



**OFFICIAL REPORT**  
AITHISG OIFIGEIL

# Meeting of the Parliament

**Wednesday 30 November 2016**

**Session 5**



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## Wednesday 30 November 2016

### CONTENTS

	Col.
<b>PORTFOLIO QUESTION TIME</b> .....	1
<b>HEALTH AND SPORT</b> .....	1
Waiting Times (Out-patients) .....	1
Lightburn Hospital .....	3
NHS Ayrshire and Arran (Meetings) .....	5
Mental Health Strategy (NHS Lanarkshire) .....	7
Lung Disease .....	8
Seasonal Health Risks (Vulnerable Groups) .....	10
General Practitioners (Dumfries and Galloway) .....	11
Health Services (Moray) .....	12
Abortion .....	13
Social Care Charges (Dumfries and Galloway) .....	14
<b>AUTUMN STATEMENT</b> .....	16
<i>Statement—[Derek Mackay].</i>	
The Cabinet Secretary for Finance and the Constitution (Derek Mackay) .....	16
<b>EDUCATION</b> .....	28
<i>Motion moved—[Ross Greer].</i>	
<i>Amendment moved—[John Swinney].</i>	
<i>Amendment moved—[Liz Smith].</i>	
Ross Greer (West Scotland) (Green) .....	28
The Deputy First Minister and Cabinet Secretary for Education and Skills (John Swinney) .....	31
Liz Smith (Mid Scotland and Fife) (Con) .....	34
Daniel Johnson (Edinburgh Southern) (Lab) .....	36
Patrick Harvie (Glasgow) (Green) .....	38
James Dornan (Glasgow Cathcart) (SNP) .....	39
Tavish Scott (Shetland Islands) (LD) .....	41
Jeremy Balfour (Lothian) (Con) .....	42
Monica Lennon (Central Scotland) (Lab) .....	43
Fulton MacGregor (Coatbridge and Chryston) (SNP) .....	45
Iain Gray (East Lothian) (Lab) .....	47
Ross Thomson (North East Scotland) (Con) .....	49
The Minister for Childcare and Early Years (Mark McDonald) .....	50
Mark Ruskell (Mid Scotland and Fife) (Green) .....	52
<b>LOCAL DEMOCRACY</b> .....	55
<i>Motion moved—[Andy Wightman].</i>	
<i>Amendment moved—[Kevin Stewart].</i>	
<i>Amendment moved—[Graham Simpson].</i>	
Andy Wightman (Lothian) (Green) .....	55
The Minister for Local Government and Housing (Kevin Stewart) .....	58
Graham Simpson (Central Scotland) (Con) .....	60
Alex Rowley (Mid Scotland and Fife) (Lab) .....	62
John Finnie (Highlands and Islands) (Green) .....	63
Bob Doris (Glasgow Maryhill and Springburn) (SNP) .....	65
Alex Cole-Hamilton (Edinburgh Western) (LD) .....	67
Alexander Stewart (Mid Scotland and Fife) (Con) .....	68
Colin Smyth (South Scotland) (Lab) .....	70
Graeme Dey (Angus South) (SNP) .....	72
Pauline McNeill (Glasgow) (Lab) .....	73
Adam Tomkins (Glasgow) (Con) .....	75
The Cabinet Secretary for Communities, Social Security and Equalities (Angela Constance) .....	76
Alison Johnstone (Lothian) (Green) .....	78
<b>POLICING AND CRIME BILL</b> .....	82
<i>Motion moved—[Michael Matheson].</i>	

<b>BUSINESS MOTIONS</b> .....	83
<i>Motions moved—[Joe FitzPatrick]—and agreed to.</i>	
<b>PARLIAMENTARY BUREAU MOTION</b> .....	85
<i>Motion moved—[Joe FitzPatrick].</i>	
<b>DECISION TIME</b> .....	86
<b>WORLD AIDS DAY 2016</b> .....	98
<i>Motion debated—[Kezia Dugdale].</i>	
Kezia Dugdale (Lothian) (Lab).....	98
Emma Harper (South Scotland) (SNP) .....	101
Donald Cameron (Highlands and Islands) (Con) .....	103
Anas Sarwar (Glasgow) (Lab) .....	105
Patrick Harvie (Glasgow) (Green) .....	106
Monica Lennon (Central Scotland) (Lab) .....	108
Tom Arthur (Renfrewshire South) (SNP).....	110
Jamie Greene (West Scotland) (Con) .....	111
Daniel Johnson (Edinburgh Southern) (Lab).....	113
The Minister for Public Health and Sport (Aileen Campbell).....	115

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# Scottish Parliament

Wednesday 30 November 2016

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

## Portfolio Question Time

### Health and Sport

#### Waiting Times (Out-patients)

##### 1. Dean Lockhart (Mid Scotland and Fife)

**(Con):** To ask the Scottish Government what action it is taking to lower out-patient waiting times. (S5O-00396)

**The Cabinet Secretary for Health and Sport (Shona Robison):** There has been significant growth in out-patient numbers: more than 140,000 extra patients are now being seen annually, in comparison with the situation in 2009. Last week, I announced that £10 million has been made available to health boards to reduce long waits for first out-patient appointments. That funding will provide an additional 40,000 out-patient appointments between now and the end of March.

Yesterday, I announced the publication of a consultative document, "The Modern Outpatient: A Collaborative Approach 2017-2020", which aims to transform out-patient care and deliver a major shift in the way that it is delivered. The document sets out a new strategy for managing the rising demand in out-patient appointments and aims to free up approximately 400,000 hospital appointments. It will enable people to be seen by the most appropriate health professional and often closer to home, thereby ending many repeated and unnecessary trips to hospital.

**Dean Lockhart:** Further funding is, of course, welcome. However, as we on the Conservative side of the chamber have said a number of times, it is not just about the money that is spent, but about the availability of the necessary staff resources to deliver satisfactory outcomes for patients.

Throughout Scotland, there are high vacancy rates in cardiology—especially in NHS Forth Valley, where the vacancy rate for cardiology consultants currently stands at 16.7 per cent, which is above the national average. That is having a direct effect on patient outcomes. In NHS Forth Valley, despite the hard work of local staff, the longest reported wait to see a cardiologist is 202 days, which is nearly 29 weeks. That is more than double the Scottish Government's target of 12 weeks. What is the cabinet secretary doing to resolve urgently the problem of high vacancy rates

for cardiology consultants throughout Scotland and in NHS Forth Valley, and to address the unacceptable waiting times for patients?

**Shona Robison:** In taking forward the out-patient plan, we will need to ensure that a range of health professionals, especially those who work in the community, are involved. The £500 million investment in primary care will help to ensure that we have the right professionals in the right places to enable us to manage the out-patient process much more effectively. The consultant, as a specialist, will remain very important in that process.

I can tell Dean Lockhart that the number of medical and dental consultants went up by 40 per cent between September 2006 and June 2016, so there are more consultants and specialists. However, there are shortages in particular specialties, including cardiology, which presents a challenge. Dean Lockhart has raised specific local issues relating to cardiologists in NHS Forth Valley, so I will write to him with more specific information about the action that is being taken to address those issues.

**Maree Todd (Highlands and Islands) (SNP):** I welcome the Scottish Government's investment in reducing out-patient waiting times. Over the winter period, demand for national health service provision is expected to increase. What support is being given to NHS boards over the winter to ensure that the required capacity is in place to manage the expected increase in demand?

**Shona Robison:** Last week, I announced the allocation of an additional £3 million to NHS boards to support them in their preparations for winter. The funding is for increasing winter resilience in each area and is in addition to previously announced sums, including £9 million to support accident and emergency departments over the winter and £30 million specifically to reduce delayed discharges this year.

**John Scott (Ayr) (Con):** Patient treatment following general practitioner referrals in NHS Ayrshire and Arran is now the worst in Scotland, and has been falling from acceptable levels to unacceptable levels for the past 18 months. I am aware of the issue because a growing number of my constituents have contacted me because they are unable to get hospital appointments, with winter pressures still to come.

I have raised the issue of unmet demand in different ways with the cabinet secretary over several years. She has reasonably acknowledged the growing problem and I welcome her promise of extra funding. However, hand wringing over statistics of misery and disappointment that have a bearing on outcomes is no longer enough—notwithstanding the daily more-frantic efforts of

front-line staff to get through the work. What instructions or funding will the cabinet secretary give directly to NHS Ayrshire and Arran to encourage it, or force it, to raise its game?

**Shona Robison:** I acknowledge that John Scott has regularly raised issues to do with NHS Ayrshire and Arran's performance. Of course, NHS Ayrshire and Arran will get a share of the £10 million to improve out-patient performance. That is important for the short term because it will create 40,000 additional out-patient appointments across Scotland between now and March.

However, there is a more fundamental issue. The way our out-patient system works means that everybody ends up in the same queue to see a specialist, even if it would be better that they were treated by someone else. A lot of work has been done to make sure that many of those who would, for example, have been in the traditional queue to see an orthopaedic consultant are now being seen by a physiotherapist because the physiotherapist is the best health professional to see them.

Through reform of out-patient services—whether in Ayrshire and Arran or anywhere else—we need to make sure that we get people to the right professional, so that the people who need to see specialists can see them far sooner. I am happy to write to John Scott with more detail about the proportion of the £10 million that will be allocated to NHS Ayrshire and Arran.

**The Presiding Officer (Ken Macintosh):** Thank you. I encourage members to ask shorter questions and ministers to give shortish answers. We will get through more.

### Lightburn Hospital

**2. Pauline McNeill (Glasgow) (Lab):** To ask the Scottish Government how long it would take to make a decision on the future of Lightburn hospital if this was to come to ministers. (S5O-00397)

**The Cabinet Secretary for Health and Sport (Shona Robison):** As Pauline McNeill knows, NHS Greater Glasgow and Clyde's proposals for Lightburn hospital might well change, or not be taken forward at all, as a result of the public engagement process that is under way. That is part of the well-established process on service change in the NHS and why I cannot, and will not, prejudge the outcome.

The time that needs to be taken to consider carefully any major service change proposals largely depends on the nature, context and complexity of the proposals. If the proposals are designated as major and they come to me, I will take sufficient time to consider carefully all the available evidence and representations.

**Pauline McNeill:** In January this year, former MSP Paul Martin highlighted that there was a plan to close Lightburn hospital by referring to a health board minute that stated that Lightburn hospital was up for closure. He was called a liar for that.

In April, local MP Anne McLaughlin wrote to constituents to say that she had received an unequivocal assurance that Lightburn hospital would not close. I do not think that anyone can give such an assurance given that the minister said that she is deliberating on the matter. I would like to know where Anne McLaughlin got that assurance. Is the minister concerned that the service is clearly being run down while the decision is being taken? Will she accept an appeal from me that the people of north-east Glasgow need a third hospital to serve older people? If the minister is considering an option to reduce the service by closing Lightburn hospital and transferring beds to Stobhill hospital and Glasgow royal infirmary, that will not be an adequate solution for the people of north-east Glasgow.

**Shona Robison:** I stress that nothing has come to me. I will have to wait until NHS Greater Glasgow and Clyde has gone through a proper public engagement process, which might or might not result in a formal proposal.

If anything did come to me and I was considering it as a major service change proposal, I would need to be convinced that the change would address concerns that Pauline McNeill and others have raised, that it would be fully consistent with national policy, and that it would improve the patient experience. I would expect any proposal that came to me to address all those issues. I hope that Pauline McNeill and others will take part in any consultation around those issues.

**Ivan McKee (Glasgow Provan) (SNP):** The Scottish Government's national clinical strategy calls for a shift to community-based services and to person-centred care in homely settings—for example, a local community-based hospital and familiar surroundings—and calls for health inequalities to be addressed by moving resources into areas of high deprivation, not away from them. Will the cabinet secretary reiterate her support for those principles and does she agree that proposals for changes to health services in the east end of Glasgow—including local community hospitals such as Lightburn—would have to be consistent with those principles?

**Shona Robison:** I can say that in 2011 Nicola Sturgeon, when she was Deputy First Minister and Cabinet Secretary for Health and Wellbeing, rejected proposals to close Lightburn hospital because she had consistently heard from patients and clinicians that the hospital provided greatly valued high-quality services. As I said to Pauline McNeill, I would need to be convinced that final

proposals—if any emerge—would effectively address the concerns that have been raised by Ivan McKee and others, that they would be fully consistent with national policy and, importantly, that they would improve the patient experience. That is the challenge to NHS Greater Glasgow and Clyde when it considers the future of Lightburn hospital. I stress that no proposal has come to me. We are at a very early stage of the process: I expect NHS Greater Glasgow and Clyde to take on board the need for it to address all those issues.

**Anas Sarwar (Glasgow) (Lab):** Let us be clear. Days before the election, Paul Martin was called a liar for suggesting that there were plans to close Lightburn hospital. An SNP MP used parliamentary resources to write to every constituent to say that she had assurances from the cabinet secretary that there were no plans to close Lightburn hospital. It seems that the cabinet secretary is denying that that was the case.

Now, six months later, the proposals are in black and white. That same MP and a local SNP MSP are now holding public meetings in the area claiming that they are the ones who will try to save Lightburn hospital. That is a betrayal of people in the east end of Glasgow. The cabinet secretary should be honest with Parliament today and say that the proposals are real and that she will accept the will of Parliament to call the proposals in. We believe that the proposal should be to reject closure of Lightburn hospital.

**Shona Robison:** I am surprised that Anas Sarwar is criticising MPs or MSPs for listening to their constituents. [*Interruption.*] I expect MPs and MSPs to listen to the views of their constituents—[*Interruption.*]—whether on the future of Lightburn hospital or any other issue. I have now said in response to two questions that there is no formal proposal. A consultative public engagement process is currently under way. It is at a very early stage, and proposals may or may not emerge from it. Nothing has come to me in terms of formal service change proposals. If such proposals do come to me, I have set out very clearly the criteria that they must meet. The change must improve the patient experience, be fully consistent with national policy and address local concerns. I do not think I could be clearer.

**The Presiding Officer:** I take the opportunity to remind members to be careful with the language that they use in the chamber. I also urge all questioners—yet again—to ask briefer questions.

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

3. **Willie Coffey (Kilmarnock and Irvine Valley) (SNP):** To ask the Scottish Government when it last met NHS Ayrshire and Arran and what matters were discussed. (S5O-00398)

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

**Willie Coffey:** As part of the independent review that was announced last week into the baby deaths at Crosshouse hospital, I ask that the parents of Elijah Kennedy, who died in 2011, and Joseph Campbell, who died in 2012, be included in that review, so that their stories are heard and any lessons are learned and acted on.

**Shona Robison:** First of all, I certainly wish to put on record my condolences to any family who lose a baby. We would all want to make sure that the views of families are very much at the centre of the review that Healthcare Improvement Scotland has been asked to carry out. I have asked HIS to look into whether the processes and procedures in Ayrshire and Arran were properly followed in the cases that have been highlighted. I have asked HIS to meet the affected families as part of the review and to report back to me with its findings at the earliest opportunity.

I will certainly ask HIS to make contact with the families whom Willie Coffey mentioned, but I would expect it to meet any families who wish to discuss their concerns with the organisation, and I have indicated that to HIS in taking forward its important review.

**Jamie Greene (West Scotland) (Con):** Unfortunately, NHS Ayrshire and Arran has been in the news an awful lot recently. We have had numerous reports of understaffing, lengthy waiting times and unfillable vacancies. There was the case of a 19-month wait to see a consultant that was resolved only after we brought it up with the First Minister in the chamber, and we have heard about the tragic cases of avoidable stillbirth deaths at Crosshouse hospital. What steps is the cabinet secretary planning to take to restore public trust and confidence, not just in NHS Ayrshire and Arran but across the entire Scottish health service?

