject matter of Part III of the Police Act 1997 and other equipment interference provisions, the safeguards relating to the use and retention of material obtained by investigative techniques under the Investigatory Powers Bill, oversight arrangements and functions, the functions of, and rights of appeal from, the Investigatory Powers Tribunal, the creation of a Technology Advisory Panel, and amendments to the Regulation of Investigatory Powers (Scotland) Act 2000 in consequence of the Investigatory Powers Bill, so far as these matters fall within the legislative competence of the Scottish Parliament or alter the executive competence of the Scottish Ministers, should be considered by the UK Parliament; recognises that many of the provisions are necessary to ensure that law enforcement operates within an updated and robust legislative framework; supports powers that are demonstrably operationally necessary to counter terrorism and prevent and detect serious crime, and recognises the concerns that have been raised about potential impingement on civil liberties and the privacy of individuals in relation to internet connection records and bulk data collection, but notes that these issues are reserved to the UK Parliament and are not matters that the Scottish Ministers or Scottish Parliament can determine.—
[Michael Matheson.]

The Presiding Officer: The question on the motion will be put at decision time.

Jenny Marra (North East Scotland) (Lab): On a point of order, Presiding Officer. At lunch time today, 15 minutes after First Minister's question time concluded, the Scottish Government published Audit Scotland's section 22 emergency reports on NHS Tayside and NHS 24.

The timing of the laying of section 22 reports is entirely within the Scottish Government's control, not Audit Scotland's. I do not see it as any coincidence that the Scottish Government chose to publish those reports safely after the last opportunity before recess for Parliament to question the Government.

NHS Tayside's finances are in disarray. It will have to make nearly £60 million of cuts this year, which is double the cuts that it made last year. However, it still will not break even, it will not be able to pay back its ever-increasing loan from the Scottish Government and it will have to come back to the Government for the fourth year running to ask for more money. There have been four years of loans, yet it seems that the Scottish Government's only solution is to swallow up the debts and the spiralling costs into larger health boards.

Presiding Officer, in the interests of parliamentary scrutiny, do you have any power to compel the Government to lay reports so that Parliament has a chance to question ministers in a timely fashion? The Government should not be allowed to try to bury bad news over recess.

The Presiding Officer: I thank Jenny Marra for advance notice of the point of order. The member will know that I cannot compel the Government on publication. I do not believe that that is a point of order, although it is a matter about which the member and other members have a genuine interest and on which they would wish to question the Government.

I make no assumptions about the timing of the report's publication. I simply ask the cabinet secretary and the Government to reflect on the timing of publication in future.

Parliamentary Bureau Motions

17:02

The Presiding Officer (Ken Macintosh): The next item of business is consideration of two Parliamentary Bureau motions. I ask Joe FitzPatrick to move, en bloc, motion S5M-01860 on the establishment of a sub-committee and motion S5M-01861 on the meetings of the sub-committee.

Motions moved,

That the Parliament agrees to establish a sub-committee of the Parliament as follows:

Name of Committee: Justice Sub-Committee on Policing.

Remit: To consider and report on the operation of the Police and Fire Reform (Scotland) Act 2012 as it relates to policing.

Duration: Until the end of the Parliamentary session.

Number of members: 7.

Membership: Mary Fee, John Finnie, Liam McArthur, Rona Mackay, Ben Macpherson, Margaret Mitchell, Stewart Stevenson.

That the Parliament agrees that, under Rule 12.3.3B of Standing Orders, the Justice Sub-Committee on Policing can meet, if necessary, at 1.00pm on a Thursday for the purpose of conducting a meeting of the sub-committee and that any meeting held under this Rule is concluded before the commencement of a meeting of the Parliament that afternoon.—[*Joe FitzPatrick.*]

The Presiding Officer: The question on the motions will be put at decision time, to which we now come.

Decision Time

17:03

The Presiding Officer (Ken Macintosh): There are four questions to be put as a result of today's business.

The first question is, that motion S5M-01828, in the name of Fiona Hyslop, on the draft BBC charter, be agreed to.

Motion agreed to,

That the Parliament notes the publication by the UK Government of the draft BBC Royal Charter and draft BBC Framework Agreement.

The Presiding Officer: The next question is, that motion S5M-01832, in the name of Michael Matheson, on the Investigatory Powers Bill, which is United Kingdom legislation, be agreed to.

Motion agreed to,

That the Parliament supports the principle of modernising the law in the area of investigatory powers; believes that protection of civil liberties, transparency and independent oversight must be at the heart of this process; supports law enforcement in having necessary powers to keep Scotland's communities safe, subject to the most stringent checks and safeguards; agrees that the relevant provisions of the Investigatory Powers Bill, which was introduced in the House of Commons on 1 March 2016, relating to the interception of communications in places of detention, decisions relating to the issue, renewal, modification, cancellation and approval of interception warrants, targeted examination warrants and functions relating to mutual assistance warrants, the subject matter of Part III of the Police Act 1997 and other equipment interference provisions, the safeguards relating to the use and retention of material obtained by investigative techniques under the Investigatory Powers Bill, oversight arrangements and functions, the functions of, and rights of appeal from, the Investigatory Powers Tribunal, the creation of a Technology Advisory Panel, and amendments to the Regulation of Investigatory Powers (Scotland) Act 2000 in consequence of the Investigatory Powers Bill, so far as these matters fall within the legislative competence of the Scottish Parliament or alter the executive competence of the Scottish Ministers, should be considered by the UK Parliament; recognises that many of the provisions are necessary to ensure that law enforcement operates within an updated and robust legislative framework; supports powers that are demonstrably operationally necessary to counter terrorism and prevent and detect serious crime, and recognises the concerns that have been raised about potential impingement on civil liberties and the privacy of individuals in relation to internet connection records and bulk data collection, but notes that these issues are reserved to the UK Parliament and are not matters that the Scottish Ministers or Scottish Parliament can determine.

The Presiding Officer: The next question is, that motion S5M-01860, in the name of Joe FitzPatrick, on the establishment of a sub-committee, be agreed to.

Motion agreed to,

That the Parliament agrees to establish a sub-committee of the Parliament as follows:

Name of Committee: Justice Sub-Committee on Policing.

Remit: To consider and report on the operation of the Police and Fire Reform (Scotland) Act 2012 as it relates to policing.

Duration: Until the end of the Parliamentary session.

Number of members: 7.

Membership: Mary Fee, John Finnie, Liam McArthur, Rona Mackay, Ben Macpherson, Margaret Mitchell, Stewart Stevenson.

The Presiding Officer: The final question is, that motion S5M-01861, in the name of Joe FitzPatrick, on the meetings of the sub-committee, be agreed to.

Motion agreed to,

That the Parliament agrees that, under Rule 12.3.3B of Standing Orders, the Justice Sub-Committee on Policing can meet, if necessary, at 1.00pm on a Thursday for the purpose of conducting a meeting of the sub-committee and that any meeting held under this Rule is concluded before the commencement of a meeting of the Parliament that afternoon.

The Presiding Officer: I thank members and invite them to have an enjoyable recess.

Meeting closed at 17:03.

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

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