**Shona Robison:** The member raises a number of issues, but I want to deal first with the issue of maternity and neonatal care. It is very important to stress that, despite the serious issues that have been raised about NHS Ayrshire and Arran, there has been a marked improvement in the number of stillbirths in the maternity and neonatal units in Ayrshire and Arran and, indeed, in all such units across Scotland. The number of stillbirths is down—in 2015, the figure was the lowest on record—and the numbers of neonatal and maternal deaths are also down. It is important that we provide the public with the reassurance that, despite the issues that Healthcare Improvement

Scotland has been asked to look into, overall the units are safer than they were previously. We should welcome those figures.

Jamie Greene raised issues about the general performance of NHS Ayrshire and Arran, and John Scott previously raised concerns about scheduled care performance. I have made it clear to NHS Ayrshire and Arran—as I would to any other board—that we expect it, through its spending of its share of the £10 million, to bring about a marked improvement in out-patient performance and in scheduled care performance. We also expect improvements in accident and emergency performance at Ayr hospital. There has been significant improvement in A and E performance at Crosshouse hospital. Performance has improved in some areas in Ayrshire and Arran, but there is still room for improvement in others. I would be happy to write to the member with more details if he would find that helpful.

#### **Mental Health Strategy (NHS Lanarkshire)**

**4. Christina McKelvie (Hamilton, Larkhall and Stonehouse) (SNP):** To ask the Scottish Government what discussions it has had with NHS Lanarkshire regarding the implementation of the mental health strategy. (S5O-00399)

**The Minister for Mental Health (Maureen Watt):** During the implementation of the “Mental Health Strategy for Scotland: 2012-2015”, implementation review visits by Scottish Government officials to NHS Lanarkshire took place in May and November 2012, May and November 2013, May and November 2014, and May 2015.

In the engagement process for the forthcoming 10-year mental health strategy, the Scottish Government received a written response to its engagement paper “Mental Health in Scotland—a 10 year vision” from the planning partnerships for North and South Lanarkshire. The response was the result of a collaboration by North Lanarkshire health and social care partnership, South Lanarkshire health and social care partnership, NHS Lanarkshire, North Lanarkshire Council, South Lanarkshire Council and the local voluntary sector. The Scottish Government has carefully considered it, along with the other 597 responses that were received, in developing the final strategy.

**Christina McKelvie:** I thank the minister for all that information.

The minister will understand the value of working closely with community-based organisations, along with the national health service and other organisations. I draw her attention to the work of an organisation in my constituency that is called FFAMS—Families and

Friends Against Murder and Suicide. Will she ensure that organisations such as FFAMS will be invited to contribute and work with NHS Lanarkshire to roll out the mental health strategy in my local area?

**Maureen Watt:** Organisations such as FFAMS have a key role to play. The prevention and reduction of suicides in Scotland is a key priority for the Scottish Government. Engagement in development of the next suicide prevention strategy will take place in spring 2017. During that period, we expect to receive input from a range of agencies, including organisations such as FFAMS. It is the role of NHS boards to draw on the knowledge, ability and resources of such local groups to develop solutions that reflect the needs of their population.

**Monica Lennon (Central Scotland) (Lab):** The draft 10-year mental health strategy states that there will be actions to improve perinatal mental health. NHS Lanarkshire perinatal mental health did not begin until November 2014 and NHS Lanarkshire does not have in-patient specialist perinatal mental health services. Instead, it relies on NHS Greater Glasgow and Clyde services. I note from the minister's previous reply that she has not met NHS Lanarkshire recently, but have her officials discussed the issue with NHS Lanarkshire recently or will she do so in the near future? Does she find that situation to be acceptable?

**Maureen Watt:** It is up to NHS boards to decide how best to provide those services, and co-operation across health boards is vital in taking forward health services in Scotland. Regarding perinatal mental health, the mental health strategy will dovetail with the review that Jane Grant from NHS Forth Valley has been undertaking into neonatal and maternal health services.

#### **Lung Disease**

**5. Emma Harper (South Scotland) (SNP):** To ask the Scottish Government what its position is on the establishment of a respiratory task force to help tackle lung disease. (S5O-00400)

**The Minister for Public Health and Sport (Aileen Campbell):** We are working closely with the respiratory national advisory group to support local improvement in respiratory care through the development of a respiratory health quality improvement plan. The plan will aim to support national health service boards and respiratory managed clinical networks in making local improvements in respiratory diagnosis, treatment and care.

**Emma Harper:** Does the minister agree that charities such as Chest Heart & Stroke Scotland, the British Lung Foundation and Asthma UK are



doing important work on lung health in Scotland? Will she maintain regular contact with those stakeholders and engage with their recommendations for how best to deal with lung disease?

**Aileen Campbell:** We recognise the valuable contribution that our third sector partners make in supporting people who live with respiratory conditions. To offer a couple of examples, we supported the development of resources with £160,000 of funding, and one of those—my lungs, my life—is an online resource that was developed by Chest Heart & Stroke Scotland to help people to understand and self-manage their condition. We also recently approved funding of £112,000 to CHSS to support the development of an online learning resource for professionals.

**Colin Smyth (South Scotland) (Lab):** There has been a welcome decrease in the proportion of people who smoke—not least as a result of the ban on smoking in public places that Labour introduced in 2006—but the rate of decline is much slower in the most deprived areas. That level is not expected to reach the Government's 2034 target, although 60 per cent of those who access smoking cessation services live in the most deprived areas. Given that chronic obstructive pulmonary disease is the only major cause of death for which levels are rising in Scotland and given that it is much more prevalent in socially deprived areas, does the minister believe that developing an action plan to tackle the slow pace of decline in smoking in the most deprived areas should be a Government priority?

**Aileen Campbell:** Regardless of party membership, we probably share the understanding that inequalities exacerbate some of the public health challenges that we face as a country. The Labour Party is to be congratulated on having introduced the groundbreaking legislation that was mentioned. In the same spirit of cross-party co-operation, it should be recognised that we have taken forward other bits of work to stop some of the poor choices about smoking, alcohol or drug dependency impacting most heavily on our most deprived communities.

We should work together to tackle such things. We have a tobacco strategy that sets out some of the areas in which we want to make more progress, and Colin Smyth will recognise that the legislation to ban smoking in cars with children will come into force next week. Work goes on across the political parties to ensure that we can make a difference but, like Colin Smyth, sometimes we are all impatient for change to ensure that everybody has a fair chance to flourish and that our most deprived areas get the chance for better health outcomes. I hope that we can work across the

political parties in a spirit of consensus to make the difference that we all seek.

**Donald Cameron (Highlands and Islands) (Con):** I note what the minister said about the diagnosis and treatment of lung disease. The minister might be aware of the British Lung Foundation's report "The Battle for Breath", which considers the impact of lung disease across the United Kingdom. It states that more can be done to improve awareness, availability of screening and prevention, in particular. What is the Scottish Government doing to improve in those areas?

**Aileen Campbell:** We know that "The Battle for Breath" sets out a number of recommendations, which we will take on board. We will continue to work hard to ensure that diagnosis is better, and I have outlined some of the ways in which we have funded our third sector partners to help people to cope better with their condition. We will consider all ideas and recommendations to improve the situation across the piece.

### Seasonal Health Risks (Vulnerable Groups)

**6. Maurice Golden (West Scotland) (Con):** To ask the Scottish Government what analysis it carries out to ascertain which groups are most vulnerable to seasonal health risks. (S50-00401)

**The Cabinet Secretary for Health and Sport (Shona Robison):** The Scottish Government relies on analysis that is provided by a range of experts and specialist advisory committees on seasonal risks to health. The sources of those analyses vary depending on the specific issue concerned, as seasonal health risks are relevant to a wide range of health matters. For example, the Joint Committee on Vaccination and Immunisation provides advice on which groups should receive the seasonal flu vaccine, and Health Protection Scotland provides the Government with on-going analyses of threats to health, such as infectious diseases, that might have a seasonal trend to them.

**Maurice Golden:** The Scottish Government's figures show that, last year, almost 3,000 of our fellow Scots died during winter, which is above and beyond the average rate for the rest of the year. That figure is completely unacceptable. World Health Organization research shows that around one third of those 3,000 deaths could be attributed to cold homes.

In our manifesto, our party committed to improving all properties in Scotland to at least an energy performance certificate band C rating. That would improve energy efficiency, tackle fuel poverty and make homes easier to heat. The National Institute for Health and Care Excellence makes the same recommendation. Will the Scottish Government help to tackle those

needless deaths by committing to a similar call, and will it set out a plan of action to achieve that?

**Shona Robison:** A lot of analysis is done of deaths during winter to discern trends and see whether anything in particular is emerging from those trends that we should take into account. That is an on-going process. The member makes an important point when he notes that issues of fuel poverty are critical to our attempts to prevent deaths from cold homes. It is not only the health service, but services across Government, that must respond to the issue.

We will consider ideas from across the chamber on this point. I point out that the Government has for a number of years taken forward measures that have been important in lifting people out of fuel poverty, although there is no doubt that the task is challenging. The situation is not helped by some of the welfare reforms that the United Kingdom Government has introduced, which have put pressure on family budgets, particularly for those on low incomes. That has done nothing to help to reduce fuel poverty and, in fact, it can make the situation much worse.

#### **General Practitioners (Dumfries and Galloway)**

**7. Finlay Carson (Galloway and West Dumfries) (Con):** To ask the Scottish Government how many general practitioners have been recruited in Dumfries and Galloway through the bursary incentive, and how many posts remain vacant. (S5O-00402)

**The Cabinet Secretary for Health and Sport (Shona Robison):** Of six GP specialty training posts that were eligible for the bursary in the Dumfries and Galloway region, three posts were initially filled, but one individual has since declined their job offer. That leaves four vacancies, which will be advertised in the forthcoming 2017 recruitment rounds.

**Finlay Carson:** In Galloway and West Dumfries, rural GP practices are in crisis. GPs are working longer hours than ever, practices are being forced to merge and there is a fear in communities that some practices will close. Will the cabinet secretary meet me to discuss giving Galloway community hospital in Stranraer training hospital status and to explore seconding armed forces doctors to ensure that vital GP services can be delivered in rural areas?

**Shona Robison:** I am certainly happy to meet the member to discuss those ideas. I am always happy to speak to members from across the chamber about ideas. Obviously, we would have to look at whether the ideas are practical and deliverable, but I am certainly willing to meet the member to discuss them further.

We have a huge amount of work under way to improve the position in primary care. There will be a £500 million investment in this session of Parliament and there are short-term measures to stabilise the position and address recruitment and retention issues, particularly in rural areas. I am happy to furnish the member with more details, but I am also happy to meet him to discuss the issues that he raised.

#### **Health Services (Moray)**

**8. Douglas Ross (Highlands and Islands) (Con):** To ask the Scottish Government what its assessment is of health services in the Moray area. (S5O-00403)

**The Cabinet Secretary for Health and Sport (Shona Robison):** Health services across Grampian are assessed at board level, and the NHS Grampian annual review took place on 6 October. The process ensures the rigorous scrutiny of the board's performance while encouraging accountability and as much direct dialogue as possible between local communities and NHS Grampian. I have issued a letter to the board that contains my observations on the board's performance in relation to a range of issues and which details a number of initiatives and actions to be taken forward in the coming months. The letter shall be posted on the NHS Grampian website in the near future.

**Douglas Ross:** I have a constituent from Moray who is being treated for breast cancer at Raigmore and who faces significant challenges with her treatment because she lives in the NHS Grampian area. For example, she cannot have her blood taken at the Oaks in Elgin, which is an excellent facility and which would save her from going into a general practitioner waiting area with her low immune system. That is because the Oaks does not send samples to NHS Highland; it only sends them to NHS Grampian. Also, my constituent had an NHS Highland prescription for a wig, but the hairdresser closest to her home in Elgin could not deal with that, because she did not have an NHS Grampian prescription.

What can the Scottish Government do to improve the service and care for patients in the Moray area who face similar problems because they choose to be treated closer to home at Raigmore rather than in the NHS Grampian area?

**Shona Robison:** The member raises important issues, and I am happy to look into the specifics. It sounds as though boundary issues are potentially getting in the way of sensible solutions that would make it easier for the patient to whom the member refers. It would help if the member wrote to me with further detail, and I can then follow that up and respond on the important issues that he raises.

**Richard Lochhead (Moray) (SNP):** The cabinet secretary will be aware that one reason for some of the pressures on the Moray health service is an issue with attracting health professionals to live in our more rural areas and, in the case of consultants, to work at some of our smaller hospitals. Is the cabinet secretary willing to look at the extent to which incentives are available to attract health professionals to work in such areas? That could make a real difference and could help to address some of the pressures.

**Shona Robison:** There have already been a number of incentives to encourage health professionals to work in rural communities. For example, bursaries and golden hellos are available in particular specialties to try to attract people to harder-to-fill posts. We also have the regional workforce plans, which are being developed and which are another opportunity to look at the particular needs of remote and rural Scotland. However, I will ask my office to get in touch with Richard Lochhead to get more details on the issues that are of concern to him in the Moray area. I am happy to respond to him on that.

### Abortion

**9. Patrick Harvie (Glasgow) (Green):** To ask the Scottish Government what improvements it considers necessary to the provision of abortion in Scotland. (S5O-00404)

**The Minister for Public Health and Sport (Aileen Campbell):** National health service boards are responsible for the provision of abortion services in Scotland. The Scottish Government recognises that there are opportunities to improve the provision, which is why we funded research by the University of Glasgow on issues surrounding women who require abortion later in pregnancy and women who have more than one abortion. Both of those pieces of research are now published and will inform how NHS boards deliver abortion services.

**Patrick Harvie:** I thank the minister very much for that answer. The Abortion Act 1967 allows abortion up to the time limit of 24 weeks but, as the minister is no doubt aware, research has shown that, in practice, unofficial time limits are operating in Scotland, ranging from 15 to 20 weeks, leaving women in many circumstances having to travel elsewhere, and requiring the time and money to do so, as well as having the unnecessary stress that is added to their experience in order to access abortion. Why are women in Scotland facing those unacceptable barriers to exercising their reproductive rights?

**Aileen Campbell:** I thank Patrick Harvie for raising this incredibly important issue. I know that we had a meeting planned and we will meet in future to discuss the wider issues that he raised at

First Minister's question time. One reason for some NHS boards offering other local time limits to abortion is often to do with delivering a sustainable and safe service for a very small number of patients who require that specialised procedure. Women travel from Scotland to England for later abortions if that is required, and the costs of that are met by NHS boards in Scotland.

I am happy to look more fully at the issue and to engage with Patrick Harvie when we are scheduled to meet, and also to engage with any other member who is interested, but there are issues around sustainability and the safety of the service for women, and that is one of the reasons why NHS boards sometimes offer different time limits. However, there are partnership relationships with other NHS boards to ensure that women have access. Some women have to embark on journeys of some distance to access the right that they have, and we are also looking at that issue, because we understand the points that Patrick Harvie raises.

**Brian Whittle (South Scotland) (Con):** Statistics show that abortion rates are higher among women living in the more deprived areas. What will the Scottish Government do to ensure that all women have equal access to contraception and sexual health advice?

**Aileen Campbell:** That is one of the reasons why we asked the University of Glasgow to look at some of the issues around abortion, including why women have more than one abortion. We also ensure that women have access to adequate sexual health advice and support should they need it. One of the issues about public health is that sometimes our most deprived communities suffer the most, and we need to tackle that.

Again, I would be happy to engage with Brian Whittle on the issue, but we are certainly making progress. We have commissioned research from the University of Glasgow to look at some of the elements, but if the member has other issues that he thinks require a further look I would be happy to engage with him. It is important to get it right and to act to prevent issues before a woman takes the very difficult decision to have an abortion should she require it.

### Social Care Charges (Dumfries and Galloway)

**10. Joan McAlpine (South Scotland) (SNP):** To ask the Scottish Government what its position is on the reported sharp rise in social care charges for disabled people under 65 in Dumfries and Galloway, and whether it considers this a consequence of the Convention of Scottish Local Authorities recommending an applicable income allowance of £132 per week. (S5O-00405)

**The Cabinet Secretary for Health and Sport (Shona Robison):** I am disappointed that Dumfries and Galloway Council has chosen to adopt a lower income threshold for people under the age of 65. However, the Scottish Government funding has ensured that the threshold at which people begin to be charged for their social care has not been lowered further still in Dumfries and Galloway. The additional funding of £6 million that we provided to local authorities as part of the £250 million additional funding for social care in 2016-17 was intended to enable all local authorities to increase their charging thresholds to a minimum of 25 per cent, in order to take those on the lowest incomes out of social care charges altogether and to reduce social care charges for many more service users.

**Joan McAlpine:** Although several local authorities do not begin charging until well above the COSLA minimum, only Labour-controlled Dumfries and Galloway Council has chosen to immediately and dramatically reduce the threshold for care charges for existing service users and to increase the rate at which they pay, despite the money that it has been given by the Scottish Government to reduce charges. That has resulted in vulnerable people with severe disabilities facing charge increases of 500 per cent and bills of £70 a week, which must come from their already pressured benefits. Does the cabinet secretary agree that that is cruel and unjustified?

**Shona Robison:** As I said, I am disappointed that Dumfries and Galloway has chosen to reduce the threshold for social care charges. The COSLA charging guidance gives the threshold as a minimum, not a maximum, and other local authorities have higher thresholds.

We provided additional funding to local authorities in 2016-17 to tackle poverty. If people on the lowest incomes are worse off now as a result of the changes to the charging thresholds in Dumfries and Galloway, that flies in the face of the council's being provided with extra money to reduce those charges, and I hope that Dumfries and Galloway Council seriously considers the representations that have been made on this issue both locally and in this chamber.

**The Presiding Officer:** That concludes portfolio question time.

## Autumn Statement

**The Presiding Officer (Ken Macintosh):** The next item of business is a statement by Derek Mackay on the response to the autumn statement. As the cabinet secretary will take questions at the end of his statement, there should be no interruptions or interventions.

14:41

**The Cabinet Secretary for Finance and the Constitution (Derek Mackay):** I would like to take this opportunity to respond to the autumn statement that was delivered last week by the Chancellor of the Exchequer and to set out its implications for Scotland's public finances and wider economy.

The autumn statement and the accompanying analysis from the Office for Budget Responsibility starkly highlighted the detrimental impact of Brexit and the United Kingdom Government's approach to the negotiations on the economy and the UK's public finances. The Scottish economy demonstrated its underlying resilience prior to the European Union referendum in the face of considerable external headwinds, with gross domestic product growing by 0.4 per cent in the second quarter of the year, wages growing in real terms over the past year and the labour market continuing to strengthen. The most recent labour market data shows that the unemployment rate has now fallen to 4.7 per cent, the lowest since 2008 and below that of the UK, and the number of people in employment in Scotland has increased by more than 166,000 since 2010. The Scottish economy is therefore well placed to face the challenges that are likely to emerge over the coming year.

However, it is clear that Brexit has significantly increased economic uncertainty and damaged business confidence and investment intentions. The forecasts set out by the OBR anticipate that Brexit will lead to investment being postponed or cancelled, higher inflation squeezing households' real incomes and reduced trade with the EU. That is expected to lead to lower economic growth, lower wages and lower tax revenues and, in turn, higher borrowing and debt. As a result of lower growth, the OBR now forecasts that over the next five years borrowing will be more than £110 billion higher than forecast in March, with the OBR attributing £59 billion of that increase solely to Brexit.

It is clear that the deteriorating outlook for the UK economy together with the UK Government's austerity policies will hit low-income families hardest. Analysis by the Institute for Fiscal Studies shows that, as a result of Brexit reducing growth

and increasing inflation, average real wages will, by 2021, still be lower than they were in 2008. That implies 13 years without any growth in real wages, which is the longest period of stagnant wages that we have had since world war two.

The true cost of Brexit has been laid bare by this Tory chancellor. As our nation continues to debate our constitutional future, the choice that we face is becoming clearer. If we are stuck with the hard-right hard Brexit of the Tories, we face lower growth, more borrowing, higher debt and higher inflation hitting hard-pressed families. That is one future that Scotland now faces. I believe that we must build a different future and give Scotland a different choice.

In the face of a deteriorating economic outlook, the chancellor had a choice to make on fiscal policy. He had the opportunity to take a fresh approach and abandon his predecessor's rigid adherence to austerity. However, despite the rhetoric of resetting fiscal policy, under the chancellor's plans Scotland will continue to see a real-terms cut to the funding that it receives to pay for public services. By 2019-20, the Scottish Government's discretionary budget—the fiscal departmental expenditure limit—is expected to be more than 9 per cent lower in real terms than it was in 2010-11, which reduces our scope to mitigate Westminster austerity and invest in growing our economy. That is before we see the impact of £3.5 billion of additional and so far unallocated cuts that the chancellor has confirmed that he plans to impose by 2019-20.

The chancellor announced some welcome capital investment in the autumn statement, which will provide consequentials for Scotland. We will use every penny that is available to us to invest in supporting our economy, but again that simply moderates the cuts that have already been imposed on the Scottish budget. Scotland's capital budget will still be around 8 per cent lower in real terms in 2019-20 than it was prior to the start of the UK Government's austerity programme.

Despite that and in contrast to the silence and inaction of the UK Government, we have already taken swift action in the wake of Brexit to support the economy by bringing forward an additional £100 million of capital investment. We are working hard to secure Scotland's continued relationship with Europe, and we have already set out plans for a £500 million Scottish growth scheme to support businesses. Whereas the UK Government failed last week to adjust economic policy for the impact of Brexit, the Scottish Government is using every lever at our disposal to protect Scotland's economy.

Let us be clear about where the chancellor failed to act to protect Scotland's economy. Once again, last week's statement failed to offer support

to our North Sea oil and gas industry. Support for exploration would help to secure future investment, but the chancellor chose not to make that support available. I will raise that with him when I meet him tomorrow.

I will also raise the lack of measures to help low-income households, which is perhaps the most concerning aspect of the autumn statement. Instead of supporting households in the face of a deteriorating economic outlook, the policies that the Westminster Government is pursuing are exacerbating the situation. The reforms to tax and social security that the UK Government is implementing are highly regressive, and the limited support that is provided in the autumn statement is dwarfed by the social security cuts that have already been announced.

For example, the Resolution Foundation has estimated that, as a result of changes to the economic outlook and policy measures that are being implemented during this session of Parliament, a dual-earning family on low incomes with three children will be £3,650 a year worse off by 2020. Likewise, it has estimated that a lone parent who works part time and is on the national living wage could be £2,640 a year worse off. That is equivalent to an 18 per cent cut in their household income. Virtually all households would struggle in the face of an 18 per cent cut to their income, but for households that are already dealing with rising bills and have little spare income, a cut on that scale is simply unacceptable.

Hard-working families should not have to pick up the tab for the UK Government's austerity policies or its decision to leave the EU. Scotland did not vote for Brexit, but the renewed economic squeeze will hit families in Scotland, many of whom are already struggling to make ends meet. Despite those cuts, the UK Government is pressing on with its policy of giving the top 10 per cent of the adult population a significant tax cut by raising the higher rate threshold. There we have the Tories in a nutshell: the lowest-income families are hammered while the better-off are given tax cuts.

The Scottish Government is taking a different approach to growing our economy and building a more equal society. We will set out the full details of our income tax policy in the draft budget on 15 December, but I can confirm today that we will use our tax powers to set Scotland on a fairer and more progressive path than the one that has been charted by the Tories.

Let me be crystal clear: this is not the time to give large tax cuts to those on the highest incomes. We will maintain our commitment to support people in Scotland who are affected by the UK Government's cuts to social security via

the Scottish welfare fund, bedroom tax mitigation and the council tax reduction scheme. When we gain powers over £2.7 billion of social security spending in 2018-19, we will, where possible, seize the opportunity to improve the support that people receive.

In two weeks' time, I will bring forward my draft budget proposals. Unlike the missed opportunities in the UK Government's autumn statement, we will ensure that our proposals support our economy, tackle the inequalities in our society and protect high-quality public services for all. We are a Government for all our people, and I will bring forward a budget for everyone.

In the draft budget, we will build on the actions that we have taken by delivering the ambitious infrastructure investment programme that was set out in the programme for government, which will include significant investments in affordable housing, digital, energy efficiency, transport and health. We will take the first steps in our commitment to further expand early learning and childcare to 1,140 hours a year and to increase funding for the national health service over this session of Parliament. We will protect the police resource budget in real terms, while providing direct funding to schools to improve attainment. We will continue to mitigate the worst impacts of UK austerity and build a social security system that is based on dignity and respect.

I therefore look forward to setting out our budget proposals on 15 December.

**The Presiding Officer:** Thank you. We will move straight to questions.

**Murdo Fraser (Mid Scotland and Fife) (Con):** As is customary, I thank the cabinet secretary for the advance copy, but what a dismal statement we have just heard from him. To hear it, one would not think that the UK economy is the fastest growing economy in the G7 and is projected to continue to grow strongly, with economic performance already well ahead of the dire predictions that we heard prior to the Brexit vote—a vote, I will gently remind him, that was supported by at least some of those on the benches behind him.

The autumn statement delivered an increase in personal allowance to £12,500 by April 2020, helping the low paid, benefiting 2.6 million Scots and lifting 113,000 people out of tax altogether. The cabinet secretary's statement makes no mention of that.

There is no mention of the increase in the national living wage to £7.50 per hour, of the freeze in fuel duty for the seventh successive year, of the extra £2 billion spending on research and development and of the £3 million extra for Scottish charities, and no mention at all of the city

deal for Stirling and Clackmannanshire, which we celebrated last night in this very building.

The cabinet secretary talks about cuts. The Scottish Parliament information centre has told us that in 2017-18 the Scottish Government's budget will be up, in both revenue and capital, by a total of £140 million in real terms over the current year. Does the cabinet secretary accept that analysis and, if so, can he explain how a £140 million increase in the budget amounts to a cut?

Secondly, the cabinet secretary has signalled again that this Scottish National Party Government intends to make Scotland the highest-taxed part of the United Kingdom. How does he expect our economy and our tax revenues to grow if he is sending out a signal that Scotland is a country where, if you are successful, we will penalise you?

**Derek Mackay:** I do not know whether meeting me tomorrow will improve his mood, but many Conservatives in the House of Commons describe the chancellor as fairly miserable. I suppose that that is because he has been looking at the financial assessments of the state of the economy as a consequence of the Brexit decision—and not just the Brexit decision but the UK Government's appalling handling of its negotiating position. Even the OBR has said that it is none the wiser as to the Government's position.

Murdo Fraser knows that 62 per cent of those in Scotland who voted to remain, and that should be respected by the UK Government.

Politics is about choices. Murdo Fraser mentioned tax. We believe that it is the wrong choice at this time to give a tax cut to the richest in our society. The only tax rate that has changed under the UK Government is the additional rate. It is a typical Tory approach to hammer the less well-off and reward the richest in our society with tax cuts. That is not a choice that this Government supports and that was the proposition that we put to the people of Scotland when we won the Scottish Parliament elections earlier this year.

On the budget position, I certainly welcome the fact that there is some capital stimulus—we have been calling for that for some time. I also welcomed the fact that our budget was not opened negatively. However, the increase in the figures from the Barnett consequential for one year—a marginal increase in real terms for resource for one year—does not undo the 9 per cent reduction over a 10-year period that the Tories have bestowed upon Scotland. The Conservatives are not the generous overlords giving us fantastic new resources. They are simply giving us back some resources that have been taken away over a consistent and sustained period, which has damaged so many parts of our society.

We will make the right choices on 15 December, and they will not include a tax cut for the richest in our society at this time.

**Kezia Dugdale (Lothian) (Lab):** Last week's autumn statement showed us that the old Tory mantra of cut, cut and cut again still holds. The chancellor confirmed that the same cuts to public spending remain in place—cuts that will put at risk the life chances of people who just want to get on in life.

Today, however, the new tax powers devolved to this Parliament mean that we can do things differently, and we should use the powers of this place to stop the cuts and invest in schools and our local services. I agree with the finance secretary when he says that this is not the time to give large tax cuts to those on the highest incomes. It was, of course, Scottish Labour that first made the case not to pass on the increase in the threshold for middle earners last October. However, we should go further and ask those with the broadest shoulders not just to forgo their tax cut but to pay their fair share. When the cabinet secretary is faced with the prospect of the swingeing cuts that he is about to make, why will he not ask those who earn over £150,000 a year to pay a 50p top rate of tax?

**Derek Mackay:** As Kezia Dugdale is well aware, our position is not simply to pass on the pain of austerity to individual taxpayers through a basic rate increase. On the additional rate increase, our analysis showed that it might end up costing the Scottish Government money. In that scenario, it would be counterproductive to raise tax to the point at which we had less resource.

Our tax position will remain under review, but we set out in the manifesto what we propose to do around tax, which will ensure that Scotland is an attractive place in which to live and do business. We will deliver a package on taxation that is fair and balanced for individual households and taxpayers, and we will also invest in quality public services. That is a divergence from the Conservatives' proposition.

We will of course continue to engage with society on that, and our proposition on council tax will also raise resources for quality services. We will ensure that we get the balance right with the proposition that we presented to the people.

**The Presiding Officer:** We move to open questions. I ask for short questions—and shorter answers too, please.

**Bruce Crawford (Stirling) (SNP):** We have heard all the posturing attempts by the Tories to put the best possible spin on what are, to be frank, chaotic public finances. Let us cut to the chase. In the longer term, what will be the real decrease in the Scottish budget as a result of the

announcements that were made in the autumn statement? How damaging will that be to public services?

**Derek Mackay:** The figure that I gave is accurate. There will be a 9 per cent reduction in the Government's overall discretionary spend over a decade, and that will continue to be challenging, particularly around resource for protecting front-line services. We will do our best to achieve protection of those public services with our balanced approach, but it is a 9 per cent reduction in the Government's overall discretionary budget spend.

**Dean Lockhart (Mid Scotland and Fife) (Con):** I welcome the new city deal for Stirling.

The autumn statement provides us with a timely comparison of the state of the UK economy under a Conservative Government and the state of the Scottish economy under the SNP. There is 2.1 per cent growth in the UK economy compared with SNP growth of just 0.7 per cent in Scotland. There is a UK budget deficit of 4 per cent of GDP declining to 1 per cent, compared with an SNP notional deficit of 9 per cent of GDP. Productivity in the UK was in the second OECD quartile while productivity in Scotland under the SNP was in the third OECD quartile, and Scotland is seeing the lowest growth in employment rates of any region in the UK under this SNP Government. Will the cabinet secretary explain what steps he will be taking to address that increasing underperformance of the Scottish economy?

**Derek Mackay:** Dean Lockhart would be wise to look at some of the underlying issues in the Scottish economy. A major challenge for us has been oil and gas—I would be surprised if the Conservatives were not aware of the pressures there. Many of the economic levers in that regard and other parts of our economic policy still rest with the UK Government, and the UK Government has to take some responsibility for Scotland's economy. On oil and gas, this Government specifically asked for interventions to assist the sector with investment and support, but there was nothing in the chancellor's statement to support the oil and gas sector in Scotland. I will certainly raise that issue tomorrow. There is good news in the forecasts for oil and gas revenues, but much more could have been done to support the sector.

On the positive steps around city deals, this Government has worked constructively with local authorities and the UK Government on city deals and will continue to do so.

We are recalibrating our economic policy, focusing on export opportunities and other areas, as the economy secretary and the First Minister have said, and we will do even more to support the economy, for example through the Scottish

growth scheme, through which we want to support private sector entrepreneurs to grow. We are undertaking a range of actions to support Scotland's economy.

I am sure that it will not be lost on members that the greatest threat to Scotland's economy right now is Brexit and the UK Government's mishandling of our membership of and access to the single market. The UK Government should take the issue far more seriously and become far more mature in its engagements with the European Union, so that we can remove some of the uncertainty and volatility that is impacting on the economy, as even the Conservative chancellor acknowledged.

**Maree Todd (Highlands and Islands) (SNP):** Does the cabinet secretary agree that the autumn statement illustrated the gulf between the political rhetoric and the reality from the Conservative Party? Just last month, Theresa May promised to confront social injustice and said that the Conservatives were

"the party of the workers, the party of public servants, the party of the NHS."

That was not evident in the statement. There was no mention of the NHS, and we learned a great deal more about how badly hit the most vulnerable in our society and many working families will be as a result of wage freezes, welfare cuts and rising inflation.

**Derek Mackay:** That is a fair analysis of the issue. During the EU referendum campaign, people were told that there would be an extra £350 million a week for the NHS, but, as Maree Todd said, the chancellor did not announce a penny in new resources for the NHS—that is another aspect of the sham around the EU vote. This Government will continue to protect the NHS and support low-income households, through the range of measures that we are taking. The Tory chancellor has failed to reset economic policy and end austerity in the way that many of his colleagues suggested that he would do.

**Neil Bibby (West Scotland) (Lab):** The finance secretary welcomed the capital investment that was announced in the autumn statement and said that he will use every penny that is available to support our economy. Given the link between economic growth and our future revenues, it is imperative that every penny of capital spend is invested wisely. What areas of capital spend will he prioritise for new projects to boost economic growth? In the interests of transparency, will he commit to providing the Parliament with information, when he publishes his budget, on what the Scottish Government thinks the economic impact of each project will be, particularly in relation to job creation?

**Derek Mackay:** Neil Bibby asked a fair question and made a good point about how capital investment connects with economic growth—I certainly agree with him on that. I am sure that he does not seriously expect me to preview the budget, but I outlined in my statement some of the areas that are important to the Government and which feature in the programme for government, such as housing and infrastructure. That will not be a surprise to members.

Work is undertaken on value for money and economic return. I will reflect on the point about how we might provide analysis of what we think the return will be on investment in a capital programme. That was a reasonable request. Some of that will involve particular modelling assumptions. The question was fair—such work helps us to make decisions about the budget and where capital investment should be targeted, but there is a range of considerations in that regard. I hope that that answer was helpful.

**The Presiding Officer:** I remind members that I would like short questions and short answers.

**Patrick Harvie (Glasgow) (Green):** I thank the cabinet secretary for the advance copy of his statement. I was interested in the fact that he cited the work of the Resolution Foundation. Does he agree with the foundation's analysis that it is not just the UK Government's wider tax and benefits changes but the change to the personal allowance that is deeply regressive? The bulk of the benefit from that change goes to the richest half of households, while the poorest save virtually nothing. Does he agree that the Scottish Government will have to go beyond its manifesto commitments on tax if we are to reverse the deeply regressive effects of the UK Government's policies?

**Derek Mackay:** Patrick Harvie is right to identify that, under the package of changes that the Conservative Government proposes, people will be less well off unless they were particularly well off to start with. We have to look at the totality of the tax and social security propositions to recognise the impact that they are having on families. The First Minister has said—and I have said—that we will continue to look at our tax position and the transfer of powers to Scotland to ensure that we get the balance right and support low-income households. We have a manifesto proposition that we want to adhere to, but we will have to look at all the different levers that we have to try to support the less well-off. The Resolution Foundation has provided helpful work on the current position and the UK Government's decisions that will require further reflection.

**Mike Rumbles (North East Scotland) (LD):** The finance secretary has more money available for next year as a result of the autumn statement.



What is his position on funding for our schools? Local authorities are not a protected budget line under the SNP Government, so they are going to get hammered, and half of what they do is education. How will he protect schools, given that the decision falls to him as a result of the autumn statement?

**Derek Mackay:** There speaks a man who voted against providing more money for education when we proposed changes around taxation. I advise Mr Rumbles that I am engaging local government in talks on the financial settlement. I believe that I will have a constructive relationship with local government and that I will be able to produce a budget that prioritises education. It would be wrong to say that any concerns have been dismissed. The Scottish Government has said that education and addressing the attainment gap are priorities, and that will be seen through the Scottish budget.

**Gil Paterson (Clydebank and Milngavie) (SNP):** Does the cabinet secretary agree that the UK Government's total lack of any plan for Brexit is continuing to threaten both the Scottish and UK economies and that the UK statement has failed to mitigate that threat in any way?

**Derek Mackay:** To be concise—I know that we are short of time—I say to the member that I share that concern. The UK Government is acting in a reckless way that is impacting on the UK and Scottish economies.

**Liam Kerr (North East Scotland) (Con):** The cabinet secretary has brought up oil and gas in his statement and in some of his answers. Industry body Oil & Gas UK has said that the UK continental shelf is now

“the most fiscally competitive in the world”,

thanks to changes that the Conservative Government brought in. Last week, the chief executive of Oil & Gas UK said that the organisation was pleased with the autumn statement. Why is Oil & Gas UK wrong and the cabinet secretary right?

**Derek Mackay:** Liam Kerr should be aware of the additional requests for support for decommissioning, tax incentives and further exploration. That is further action that the chancellor could take to support the oil and gas industry in north-east Scotland. I am surprised that the Conservatives seem to think that they have never had it so good and that more cannot be done to support that sector. I have asked the chancellor for support for those measures, which have the sector's support. Maybe the Scottish Conservatives should join us in trying to support the sector even further.

**Gillian Martin (Aberdeenshire East) (SNP):** Does the cabinet secretary agree that the UK Government's failure to address oil and gas industry pressures leaves the Scottish Government—again—in a position in which we can attempt only to mitigate the effects of the UK Government's cavalier attitude to that important component of the Scottish economy? Is it not time that the Scottish Government had the fiscal powers devolved to it to allow it to do the job properly?

**Derek Mackay:** The Scottish Government has been in a position to support some people through swift actions such as council tax reduction, the welfare fund and how we tackled the bedroom tax. Of course, if we had more fiscal levers, we could do even more.

Some of the changes that the UK Government has announced in the autumn statement even dwarf the overall changes to social security that are hammering the less well-off and the more vulnerable in our society.

**Jackie Baillie (Dumbarton) (Lab):** The cabinet secretary painted a complacent picture of the Scottish economy, but the truth is that GDP has been falling in every quarter since the start of 2015 and is consistently worse than GDP for the rest of the UK. With downward revisions to growth forecast for the future, does the cabinet secretary agree that one of the best investments that he can make to grow the economy is in education? On that basis, will he explain why he is not committing to providing a real-terms increase in education spending?

**Derek Mackay:** Again, I will not preview the Scottish budget on 15 December, but I have made it clear that education is a priority. I continue to work with local authorities and, of course, we want to target attainment and the inequality gap. I hope that we will continue to have the support of the Labour Party to do that.

**Kate Forbes (Skye, Lochaber and Badenoch) (SNP):** What is the cabinet secretary's direct response to third sector groups and churches that have slammed the autumn statement for offering little hope, as the measures will go nowhere near far enough towards reversing cuts that have already been made?

**Derek Mackay:** I concur with a number of those comments. I point out to members that work from the Resolution Foundation has shown that tax and welfare reforms that the UK Government will introduce during this Parliament are highly regressive, with those at the bottom of the income distribution seeing the largest losses in cash terms and as a share of their incomes. That is the reality of the UK Government's changes. I know that the Tories are silent on this point, but I do not

understand why the Labour Party objects to that commentary from the Resolution Foundation, which highlights some of the terrible impacts that there will be on Scotland and the UK as a consequence of this right-wing chancellor's decisions.

## Education

**The Presiding Officer (Ken Macintosh):** We move to Green Party business. I call Ross Greer to speak to and move motion S5M-02809.

15:11

**Ross Greer (West Scotland) (Green):** I am delighted to have the opportunity to move the motion in my name.

Every young person has a right to education; that is enshrined in international law. Young people with additional support needs have the right to support to ensure they can get the high quality of education that they deserve; that is enshrined in the Education (Additional Support for Learning) (Scotland) Act 2009.

By some measures, we are doing not too badly. Currently, Scotland is ranked highly among international measures on inclusion in education. The Organisation for Economic Co-operation and Development puts us alongside Norway, Sweden and Finland as part of a small group of countries with highly inclusive education, well above the average. That is good company to keep in international educational rankings.

By other measures, though, Scottish education is not doing nearly as well as it should be. One of those is how we support our children and young people with ASN.

In schools across the country, additional support for learning staff work exceptionally hard to ensure an inclusive environment for young people with ASN. That means supporting pupils with a range of additional needs—whether it is those who have learned English as an additional language, those who have dyslexia or behavioural difficulties or those who are on the autistic spectrum.

Children and young people with additional support needs are by no means a homogeneous group. Individual support is important for every child but, for those with additional support needs, it is essential and it requires dedicated, skilled staff to deliver it. The importance of teachers and assistants who are qualified to provide additional support cannot be overestimated.

Today, there are just under 3,000 ASL teachers and a further 5,500 ASN assistants in Scotland. They are providing a vital service to more than 150,000 pupils in Scottish schools who have an identified ASN—that is more than a fifth of all pupils. For those who do not enjoy mental arithmetic, that is about one dedicated teacher and two support staff for every 52 pupils with an identified ASN. Given the level of individual support that is required, that is just not enough. It is less than where we were just a few years ago.

In 2010, there were just under 3,400 ASN teachers, so there has been a drop of around 400 staff in just a few years. In that same period, the number of young people with a identified ASN has gone up. Since 2013, we have identified an additional 22,000 young people in Scottish schools with an ASN.

**The Minister for Childcare and Early Years (Mark McDonald):** As Ross Greer will know, the way in which the statistics are collected was changed in 2010, and they now capture a much broader range of requirements that are classed as additional support needs. For example, a child who suffers a family bereavement during an academic year and requires a short period of support would be captured in the figures, whereas previously they would not have been.

**Ross Greer:** I absolutely take Mark McDonald's point. We have found that a large number of young people in our schools have additional support needs—they had those needs before 2010; there was simply a change in measurement—so it is completely unacceptable that, over the same period, we have lost hundreds of members of specialist support staff.

As we know, children and young people from deprived backgrounds are far more likely to have an additional support need. Demand for support for ASN has gone up, and that is on top of existing needs and educational barriers, but meanwhile there has been a significant reduction in the number of staff who can give that essential support. Resources are already stretched thin and, with cuts to council budgets, the situation is likely to get worse. Since 2010, local authorities have endured year on year of austerity measures that have amounted to a near 7 per cent drop in their total real-terms revenue.

If the Government is to meet the targets that it has set for itself on closing the attainment gap, a new approach is urgently needed. We are talking about young people for whom the attainment gap is considerable. Only a third of pupils with additional support needs achieved one or more highs last year in comparison with two thirds of pupils without an additional support need. Although the level of attainment among young people with ASN is rising, which we all welcome, that does not take away from the very unequal reality that those young people face.

Given that additional support needs disproportionately affect pupils from lower-income families and areas of deprivation, progress on ASN must be made as part of the wider effort to give every young person a fair start in life. However, the specific needs of individual young people with additional support needs cannot be lost in the wider debate. As things stand, we are concerned that the ASN aspect is not being given

adequate regard. The cabinet secretary's delivery plan makes one fairly cursory mention of ASN, stating that the Scottish Government will

"consider the impact of issues such as looked after status, additional support needs and English as an additional language",

before quickly moving on.

The Scottish children's services coalition has warned that, without action, we could face a

"lost generation of vulnerable children"

arising from the combination of spending cuts, staffing cuts and a rise in the number of pupils requiring support.

Similar concerns about cuts have been raised by the Association of Headteachers and Deputies in Scotland and the Educational Institute of Scotland, as well as by parents and young people. Young people and their parents and carers are acutely aware of what is happening. Enable Scotland reported that more than seven in 10 pupils with a learning disability say that they do not get enough help and time from teachers, and 94 per cent of the parents of those pupils do not feel that schools receive enough resources to work with them.

It is teachers, who engage with their pupils daily, who know how to provide the best support. I am sure that no one in the debate will question the dedication and effort of teaching and support staff, but it is clear that teachers need the time and the resources that will allow them to give the individual assistance that pupils with additional support needs—indeed, all pupils—require. When class sizes become too large and teachers' time is stretched too thin, and when the numbers of specialist ASN teachers and support staff have been cut, that assistance cannot be adequately provided. The Scottish Government must ensure that local authorities have the budgets that they need to make those resources available to our schools.

The Green manifesto for this year's election set out our desire to recognise the skills and experience of additional support for learning teachers and to restore a career structure that allows teachers to stay in the classroom. In Finland, the job of additional support for learning teacher is a promoted post. I have raised that point with the cabinet secretary, and I would like to continue to explore it with the Scottish Government, teachers and the trade unions.

Today, we are asking the Scottish Government to commit to bring forward a budget that will allow councils to ensure that more additional learning needs teachers and support staff will be present in our schools, and to reverse the cuts of recent years. It is worth restating that we are not trying

simply to raise capacity to add to what is already there. What is there has been disappearing: hundreds of staff have disappeared in recent years. We need to get back to where we were a few years ago before we can start to improve on that point. We need to meet the increasing demand as more pupils are identified as requiring additional support. All our young people deserve a quality education that is centred around their needs. I hope that the Scottish Government will take on board the suggestions not just from our party but from trade unions, education experts, charities, parents, carers and—of course—young people.

In making speeches, politicians often come up with entirely clichéd quotes from a conversation that they had the last time they were in a taxi. I was in a taxi last night, and the driver brought up a point—I did not raise the issue myself—that I thought was too good not to share. The driver has a contract with Glasgow City Council to take young people who have additional support needs from one school to another. What he said to me was totally unprompted; he did not know who I was. He said that he wants politicians to spend a day or a week with the staff in those schools. In his brief daily encounters with them, he is so impressed by the dedication, effort and compassion of the teachers and support staff. They desperately need additional support to provide every young person with the educational opportunities that they deserve.

I move,

That the Parliament believes that professionals who provide additional support for learning play a vital role in Scotland's classrooms; welcomes international comparisons that demonstrate that Scottish schools are inclusive, but is concerned that public sector cuts threaten the opportunities that are available to children with additional support needs; notes that real terms revenue cuts to the Scottish budget have been disproportionately focused on local authorities, where education is the biggest spend, and that the number of additional support for learning teachers and support staff has fallen by 13% and 8% between 2010 and 2015, and calls on the Scottish Government to bring forward a budget that raises more revenue to support local educational priorities.

15:20

**The Deputy First Minister and Cabinet Secretary for Education and Skills (John Swinney):** I welcome the opportunity to take part in an important debate on the vital support for children and young people in Scotland's school system. I begin with a point of agreement with Ross Greer. I do not enter the debate in any way questioning the commitment of teachers or other professionals who are supporting young people who have additional support needs in our schools. They have a demanding job that requires enormous commitment. I spend a lot of my time

engaging with people on these questions and I see the delivery of excellent practice in different educational settings such as special schools and mainstream schools—in every context.

What unites the work that is done is the foundation of the Government's approach to education policy, which is our wider approach of getting it right for every child. Whatever the setting and whatever the child's circumstances, background or experience, we accept our responsibility to do everything we can to ensure that we turn GIRFEC away from just being a slogan and into the experience that young people have of their education and wider support systems in Scotland, particularly if they have individual needs that require to be addressed as part of that system.

During his contribution, Ross Greer made a number of remarks about disproportionate cuts to local authority budgets and I want to take a little bit of time to address that point. Audit Scotland on behalf of the Accounts Commission published its report on local authority spending this week. It revealed that, far from councils being treated unfairly, real-terms reductions of council funding since 2011 are the same as the reduction in the Scottish Government's total budget over the same period. We also know that, last year, rather than there being any cut in funding, spending on additional support for learning increased by £25 million to £579 million.

**Ross Greer:** Is the cabinet secretary not aware that the figures that he has cited can be brought about only by excluding non-domestic rates, something that even the Scottish Parliament information centre does not do when it produces the figures? When those figures are produced, it shows a disproportionate cut for our local authorities when Westminster austerity is passed on.

**John Swinney:** The total analysis that I have cited is that of the Accounts Commission, which is regularly cited to the Government as the touchstone of authority on such questions. I simply inform the debate about the conclusions of the Audit Scotland report, which demonstrate exactly the point that I have made.

I am committed to ensuring that all children and young people receive the support that they need for their learning in schools, and there have been a number of developments to support that as part of the Government's agenda. We have established the attainment challenge, which is designed to close the attainment gap and support children and young people who are affected by socioeconomic deprivation in securing improved educational outcomes. That will also bring with it new resources that will be applied to the delivery of school education.

We have developed and published the national improvement framework, which is intended to drive excellence and equity in Scottish education through new and better information to support individual children's progress, which is at the heart of delivering the GIRFEC agenda. We will be in a better position to identify where improvement is needed and we will have a better understanding of children's needs so that we can support them effectively.

The consultation on the governance review is also designed to ensure that our schools are equipped with the approaches and skills that are needed to best meet the needs of children as they present themselves in individual schools.

The debate also touches on the presumption of mainstreaming, which is a principle that was established in law in 2000. That legislation offers children and young people who have additional support needs the opportunity, when it best suits their needs, to learn in their communities and to build and sustain the friendships and relationships that will last throughout their lives.

The legislation also allows for exceptions to be made for children and young people whose needs may be best met through specialist provision. I have seen young people with additional support needs operating satisfactorily and well supported in mainstream education and also in special educational provision. The key point is that we must make judgments, and our education system must make judgments, about how the needs of individual young people are to be met appropriately.

The Government also takes forward its responsibilities under the Education (Additional Support for Learning) (Scotland) Act 2004, which fundamentally changed the way in which young people and children are supported in schools, moving away from a model of medical deficit to a legislative framework that focuses on barriers to children's and young people's learning in our school system. The additional support for learning legislation gives a fundamental base to the approach that the Government takes to all these questions.

The Scottish Government is determined to ensure that we use the resources that are available to us wisely, in partnership with our local authority partners, to ensure that we meet the needs of young people with additional support needs. It is vital that every child, no matter their background or their circumstances, is effectively and well supported by the provision that we can make available. That provision will vary from setting to setting, but what is crucial is that we make the correct judgments about the assistance that young people require and that we meet their needs to the full. The Government is committed to

taking forward an agenda that is based on that objective, to ensure that we deliver equity and excellence for every child and young person within Scotland.

I move amendment S5M-02809.3, to leave out from "but is concerned" to end and insert:

"and recognises that, despite challenges, there remains a focus on enabling all children and young people with additional support needs (ASN) to reach their full potential through the approach taken in the Standards in Scotland's Schools etc. Act 2000 and the Education (Additional Support for Learning) (Scotland) Act 2004; acknowledges the increased achievements and attainment for young people with ASN since 2008; welcomes the Scottish Children's Services Coalition's call for greater collaboration and partnership working to deliver continued improvement in ASN provision, and commits to revising and updating the guidance on mainstreaming and the statutory guidance on the implementation of the additional support for learning framework."

15:26

**Liz Smith (Mid Scotland and Fife) (Con):** In the current educational climate, it is probably not surprising that media attention is on some of the other issues, and it is all too easy to let the focus on additional support for learning take a back seat. That is not how it should be, which is why we have great sympathy for many of the comments in Ross Greer's speech and in the Green Party's motion, although we have a bit of a problem with the last part because of the specific focus on budgeting, which I will come to later.

There is no disagreement about the need to ensure that every child with ASN receives the appropriate help in an efficient and timely manner and that that support extends to the home and local community. As the cabinet secretary has rightly said, it is not just about what happens in schools. That has been a feature of the additional support needs legislation, particularly as it was adapted in 2009.

I notice that, among people who work in the sector, there remains an issue about some of the data that is collected and how clear it is in measuring the efficacy of the policy. Notwithstanding that, the statistics that we have speak for themselves. Ross Greer has outlined some of those and is right to make those points—for example, concerns have been expressed to us about the number of educational psychologists. We have talked before about the complexity of the definition of ASN—in fact, it is increasingly diverse, which is a point that Mark McDonald alluded to. That definition puts an additional pressure on staffing.

It is important to ensure that those with the expertise have the appropriate access to ASN work. I will pick up a comment that was made back in the "Residential Child Care Qualification" report

of 2012. Although it was very supportive of the Scottish Government's desire to have a professional qualification throughout the profession—that is all very important—it expressed concern that the requirement for a level 9 qualification for many staff was a bit too restrictive. It was putting great pressures on some of the schools that have residential facilities, not just the difficulty of attracting the right members of staff to work in the profession but the considerable stresses and strains caused by having to retrain and upskill the existing staff and, as a result, pay enhanced salaries. Mr Swinney and I have two of those smaller schools in our local areas, and that was a point that was made to us. We have to be mindful of that situation.

Another important aspect of the debate is mainstreaming. The cabinet secretary was right to say that it is an issue on which all parties in the Parliament have the same fundamental position, and I think that I am right in saying that the OECD praised Scotland for its inclusive approach to education. However, sometimes mainstreaming is not the best answer for individual children; in fact, sometimes it is very much not the right answer. We must be careful to ensure that we do not have a system in which mainstreaming is the accepted basis on which to proceed simply because we like the idea of mainstreaming. It is important that we look at the educational value of it, as the cabinet secretary said. That is a hugely significant consideration in providing the specialist services that are needed. Some of those are in the private sector, but sometimes a child will have to go to another local authority area to receive them. That is an important point.

Yesterday, some of us attended the launch of the STEP programme, which is Kenny Logan's approach to ensuring that all children, regardless of whether they have additional support needs, are involved in physical literacy exercises that help to stimulate other aspects of literacy. The cabinet secretary has been very supportive of the STEP programme, and we were extremely impressed by the compelling results from some of the pilot studies, particularly for children who have additional support needs.

Many recommendations have been put to us by those in the sector, and it is important that we consider the issue in the context of looking after the best interests of every child. We must ensure that careful account is taken of that in the allocation of resources and the way in which the attainment fund is developed, because that could give long-term advantages to those who have additional support needs.

I move amendment S5M-2809.1, to leave out from "to bring forward" to end and insert:

"to give careful consideration to how the £100 million attainment fund will be spent in the context of children with additional support needs and to work with local authorities to re-examine the balance between educating these children in mainstream schools and in special schools."

15:32

**Daniel Johnson (Edinburgh Southern) (Lab):**

I thank the Greens for lodging their motion, because it raises important issues. We need to be frank about the fundamentals of how education is being delivered in our schools.

I thank Ross Greer for raising so consistently the issue of additional support since his election to the Parliament. It goes to the very heart of how we deliver education, because if we are serious about child-centred education—getting it right for every child—we need specialists and support staff in order to deliver it. If we wish to deliver world-class education, there is simply no substitute for funding.

I am sure that every member in every council area has seen the impact of budget cuts to our local authorities, whether in the loss of janitors, librarians or music staff. We have heard the stories from teachers about how they struggle to fund the basics, whether that is stop watches for labs, text books for classrooms or even photocopying. That is why this debate is important. If we want to deliver for our children and to build the society and the economy of the future, schools need staff and professionals to deliver education, and it needs to be funded properly. The Scottish National Party Government's record is that, on both those counts, it has presided over decline. We have fewer staff in our schools, and the impact of the budget cuts is all too visible.

The number of children with additional support needs is rising, as Ross Greer rightly pointed out. Since 2010, there has been a 120 per cent rise in the number of children with such needs. More than 150,000 children need some sort of additional support to learn in school. That is not bad news; I treat it as good news. That growth does not mean that there are twice as many people who have such issues and who struggle to learn; it is a sign that we now know who those people are and what their needs are. It means that we are no longer writing off the dyslexic child as stupid, the autistic spectrum child as difficult or the attention deficit hyperactivity disorder child as naughty.

Although we are better at understanding additional support needs, the Government has not matched that with the additional resources that are required; indeed, the opposite is true. The number of ASN staff has gone down by 8 per cent, and we have lost almost 500 specialist teachers from our schools, which represents a decline of 13 per cent. Those staff leave or retire and they are not

replaced. Support and intervention are now often left to classroom assistants, or added to teachers' existing workload.

The cuts are not just confined to those who provide specific ASN support. Over the past five years, there has been a fall in numbers across support staff in our schools. The number of lab assistants has been cut by half, the number of technicians is down by 20 per cent and the number of librarians is down by a quarter. In total, we have lost nearly 3,000 staff from our schools. The picture that is forming is one in which we are simply not supporting education in the way that is required. Our schools do not only need teachers; they need a full complement of support staff and professionals to deliver education that is at the standard that our country needs and that is tailored to each child's requirements.

The reason for that decline is no mystery. It is not about how schools are organised, managed or governed; it is because local authorities have had £0.5 billion cuts to their funding and, if local government funding is cut, that is what happens. Education accounts for 44 per cent of local government spending, so cuts on that scale have an immediate and inevitable consequence in our schools.

The Government's response is to reform the governance of our schools, to blame bureaucracy, and to launch more than a dozen consultations and reviews on education. However, whether the Government centralises or decentralises, and whether it creates new public bodies or scraps them, that will not add a single teacher to our schools and it will not add a single member of support staff.

Over the past few weeks, the Education and Skills Committee has been examining written evidence from teachers. The picture is one of change fatigue, with endless changes to what teachers have to teach and how they have to teach, when what they want is continuity and support, not more change. As one headteacher in my constituency put it, he does not want more control over his budget as he has responsibility for most of it, anyway—as much as 80 per cent. Instead, he wants funding to employ enough janitors so that he does not have to unblock the loos at lunch times when he does not have any janitorial cover.

It is a political choice. The Government does not have to preside over falling staff levels and it does not have to cut the support that we provide to the children who need it. Let us back the motion and see the Scottish Government put forward a progressive budget that is based on progressive taxation, and use our tax-raising powers to invest in and protect education in this country, rather than cut it.

15:37

**Patrick Harvie (Glasgow) (Green):** My colleague Ross Greer began by recognising the dedication and talent of ASN teachers and support staff, and I am sure that we can all recognise that. He also set out why we need to raise the necessary revenue so that we can support them better to do their jobs.

The Scottish Government's approach, including its delivery plan, recognises that ASN is an issue that needs to be considered but, if ministers are serious about closing the attainment gap—I believe that they are—the issue has to move up the agenda significantly, which is why the Greens have lodged the motion. Children and young people from lower income families and areas of deprivation have disproportionately high additional support needs. Cuts to local authorities, for which education is the biggest spend, will not close the attainment gap or create a more equal society.

Children and young people with additional support needs are also significantly more likely to be excluded from school. According to the most recent set of annual figures, for every 1,000 children, 69 with additional support needs were excluded, compared with 16 children without additional support needs. Nearly 9,700 children with additional support needs were excluded from school in the latest figures, which was 2,000 more exclusions than in 2010-11. Children and young people who get support for mental health problems are twice as likely to be excluded from school as those without mental health problems.

Here is another link to demonstrate how ASN must be part of the agenda of closing the attainment gap. The Joseph Rowntree Foundation tells us that children who live in low-income households are nearly three times as likely to experience mental health problems as their more affluent peers. One in five children in Scotland lives in poverty. It is a shameful failure that so many children who experience poverty and mental health problems do not have access to sufficient or appropriate resources and support, and that they are excluded from school as a result.

Although overall patterns of attendance, qualifications and leaver destinations have been slowly improving, children with additional support needs continue to face increasing levels of exclusion. Lack of ASN provision in schools can result in the misidentification of a child's behaviour as simply disruptive, a misunderstanding of the causes of that behaviour and then a limited exploration of the possible ways of positively engaging with that child in line with their particular needs.

This is a complex process—the Greens are not here today to pretend that there is a simple or

easy agenda to respond to. However, the difficulty and complexity of the issue are why it is vital that we have well-trained and well-resourced professionals who are equipped to identify educational objectives in line with the additional support needs of the child or young person. It is important to ensure that they have the resources that they need to do their job.

According to the National Association of Schoolmasters Union of Women Teachers, 92 per cent of teachers said that their school does not always get access to the external support that is needed to support pupil behaviour.

Parents in the situation that we are talking about must feel overwhelmed and bewildered. The assessment process and the process around accessing services and determining their child's eligibility for them are complex and emotionally draining, and ASN staff are necessary to help them through that process, too.

I know that Ross Greer and John Swinney have disagreed about budgetary implications in the past, but we must bear in mind the cuts to local authorities that are yet to come, if Derek Mackay is right about the cuts that he is anticipating to the Scottish budget. It is time for the revenue to be raised to meet the need that our children and young people clearly have.

15:41

**James Dornan (Glasgow Cathcart) (SNP):** I appreciate that we are short of time, Presiding Officer, so I will try not to take up my four minutes.

**The Deputy Presiding Officer (Linda Fabiani):** Do not try, Mr Dornan; do it.

**James Dornan:** We should not get into a debate now, or I will never make it.

It was interesting to hear Daniel Johnson's speech. At the end, he made a point that, for me, is crucial to this debate. He talked about political choice and he is right: where the Government puts its money is a political choice, and what it has done has ensured that local authorities have not suffered any more than the Government has.

The Scottish Government does not sack teachers. The Scottish Government does not get rid of the psychologists. Local authorities do that. Local authorities make a political choice to not hire the teachers that are required, or to close down some schools for children with additional support needs.

**Monica Lennon (Central Scotland) (Lab) rose—**

**James Dornan:** There is no point in standing up; I have no time to take interventions.

Local authorities close down schools that are working well with children with additional support needs and put them into mainstream schools, even though some of those children have already left mainstream schools because they were not capable of learning there. Those choices are made not by the Government but by local authorities.

The Government suffers budget cuts, and those cuts are then shared by local authorities and others. We have to be realistic about the money that we have, but the Scottish Government is spending a lot of money to try to help children with additional support needs. In 2010, the Government started its autism strategy, which has done a lot of good things, although there is still more to do. We do not have an endless bucket of money with which we can solve every problem. We have to make decisions. We have made wise decisions with regard to spending on education and we have ensured that education is protected as much as it can be. However, local decisions are for local authorities to make, not the Scottish Government.

Daniel Johnson said that the headteacher who he spoke to has control of 80 per cent or so of his budget but does not want control over the extra money. I find that very strange.

**Daniel Johnson:** That is what he said.

**James Dornan:** It is weird that there is a headteacher who does not want control of extra money, which he could use to support children with additional support needs.

**Daniel Johnson:** He just wants the money to fund the janitors.

**James Dornan:** Well, he could use it for that.

**The Deputy Presiding Officer:** Could you stop having private conversations, please?

**James Dornan:** My apologies, Presiding Officer.

The money has been given to local authorities. Local authorities have made their decisions about how to spend it. Do not get me wrong: these are not easy decisions. Everybody is having to make difficult decisions. However, let us ensure that, if we are putting pressure on people to make decisions concerning things at a local level, the people on whom that pressure is being placed are the people at the local level.

Ross Greer mentioned the Scottish children's services coalition's press release, which says that the cuts in public services mean that Scotland faces the prospect of

"a 'lost generation' of children and young people with Additional Support Needs ... making it extremely



challenging for the Scottish Government to close the educational attainment gap.”

That is because of Philip Hammond’s budget. Again, I ask the same question: if we accept that Philip Hammond’s budget is making it hard for local authorities and if we have less money, how can we possibly put out more money that we do not have?

I accept that we are short of time, Presiding Officer. I have had three and a half minutes, and I want to stay in your good books for a change, so I will finish there.

15:45

**Tavish Scott (Shetland Islands) (LD):** I will come between James Dornan and Daniel Johnson. Speaking through you, of course, Presiding Officer, I gently say to Mr Dornan that the Scottish Government has choices—every Government has choices. I see that Mr Dornan agrees with me, but I will talk through the Presiding Officer; otherwise she will shout at me as much as she has shouted at others. When Mr Swinney was the finance secretary, he had a choice about the extent of the changes—I will use that word rather than “cuts”—to local government finance that would apply, as with any other part of the public sector. That is a choice, and I accept the choice that the Government of the day has made.

There is also a choice about using the Parliament’s tax powers. We have a perfectly sensible—or maybe not sensible, at times—debate about whether we wish to use the powers and what the impact will be on certain families and income brackets, but please let us not say that we do not have choices, because we absolutely and certainly do. I know that James Dornan is not making that point in absolute terms, but it is important to recognise, as Ross Greer and the Greens have done in opening the debate, that those choices exist. I thank Ross Greer for the way in which he made his remarks earlier.

This is a money debate so, if Ross Greer will forgive me, the best place to start is with the remarks on the autumn statement that the finance secretary, Derek Mackay, made to Parliament half an hour or so ago. Although I did not expect him to set out a budget—he will do that in two weeks’ time—in relation to spend on education, he specifically mentioned the

“commitment to further expand early learning and childcare to 1,140 hours a year”.

I accept that the Government made that commitment in the recent election, and it is right to seek to deliver that—believe me, I come from a place in politics where it is a good idea to deliver things that we say we are going to deliver.

The important thing is not just to reflect on what has happened, as Mr Johnson did, but to challenge Derek Mackay and his Government in two weeks’ time to take on the point that Ross Greer made in his opening remarks. He set out clear statistics that illustrate the demand in relation to additional support needs. Mark McDonald made a perfectly fair remark about the widening of how we judge that issue and deal with it in schools. That is perfectly true and needs to be taken into account. However, many of us across the chamber who care—I suspect that people on all political sides care—need to know how the budget will respond. That is the test of any Government and it will be the test of Mr Mackay as the new finance secretary when he outlines the budget. Ross Greer and the Greens are rightly saying to Parliament that they believe that it is important to have spend in the area to reflect the rising demand that Daniel Johnson, Ross Greer and, in fairness, Liz Smith mentioned. We may come from different places on how we pay for that, but it is important to recognise that.

I will make just one more point, so that I get in under time, Presiding Officer. It goes to the root of the point that Ross Greer made about how local government plans for the issue. The Scottish Government has provided one-year funding settlements in 2015-16 and 2016-17. Some of us remember the halcyon years of three-year funding settlements and, as the Accounts Commission made clear in its report to Parliament this week and as I hope John Swinney will concede, it would not half be helpful if we went back to that. I encourage him and his ministerial colleagues to do exactly that.

15:49

**Jeremy Balfour (Lothian) (Con):** I declare an interest as a councillor on the City of Edinburgh Council.

As has been said, all parties want the best for every child and the right support to be provided to them. As we have heard, the number of children with additional support needs has increased over the past few years. I think that that is actually good news rather than bad news—we have better diagnosis and better recording.

However, we have to recognise that each child is an individual. I will start where I left off with my question to the minister yesterday, by saying that I agree that the Government believes in meeting the best interests of each child, but I am not convinced that that has worked through to each local authority and to each officer within local authorities. Children are too often given a label: if they have a certain condition, that is what extra support is assigned for, rather than every child being treated differently and assessed according

to their needs. It is vital that the needs of the child be put first, rather than any cost implication.

When we are looking at additional support needs, we often—and rightly—focus on the classroom and on what happens in that learning experience. However, for some children what happens at lunch time or at break time can be as important as, if not more important than, what happens in the classroom. Social isolation can be devastating for a child, whether it is because of a physical or mental disability, or for some other reason that means that they have an additional support need. Addressing that need must be carried through not only in the classroom but in ensuring that the child is included in all the activities of the school and is not bullied when the teacher's back is turned.

My colleague Liz Smith spoke about mainstreaming. There has been a 25 per cent drop in special needs schools in the past seven years, which causes me concern about whether there will, where it is appropriate—I accept that in most cases it is not—actually be a school for a particular child to go to. We need to look at the provision of special needs schools across the whole country, because it is not an issue just for Edinburgh, Glasgow, the Highlands or other area, but for the whole country. We need to ensure that parents and professionals, as well as the child, are consulted, and that when it is appropriate to place a child in a special needs school, the local authority has the resource—either in its own area or in another part of Scotland—to provide such a place for that child.

I will raise one final issue, which is what happens once a child leaves school. Additional support needs are working only if that outcome is successful, and that is where I see the biggest concern that we must all face. The percentage of modern apprenticeships that were started in 2014–15 by self-declared disabled individuals was 0.14 per cent. Among people between the ages of 18 and 24 who are in employment, the figure is 8.6 per cent, and even that is too low when compared with the number of disabled people in Scotland. I ask the minister and his team to examine why people are failing to get into apprenticeships when they leave school and what extra support they need not just at school but as they go on to college, university and apprenticeships or other employment.

15:53

**Monica Lennon (Central Scotland) (Lab):** I warmly welcome the motion in the name of Ross Greer and the acknowledgement of the importance of additional support for learning in Scotland's classrooms. I also declare an interest as a local councillor in South Lanarkshire.

There is no doubt that additional support for learning teachers and support staff are absolutely vital to the successful development of children with additional support needs. Without that targeted support for those who need it, successful outcomes for children with additional support needs become much harder to achieve, and the extra pressure on teachers has a knock-on effect on the development of all the children in the classroom. Ensuring that we have adequate support for pupils with ASN is crucial not only to their individual development but to closing the attainment gap. However, we have heard repeatedly today that resources are not keeping up with the needs of children and young people with additional support needs. I hope that the debate will persuade any member or minister who is in need of persuasion simply that that is the case.

According to the official figures for 2015, more than one in five children were registered as having additional support needs, which is a big increase of 16 per cent. As Ross Greer and Daniel Johnson have said, one positive aspect is that we have improved information about the individual needs of our children and young people, no matter whether the additional support is for a short period, as Mark McDonald mentioned earlier, or is longer term.

However, although the information might be better, there has been no increase in the number of support staff to support children with additional learning requirements. In fact, as we have heard, the number of dedicated learning support and additional support needs teachers has declined significantly—by 13 per cent over the past five years—and is now at its lowest recorded level. Over the past five years in primary and secondary schools, in special schools and in centralised provision, the number of overall support staff has fallen by more than 1,500—or 7 per cent. That worrying trend, coupled with the fact that the number of children with additional learning requirements is on the increase, led the Scottish children's services coalition to release this week a joint statement—a statement that it has not made lightly—warning that we face

“a ‘lost generation’ of children and young people with Additional Support Needs”

unless we reverse the cuts to public services and invest more in education. It is therefore to the credit of Ross Greer and the Scottish Greens that they have used their parliamentary business time to allow the fears of the coalition and parents to be heard.

At yesterday's topical question time, I raised the issue with Mark McDonald, the Minister for Children and Early Years, but I was disappointed because he was unable to rule out, in order to

protect the most vulnerable pupils, further cuts to local authority budgets. The minister stated that ASN spending across Scotland increased by £24 million in 2015—the figure has been repeated this afternoon—but that is an increase of just 1 per cent of education funding on the previous year. Any additional funding for education and pupils with ASN is, of course, welcome, but the fact remains that we can—and must—do more.

Despite the attempts to portray local government funding as rosy, yesterday's Accounts Commission report shows that councils will be facing a predicted budget black hole of £553 million by 2018-19. When the third sector, parents and ASN staff are telling us that children with ASN are at risk of becoming "a lost generation", it is simply not good enough for the Scottish Government to look away or to use Philip Hammond to explain the situation. Professionals, parents and organisations across the children's sector are telling us that they need more than is being offered, and the Scottish children's services coalition has made it abundantly clear that we must stop cutting the public sector and increase investment in services to protect the most vulnerable.

I am happy to finish on that point. I fully support Ross Greer's motion.

15:57

**Fulton MacGregor (Coatbridge and Chryston) (SNP):** It is a pleasure to speak in the debate, Presiding Officer, and I thank you and the Green Party for bringing the issue to the chamber and giving me the absolute honour of being able to stand up here in our Parliament on St Andrew's day. It is a real privilege.

As others have said, there is no doubt that the Scottish budget faces major challenges as a result of Westminster's cruel cuts. We heard a bit more about that in Derek Mackay's response to the autumn statement. It is to the Scottish Government's credit that areas such as additional support for learning have been protected as much as possible. Clearly there are challenges in maintaining and improving additional support needs provision in our schools, but I believe that it is disingenuous of the opposition parties to suggest that the challenges are the result of the Scottish Government's budget decisions. For example, as other members have pointed out, the Scottish children's services coalition has noted that

"there is an increased demand for additional support in our schools as a result of the broadened legal definition of additional support needs, as well as an increased identification of those needing assessment and intervention."

As Jeremy Balfour said, that can only be a good thing.

**Daniel Johnson:** Will the member give way?

**Fulton MacGregor:** I do not have time. I have only four minutes.

My personal value base and experience mean that I lean towards support for inclusion wherever possible. It is in everyone's best interests for a child to be supported with his or her peers, and I believe that the Scottish Government has made good progress in that area. I saw as much in the work that I did before I became an MSP.

Inclusion covers a wide range of individuals, including children who have been bullied, children who have behavioural or learning difficulties, children who are suffering from a bereavement, and children who are being looked after by the local authority—an issue that I know Parliament has spent considerable time on.

That brings me to my next point. There are massive discrepancies among local authorities' regarding the children whom they define as having additional support needs. North Lanarkshire Council—my area—defines as few as 8 per cent as having additional support needs, compares with about 20 per cent in other local authority areas. That fits exactly with what constituents tell me when they come to surgeries or to my office to meet me. Many parents come to me desperate and feeling that the council does not listen to them and that their child is not getting the support that he or she needs. I have even had a couple of cases recently in which parents have taken steps to remove their child from the education set-up in a bid to try to get the council to take action. Those parents are under absolutely no illusions: they do not come to me, as an SNP MSP, to blame the Government, but to say that their council is not listening to them. I will go back to the point that James Dornan made: we all have a role to play, but we need to consider where decisions are made.

James Dornan also mentioned North Lanarkshire Council's one-stop shop, which was an absolutely fantastic service, before its funding was cut by the Labour council. It covered my constituency and all of North Lanarkshire, and it had fantastic results.

**Monica Lennon:** Will the member take an intervention?

**Fulton MacGregor:** As I have said, I cannot take an intervention. I have four minutes, and I am nearly finished.

The one-stop shop consistently got positive results. I have to mention my former colleague Councillor Rosa Zambonini and many parents who led a protest against the service's closure.

Unfortunately, the local Labour Party would not listen. That said, Hope for Autism, which I met at the caring for carers event on the college campus at Coatbridge, has been absolutely fantastic in stepping into the breach.

We must focus on the future. Parliament's recent decision to increase rates of council tax in the four highest bands means that more funding will be available to schools throughout Scotland. I expect that that will lead to more money being spent on additional support needs in schools.

**The Deputy Presiding Officer:** Please wind up.

**Fulton MacGregor:** It seems that, on St Andrew's day, the Westminster Government has no intention of reversing the cuts. There is no doubt that until such time as we in the Scottish Parliament make all our own decisions about our own priorities, there will be more strain to come for those who are most in need.

**The Deputy Presiding Officer:** You have to close, Mr MacGregor.

**Fulton MacGregor:** I welcome the Government's commitment to increasing funding in ASN.

**The Deputy Presiding Officer:** We come to closing speeches. Iain Gray has absolutely no more than four minutes, please.

16:02

**Iain Gray (East Lothian) (Lab):** I start with a point on which I think there is underlying agreement, and which Liz Smith and Jeremy Balfour examined to a degree: the presumption for mainstreaming. I think that we agree across the chamber that children with additional support needs should have their education needs met in the main stream. However, it is worth noting that that was not the case not so long ago, and that it represents a change. To be honest, my mind has changed a bit about that over the years. When I was younger I was probably much more hard line and believed that absolutely everyone should be in the main stream, but my view has softened a bit.

Ross Greer mentioned that 95 per cent of pupils are in the main stream. Internationally, that is considered to be outstandingly inclusive. We can be very proud of that, but we have to understand that the promise to mainstream works only if it is matched by a promise to provide the support that is needed to allow the young person to achieve all that they can in the mainstream setting. I know about that from experience. Way back in the 1980s, when I taught at Gracemount high school in Edinburgh, Kaimes school was also on the campus. At the time, it was the school for the partially sighted. Pupils from it would spend some of their time in mainstream classes, including my

science class. That worked incredibly well because my class size was kept small to allow that to happen, and the pupils came with specialist support staff to assist them. However, the additional support disappeared over the years. Class sizes went back to their maximum size and the additional support teachers disappeared. I knew then that the service that was provided to those young people was simply letting them down, and I could not do the work. The service works only when we do not allow it to be squeezed by cuts.

My fear is that we are in a similar position now. I know that both the Cabinet Secretary for Education and Skills and the Minister for Childcare and Early Years understand the challenges that ASN children face, and I am sure that they are absolutely sincere in their desire to serve them well, but there has been a degree of denial.

All of us will have had constituents tell us that support for ASN pupils is shrinking. Pupils who perhaps a couple of years ago had support for the whole week now have it for only half the week, or pupils who had a support worker to themselves are now sharing that support worker with somebody else, or even with two other pupils. We heard in the media yesterday people saying that that is happening to their children, and the Scottish children's services coalition tells us that it is happening. I do not think that we can deny it.

I say to Fulton MacGregor that it is not the Labour Party that is being disingenuous—although there is a certain amount of being disingenuous with regard to that additional £24 million. As Monica Lennon said, that is an increase of 1 per cent of total education funding, which is a real-terms cut: there are real cuts in additional support. Irrespective of whether we look at additional support teachers or at additional support workers—it does not matter which kind of support worker—we see that their numbers have been reduced. That is a real consequence of the cuts to local government.

We can argue about whether local government has had its fair share of cuts, or more than its fair share, until the cows come home. I say to James Dornan in particular that the important thing is that, as of today, it is our choice: we do not have to accept Philip Hammond's budget. James Dornan and his colleagues need to learn to feel the freedom, make their own choices, raise the resources and support our children and our schools.

**The Deputy Presiding Officer:** I call Ross Thomson. You have less than four minutes.

16:05

**Ross Thomson (North East Scotland) (Con):**

Thank you, Presiding Officer. I declare an interest as a serving councillor on Aberdeen City Council.

Across the chamber, we have the ambition to ensure that absolutely every child, regardless of who they are, where they are from or their circumstances, should be able to reach their full potential. We are aware that the responsibility for delivering positive outcomes for our vulnerable young people falls on the shoulders of our councils, and our councils are facing an increasingly challenging financial situation. We have seen council spending on in-school support for pupils fall by 11 per cent since 2012, and, outside school, funding for charities has also fallen. That is despite the fact that in all local authority areas, with the exception of Shetland and South Ayrshire, the percentage of children with additional support needs is increasing.

The debate gives me an opportunity to talk about the work of Aberdeen City Council, in my region, which carried out a full review of inclusion that concluded in August 2014. The recommendations of that review are being implemented, and some great progress is being made.

The review highlighted that many children were needlessly travelling long distances to access appropriate support for their needs, and that there was a lack of support in mainstream schools. Following approval of the review and its recommendations, the council made a number of changes to help local schools identify what interventions could be made to meet the needs of a wide range of young people and to ensure that additional resources, where required, were in place to meet those needs within a mainstream setting.

Since 2014, the number of children with additional support needs who attend their local school with their peers and siblings has significantly increased. To touch on a point that was made by my colleague Liz Smith about mainstreaming, but which also relates to the important role of parents, in Aberdeen we have seen a reduction in placing requests, as parents and carers have become more confident that individual needs will be met in their local schools. Furthermore, the number of children being transported to a school outwith their local area has reduced and continues to fall.

My colleague Jeremy Balfour made a point about children with additional support needs not having a particular school to go to. I am pleased that Aberdeen City Council is constructing a new, £17 million centre of excellence for children with additional support needs. The first of its kind, it will

be a hub for best practice in supporting learners with additional support needs and for outreach services such as speech and language services. It will also be a new resource centre for training and a community hub that families and charities can access.

As my colleagues have articulated in the debate, Conservative members welcome the increase in funding for the Scottish Government's attainment fund. However, rather than that funding being assigned to a particular school, we believe that it should follow the child, particularly if they have additional support needs. We also believe that the money should be allocated on an individual basis, so that it can be tailored to meet the needs of children with additional support needs.

Some great progress has been made, but there is still work to be done. We need to continue to work in partnership with agencies such as the national health service and with the third sector, parents and the young people themselves to ensure that a holistic service that truly meets the needs of young people and children with complex additional support needs is delivered.

**The Deputy Presiding Officer:** I call Mark McDonald. No more than five minutes, please, minister.

16:09

**The Minister for Childcare and Early Years (Mark McDonald):** Okay. Thank you, Presiding Officer. I will try to get through as much as possible of what I have to say.

I begin by thanking Ross Greer and the Greens for bringing the debate to the Parliament today.

We have seen in the media this week comments from the Scottish children's services coalition, which I have met previously and which I am happy to continue to engage with, as I said yesterday during topical questions. The coalition has identified the challenge but also opportunities to drive greater collaboration, which I think all parties in the Parliament have signed up to under the public sector reform and Christie agenda, and it is important that we examine how best we can take that forward.

Let us look at some of the points that members made in the debate. Liz Smith and a number of others highlighted the presumption of mainstreaming. We absolutely want to ensure that children are educated in their local community where that is possible, but it is worth noting that there are within the legislation three clear exceptions: where that does not meet the needs of the child; where it negatively affects the learning of other children; and where there is disproportionate

cost around mainstream provision. We will be revising and reviewing the guidance around the presumption of mainstreaming during 2017.

Daniel Johnson, James Dornan and Monica Lennon spoke about the concept of political choices, and they were quite right to do so. This Government made a clear political choice to put in place £88 million specifically to protect teacher numbers because, as Mr Dornan identified, we saw that, unencumbered by that requirement, local authorities were reducing teacher numbers, particularly Glasgow City Council, where the figure was 4,000 teachers. That was not a decision that this Government took; it was a decision that those local authorities took.

On political choices, Monica Lennon and her colleagues on the Labour benches are quite entitled to stand up and ask for additional resource. However, when they are told that it has been provided—that resource has been increased—they complain that it has not gone up by enough. They now also have an opportunity at the local authority level. They have spent almost a decade telling us that we should remove the council tax freeze. We have now done that and enabled local authorities to make the political choice to increase the council tax if they feel that that would be a means by which they could increase the resources that are available to them. Monica Lennon should know that her local authority in South Lanarkshire has announced that it has no intention, in the coming budget, to increase the council tax. It has made that political decision not to increase its revenues by increasing the council tax. When we are talking about the political choices that exist, we need to consider that context.

Patrick Harvie touched on exclusions. We are absolutely clear that exclusion should always be a last resort. We will bring out refreshed guidance early next year, which will include a strengthened focus on prevention and specific guidance on the considerations that need to be given to children and young people with additional support needs. I met the National Autistic Society Scotland this morning, and exclusions was one of the issues that came up during our discussion.

On the approach that is taken in relation to teachers and teacher input, I think it is fair to say that we have to ensure that we do not create the perception that teachers who are not additional support for learning teachers are not capable of supporting and dealing with some of the issues that children with additional support needs face. We have seen an increase of 111 in the number of classroom assistants who are available to support those teachers, and teachers have a range of opportunities, through both initial teacher training and continuous professional development, to build

those skills in order to deal with some of the issues that they may face in their classroom.

Mr Johnson made the point that it is not about reducing bureaucracy, but—

**Iain Gray:** Will the minister give way?

**Mark McDonald:** I am sorry. I am in my final minute.

The fundamental point about the reduction of bureaucracy is that it does not just free up teachers to be able to teach; it also frees them up to be able to undertake that continuous professional development, which then enables them to harness and enhance their skills.

Ross Thomson highlighted the situation in Aberdeen, which is my local area. I was going to highlight examples from Aberdeen in the context of what Jeremy Balfour said about a reduction in special schools. Mile-End school and Bucksburn academy would not be classified as special needs schools, but there is strong additional support needs provision within those mainstream schools. Different approaches are taken. However, I will reflect on the point that Jeremy Balfour made.

I do not have time to cover a number of points that members made. I will look at the *Official Report* and I will happily write to members if there are points on which I need to expand.

16:15

**Mark Ruskell (Mid Scotland and Fife (Green)):** I declare an interest: I am a councillor on Stirling Council, which has difficult choices to make about budgets in the months to come, as Mr Dornan suggested.

I thank all members, including the minister, for their speeches. There were some thoughtful contributions to the debate, and I think that all members talked about the pressing need to ensure that every pupil with additional needs has the support in place to ensure that they receive a high-quality education. If we are truly to meet the Parliament's aim of closing the attainment gap, we must support all our pupils to learn in the way that best suits them. I welcome the minister's announcement of the review of the guidance on the presumption of mainstreaming. Liz Smith also raised that important issue.

The number of children who need additional support has risen dramatically in the past five years, as a number of members said. One in five pupils is now estimated to have additional needs. I thank Mark McDonald for pointing out that the definition of additional support needs has been widened recently.

**Iain Gray:** Does the member note that the change in definition took place in 2010, but the

increase of 16 per cent has happened since 2013, so the change in definition does not explain the increase?

**Mark Ruskell:** I take that point on board.

The key thing is to think about how we meet the needs of children who have been identified as needing additional support. There is a recognition that the getting it right for every child approach, which is centred on the needs of the individual, is important.

Fulton MacGregor talked about a disparity between councils in the identification of children with additional needs. I am the father of a child with Asperger's, and I have to say that the early assessment that my child got in primary 1 was excellent, and that the support that he has had from professionals in the classroom, additional support workers and others has been fantastic. However, I see how pressures to do with resources are building up in the classroom, and that is a concern for me, as a father, as it is for the many constituents who get in touch with me and other members of the Parliament.

Children with additional needs continue to have lower attainment than their peers and are more likely to be excluded from school, as Patrick Harvie said. They are also less likely than their classmates to enrol in further education and training or to get a job when they leave school. Jeremy Balfour made an important point about the transition from school to the wider world, of which we need to take cognisance.

We are tightening local authority budgets, and the number of highly qualified additional support for learning teachers has fallen by more than 460 since 2009. We need to pause and look at what is happening in councils. We can argue about the causes of some of the cuts—we can argue about whether Audit Scotland figures include non-domestic rates income and about whether everything is Westminster's fault—but the reality is that the cuts are happening. Councils' financial positions do not just need to stand still; the cuts need to be reversed, so that additional support is provided in our classrooms again. That point was made strongly by Ross Greer and Monica Lennon. Iain Gray, too, reflected on his extensive experience in that regard.

I talk to directors of education, and the reality is that they are under enormous pressure. I say to James Dornan that, yes, there are local decisions that need to be made, but directors of education are the biggest budget holders in local authorities, and although teachers' salaries, which are the biggest component of that budget, have been protected in the local government settlement, other aspects of the education budget have not been protected and are being cut. An unintended

consequence of the policy is that there is pressure on other areas of education.

Daniel Johnson pointed out some of the impacts that are being felt in the classroom. There are reduced budgets for paper, reduced budgets for caretakers and reduced budgets for music tuition specialists and others. Of particular concern to many of our constituents is that cuts are falling on ASL teachers and classroom assistants.

We have some choices here. Liz Smith talked about the need for flexibility in the attainment Scotland fund. I brought the issue up in the Parliament last week and I am glad that the cabinet secretary is reflecting on how we can give headteachers genuine flexibility in the fund. That is a welcome step forward.

However, there is a more fundamental political choice to be made, which has been raised by a number of members, including Tavish Scott, Iain Gray, Monica Lennon and my Green colleagues. The Scottish Parliament now has tax-raising powers and councils will now have the ability—finally—to raise council tax. It will be interesting to see which councils do that. However, any rise is capped at 3 per cent. On such an important topic and with so many other pressures on local authorities, from health and social care to the sale of assets and reductions in services, we need to make progress.

The Green motion is a wake-up call for the Scottish Government. These vital posts in our schools cannot be overlooked if we are to make real progress on closing the attainment gap. Training in additional support needs is not currently mandatory for teachers or support staff but, by raising more revenue for education, local authorities can be in a better position to ensure that more staff—both teachers and classroom assistants—are better informed of how to respond to pupils' needs and behaviour and how to address any problems as they arise.

Although we respect the fact that decisions on education spending lie with local authorities, we call on the Scottish Government to provide councils with the financial resources to address the growing shortfall in ASL in our schools, ensuring that every individual child's needs are not just assessed and recognised but acted on so that they can deliver their full potential.

## Local Democracy

**The Deputy Presiding Officer (Christine Grahame):** The next item of business is a debate on motion S5M-02804, in the name of Andy Wightman, on local democracy.

16:22

**Andy Wightman (Lothian) (Green):** The commission on strengthening local democracy published its final report in August 2014, a little over two years ago, yet, as far as I can tell, there has been no debate in Parliament on its findings. We have introduced this debate on local democracy for two reasons. First, we believe that it is important to endorse the valuable work that the commission undertook and to ensure that its principles and findings form the core of local democratic reform during this session of Parliament. Secondly, we want to make it clear that there is a big difference between community empowerment, which is voluntary and partial, and local governance, which is statutory and universal.

I stress that, in saying that we should endorse the report, I do not mean to imply that the Scottish Green Party or any other party here should support every detailed finding that is contained in it. However, it is worth reminding members that the commission was—and is—a cross-party endeavour that includes representatives from the Conservatives, the Liberal Democrats, Labour, the Scottish National Party and the Greens. Just as I do not expect that those representatives would have agreed with every detailed particular of each and every paragraph, so I do not expect members here to do so. Nevertheless, by endorsing the report, we would validate the effort that went into its creation, support the efforts of our party colleagues who sat on the commission and send out the important message that Scotland's national legislature—which spends considerable time considering its own competencies, structures and future—also has regard to the vital role that local governance plays in Scotland's democratic architecture.

Having said that by way of introduction, I congratulate the members of the commission, who, under the auspices of the Convention of Scottish Local Authorities, produced the comprehensive and timely report. In particular, I pay tribute to Councillor David O'Neill, the president of COSLA and the chair of the commission, for his leadership.

In the previous session of Parliament, the Local Government and Regeneration Committee published its report "Flexibility and Autonomy in Local Government" in June 2014. The committee, which was convened by the current Minister for

Local Government and Housing, took a rather dim view of the arguments on strengthening local democracy and went so far as to suggest that interest in it was limited to

"the narrow confines of academia and COSLA".

That rather dismissive assertion is reflected in the SNP amendment, which claims that the committee took the commission's work into consideration. Quite how that was possible, given that the committee reported in June 2014 and the commission published its final report two months later, in August 2014, I leave to the minister to explain.

To turn to the substance of the debate, it is becoming increasingly clear that local government in Scotland is not local and does not govern. As the McIntosh commission noted in 1999,

"It could be said that Scotland today simply does not have a system of local government in the sense in which many other countries still do. The 32 councils now existing are, in effect, what in other countries are called county councils or provinces".

As the Convention of Scottish Local Authorities observed in 2013,

"Scotland is one of the most centralised countries in Europe. It is no coincidence that our European neighbours are often more successful at improving outcomes, and have much greater turn out at elections. We cannot hope to emulate the success of these countries without acknowledging that they have more local councils, local elected councillors represent fewer people, and that these councils and their services are constitutionally protected and their funding secured by law, even with regard to national policy making."

In Scotland, we have 32 local authorities, yet the Netherlands has 408, Norway has 428 and Belgium has 589, while in Germany there are more than 11,000 councils at the lowest tier of governance. Some amalgamation has been undertaken in those countries, but there has been nothing like the stripping away, hollowing out and elimination of local governance that have taken place in Scotland. At the beginning of the 20th century, for example, Scotland had more than 1,100 councils at the lowest tier. A century later, we have 32. If we are serious about strengthening local democracy, as I believe we should be, we need to be serious about doing something about it.

Empowering communities is well and good—we support it—but, without a strong democratic structure, it risks providing opportunities for those who are already motivated and engaged while providing very little for those communities that are marginalised and lacking in capacity. A community that needs action on local matters should not have to rely on voluntary effort that in turn requires it to be constituted within some form of corporate entity to make a statutory participation request to a local authority. The powers that are required should be



readily available through the democratic structures within communities. Empowering communities and strengthening and deepening democratic institutions are complementary, as too are other important approaches, such as introducing more participatory budgeting and greater community engagement.

The University of Edinburgh academic Paddy Bort noted recently that

“Scottish local democracy ... has been compared to a ladder, with the lower rungs missing. It is excluding Scots from running their own local affairs, denying them access to democracy. What we have instead is the reduction of citizens to customers—a marketisation of local governance, exacerbated by out-sourcing and privatization of services. No wonder that turnout at local elections is catastrophically low—Scottish voters clearly experience local government as something they’re being excluded from and ignored by.”

The commission’s recommendations go a long way to providing a means of reversing those trends and providing those lower rungs. I understand that the commission is soon to be reconvened. I am pleased about that and wish it well. I hope that all parties that are represented in the Parliament will participate in it again.

I also welcome the launch last week of our democracy—act as if we own the place, which is a coalition of organisations, campaigners and politicians who are dedicated to improving our local democracy.

During this fifth session of the Scottish Parliament, it is vital that we deepen and strengthen local democracy. Local councils are a vital part of how we are governed, and meaningful local control has been undermined and sidelined for far too long. Two weeks ago, the minister responded to a question by stating that there are no town halls in Scotland. He is wrong: there are almost 200 town halls across Scotland. The only difference is that they no longer have any democratic institutions inside them.

As I said at the outset, by supporting the motion, members are not endorsing every detail of the commission’s report, but they are endorsing a clear direction of travel, which is to move Scotland towards being a more normal European country where local communities enjoy hard-wired, universal local statutory governance, with fiscal responsibility exercised at the community level. Given that the two amendments to my motion would delete the substance in its entirety, Green MSPs will not support them.

I know that there are many members, in all parties, who support the broad conclusions of the commission. That should come as no surprise, given that it was an all-party endeavour. I hope that those who may not support our motion tonight because of how they are being asked to vote will, nevertheless, work with all of us who want to see a

genuine restoration and strengthening of local democracy across Scotland.

I move,

That the Parliament endorses the final report of the Commission on Strengthening Local Democracy.

16:29

**The Minister for Local Government and Housing (Kevin Stewart):** I congratulate the Green Party on bringing to the chamber this debate on local democracy. The Scottish Government shares much with the Greens in our vision for a healthy democracy. Like the Greens, we believe that decisions that affect people’s lives should be taken as near to communities as makes sense for those communities. That is why we and the Greens believe in an independent Scotland: a country in which the people of Scotland are trusted to shape and take all the decisions that affect our country’s future. We believe that democracy should start in communities. Local people hold the sovereign power, and the job of democratic institutions is to help people to achieve their goals.

I have no doubt that we will debate some points of detail today, but there is much shared ground across the chamber on many of the fundamental principles of how a modern democracy should work. The Scottish Government has always believed in the fundamental importance of local government in delivering better outcomes for all Scotland’s people. Local government can do that because councils and their elected members know their areas and the needs and aspirations of those areas.

Our relationship with local government is based on shared interests and mutual respect. Partnership with local government is critical in tackling poverty and inequality throughout Scotland. An excellent recent example comes from the refugee resettlement scheme, which has been a model of joint working between central Government, local authorities, partner organisations and local communities in providing a safe and welcoming home for people who are fleeing the continuing violence in Syria. Recently, in Forres in Moray, I was pleased to meet Syrian families who have moved there; they expressed their gratitude for our joined-up approach to delivering services for them.

Another example of that joined-up approach is in housing. To deliver on the housing targets that we have set for this session of Parliament, we need to work together with local government and expand on what we do well. That will continue our collaboration in the previous session of Parliament, through which we delivered more than 30,000 affordable homes.

We welcome the widespread debate that has taken place over the past few years on the future of local democracy. The in-depth look at democracy that the COSLA commission and the Jimmy Reid Foundation have undertaken has helped to lay some of the foundations for today's discussion, as has the work in the previous session of Parliament by the Local Government and Regeneration Committee, which I was privileged to convene. In that committee's work, I was determined to hear directly from local people to shape our final report.

I am pleased that, as the Minister for Local Government and Housing, I can now take action that is shaped by many of the principles and recommendations that were set out in those influential reports. We believe that now is the time for real change in how local democracy works. I can confirm today that we will build on the work that we have done on community empowerment and introduce in this session of Parliament a local democracy bill that will deliver real power to communities.

At this stage, I want to be clear about a few principles. The future of local democracy is not just about lines on a map or changing administrative boundaries, with all the costs that are associated with that, and neither is it simply about ratios of electors to the number of those elected or delivering absolutely everything at local level. It is about reinvigorating local democracy, strengthening community voices and making the most of the talents of all our communities in making people's lives better. Everybody who lives and works in Scotland, regardless of their background, can help to grow the economy and tackle inequality. A renewed local democracy is about people seeing a connection with their council, and increased numbers of people from all parts of our diverse society voting.

We have a track record of making such changes happen. Last year, the Parliament passed the Community Empowerment (Scotland) Act 2015, which gives communities new rights to expand community ownership and have their voices heard. The proposed islands bill will reflect the unique needs of our island communities.

That local focus is complemented at regional level. The Government recognises that cities and their regions are the engines of our economy: some two thirds of Scotland's gross value added is generated in our city regions. We have two city deals in delivery in Glasgow and Aberdeen, with the Inverness deal agreed in principle, and all our other cities are at various stages of discussing deals. We have committed £760 million over the next 10 to 20 years to the first three deals.

There is much to build on and much that Parliament can still do. This is a time of

opportunity to bring local democracy to life for the people of Scotland—the people we all serve. We will continue our work with local government, communities and Parliament to deliver a local democracy bill that has the potential to make the most significant change in democracy in Scotland since devolution.

I move amendment S5M-02804.2, to leave out from "endorses" to end and insert:

"notes the findings of the 2014 Local Government and Regeneration Committee inquiry into the Flexibility and Autonomy of Local Government, including its consideration of the Commission on Strengthening Local Democracy, and the committee's recommendation, which stated that 'Adequate powers to devolve responsibilities and control to communities already exist which local authorities must begin to exercise', and agrees that enabling local control not on behalf of but by a local community should be the guiding principle in considering the roles and responsibilities of local authorities over the course of the current Parliamentary session, with the aim of decentralising local authority functions, budgets and democratic oversight to local communities."

16:35

**Graham Simpson (Central Scotland) (Con):** I confess to being slightly underwhelmed by the Green Party's motion. It refers to a report that was published more than two years ago and, while the report had some merit, it has been largely ignored.

In principle, Conservatives are firmly on the side of strengthening local democracy. Unlike the Greens and Andy Wightman, we back that up with votes in Parliament. The Greens are guilty of horrendous hypocrisy. When they had the chance to show that they are on the side of local accountability by rejecting the SNP's centralising council tax plans, they and Labour blew it. Warm words will not cut it.

**Andy Wightman:** Does Mr Simpson accept that the only vote that we have had on the council tax was about the multipliers and did not in itself make any difference to centralisation and redistribution? We oppose that, as I understand Mr Simpson does.

**Graham Simpson:** Mr Wightman knows full well that the effect of that vote was to reduce local accountability. The Greens voted the other way. I prefer to judge parties by their actions, and the Greens have been found wanting.

The two-year-old report contained some principles with which we would agree—that decisions should be taken as close to communities as possible; that democratic governance should be clear and understandable to communities, with clear lines of accountability; that communities must be able to participate in decision making; and that power should be from the bottom and not the top. There are some good ideas in the report, but

we do not go along with some of the others. We do not endorse the whole report, which is why we will not vote for the Greens' motion.

A democratic deficit is emerging in Scotland and power is being sucked to the centre. We have seen that with Police Scotland, health and social care integration and the fire service, and now we see it with the council tax. I have said before and I will say again that we are on a slippery slope.

When I asked Kevin Stewart to confirm newspaper reports that Scotland's "town halls" face being stripped of more powers, in an attack on local accountability, all that he could say was, "Scotland doesn't have town halls." That is not good enough. Kevin Stewart did not twig that the term "town halls" is newspaper language for councils and he was wrong in any case, as Andy Wightman said.

We need a straight answer from the Scottish Government; perhaps Mr Stewart can provide it. Is the Scottish Government planning to force councils to share services and to strip them of further powers over, for example, roads? Maybe that is what will be in his local democracy bill. I suspect that the answer is a simple yes, but ministers do not wish to own up ahead of next year's council elections.

Central government is not always best placed to deliver economic growth. Local people usually know best and, given the tools, they can deliver what is best for their communities. Our amendment recognises that and I believe that the authors of the commission on strengthening local democracy's report would agree with the principle that is behind it. Empowering cities and city regions is essential if we are to improve the levels of economic growth in Scotland. I am glad that Kevin Stewart agrees with that, and I presume that he will back our amendment.

This is not about taking powers from councils—quite the reverse. Last night, I was at a hugely impressive presentation by the Stirling city region team. Stirling will be transformed by people working collaboratively for the good of their community and, crucially, taking communities with them. That is a model for the way ahead—it involves not forcing councils to do things but giving them the tools and resources to work together. That is how to do it, and it is what led the former chancellor down the northern powerhouse route.

Scotland's first city deal, for Glasgow, covers part of the area that I represent. The story is a bit mixed there. We have good projects and others that are not so good. A couple of road schemes in Holytown and Stewartfield in East Kilbride will not benefit anyone and should be scrapped.

Our message is this: give councils the power and they can deliver. Do not centralise—trust people.

I move amendment S5M-02804.1, to leave out from "endorses" to end and insert:

"recognises that empowering Scotland's cities and city regions is critical to economic growth and development in Scotland".

**The Deputy Presiding Officer:** Thank you. I know that time is tight; this is a short debate.

16:40

**Alex Rowley (Mid Scotland and Fife) (Lab):** I welcome the fact that the Greens have kicked off this debate. The commission on strengthening local democracy hoped that there would be a debate across communities in Scotland on the future of local government, but I do not think that that has quite happened. It is interesting that the Minister for Local Government and Housing has announced that he will introduce a local democracy bill. I certainly look forward to that, because we need a debate across Scotland about what type of local government we want.

The Tory amendment simply replaces the Green Party motion—it is not really an amendment—so Labour will not support it. There is clearly, however, a place for regional organisation and regional government in Scotland. Local authorities are leading that with the Glasgow and Aberdeen city deals. Last night in the Parliament there was a celebration of the Stirling city deal. There is no doubt that we need some form of regional organisation around the economy, skills, training and co-operation. We support that and we will continue to work with local authorities—however, that needs to be led by local authorities, not simply the rhetoric of this place.

**Graham Simpson:** Is there any part of our amendment that Alex Rowley disagrees with?

**Alex Rowley:** There are two problems with the Tory amendment. The first is that it simply replaces the Green motion and we are not going to have that, because it is important to recognise that the commission's report is a good starting point and that we need to move forward with it, not rule it out.

The second problem is that the Tories are playing politics. Their objection to what the SNP is doing with the council tax is that it tinkers too much. We need to get rid of the council tax. If it was unfair in 2007 when Nicola Sturgeon said that she would replace the council tax—she said then that "no tinkering with bands" would make it fair—it is still as unfair today. The Tories' objection is that the SNP is tinkering too much. We need to get rid of the SNP council tax and replace it with a tax

that is progressive and will put local government finance on a firm footing in the future.

With regard to community empowerment, the question that springs to mind is what is empowerment? If a person lives in a community and is homeless, to empower that person would be to give them a house. If a person is living in cold, damp, overcrowded conditions, empowerment would be to tackle fuel poverty and give that person a house.

We can play around with the word empowerment, but, for me, one of the key areas of empowerment that we should have made more of over the past few years is community planning. The concept was quite right, but it failed to engage properly with communities. Although the SNP might introduce a bill to transfer 1 per cent of a local authority budget to community level and ask the community how it would spend that 1 per cent, I say that community planning should result in local community plans in every community so that communities start to set the priorities in their areas.

Community budgets are one thing, but setting out how the bigger budget—the 99 per cent of the budget—is spent is another. How do we empower parents? How do we empower teachers? It could be argued that the education budget will not be taken much further than the school and the classroom, but we need to consider how we empower the parents of the pupils in those classrooms and those schools. It will be interesting to have that debate when we consider the proposed local democracy bill, but I believe that we missed a chance on community planning.

I welcome the fact that we are having this debate. It needs to take place not just in the Parliament, but in the 32 council chambers across Scotland, the community councils and the community forums. Let us have a big debate on the future of local empowerment in local government in Scotland. It is long overdue.

**The Deputy Presiding Officer:** We move to the open debate. Speeches should be of no more than four minutes. I call John Finnie.

16:45

**John Finnie (Highlands and Islands) (Green):** Thank you, Presiding Officer.

“Let’s not forget that it is local people that have fired the debate about Scotland’s constitutional future, and their power must not default back to the centre.”

That is from Councillor David O’Neill’s introduction to the commission on strengthening local democracy’s excellent report.

Any discussion is welcome, and we certainly welcome the minister’s announcement. We will be

happy to engage, but the devil will be in the detail. The report outlined a number of principles, one of which relates to sovereignty. I hope that everyone can sign up to the idea that the people are sovereign. That is a foundation stone of Scotland’s outlook. Our democratic process is about people, rather than who does things to people.

Another principle that the report covered is that of subsidiarity. People will understand that decisions should be taken as close to communities as possible. The report says that only communities can decide on change. As Alex Rowley said, that is the level of debate that we need to have throughout the system. Decisions need to come from the bottom up, not from the top down.

I will illustrate the difficulty that we have with the present model. I was a councillor on Highland Council, which covers an area the size of Belgium. As I understand it, it covers the largest area in Scotland of any elected body, the Scottish Parliament aside. A councillor on the planning committee will travel from Wick to Ardnamurchan to adjudicate on a planning decision. That is a distance of 230 miles. It is the equivalent of someone in Portree or—to put it another way—someone in Doncaster in South Yorkshire deciding on planning matters in Edinburgh. On independence, I absolutely agree with the minister’s view that decisions should be taken as close to communities as makes sense, but I hope that he will reflect on the fact that it clearly does not make sense to have that level of travelling involved.

In talking about scale—I have no doubt that its authors had Highland in mind—the report said:

“the scale of most local governments in Scotland today creates an enormous gap between the local level of representative democracy and communities”.

The folk in Ardnamurchan have no more in common with the folk in Caithness than the folk in South Yorkshire do with the folk in Leith. Why should they? That is not a negative comment. We must embrace difference but, as the minister mentioned, the drawing of arbitrary lines on the map is not the way to go, as is evident from the recent debacle with some of the council wards.

I look forward to the introduction of the islands bill. Some interesting ideas have been suggested about democracy there.

It is unfortunate that I do not have much time, because I would have told members about the “Variation instead of one size fits all” paragraph in the report, which I think is very relevant. People have fond memories of town councils and district councils, which had a clear identity. One of the recommendations talks about creating local tax and spending choices. The people who need to make those choices are local communities.

Mention has been made of the integration of health and social care, which I see as positive. As the Christie commission said, there can be economies of scale that mean that it is possible to have local decision making along with shared services. That is a way forward.

Councillor O'Neill said that he wanted one legacy of the commission to be

"an alliance of voices that are ambitious together".

I do not think that our motion is particularly ambitious; it is intended as a modest start. As my colleague Andy Wightman said, it is an attempt to get the parties that were involved in the process to acknowledge the work of their representatives in that process. The report also talked about starting "a new conversation". It would have been far more ambitious—this is not a criticism; our approach was meant to be an inclusive one—if we had attempted to do what Councillor O'Neill mentioned and together "make change inevitable."

We do need to invigorate our local democracy, and today's debate is perhaps a start.

16:49

**Bob Doris (Glasgow Maryhill and Springburn) (SNP):** I welcome the opportunity to debate themes about local government and local democracy. The Greens might be slightly confused with the wording of their motion in relation to local democracy. We heard from Mr Wightman that endorsing the report does not mean supporting it, but it might mean supporting certain bits of it. I am not quite sure what we are being asked to sign up to today with the Green motion, which is unfortunate.

**John Finnie:** Will the member take an intervention?

**Andy Wightman:** Will the member give way?

**Bob Doris:** I only have four minutes so I am sorry, gentlemen, but you will see that that is quite clear if you look at your comments in the *Official Report*.

I pay tribute to the commission on strengthening local democracy and the job that it did, but even the party that is supporting the commission's report is not sure which bits it agrees with. We have just concluded a debate on local educational priorities in which the Greens in effect called for ring-fenced funds for additional support needs in local authorities, yet they grudgingly support £100 million for the attainment challenge each year, stating that they will not stand in the way of additional cash. That is their prerogative and I welcome the fact that they did not stand in its way.

I also note that, since 2007, the Scottish Government has dramatically reduced ring-fencing

in local authorities, as well as allowing local authorities to retain efficiency savings that were previously top-sliced by the Labour and Liberal Democrat Executive back in the day. The loosening of council tax restraints was recently announced by the Scottish Government—freezing council tax was a controversial measure at the time, but it was welcomed by and large around the country. Yet the Scottish Government, as was confirmed in the previous debate, has stepped in to ring-fence £80 million to secure teacher numbers after they fell by 4,000, despite promises being made but not delivered by local authorities.

I am sorry that I received that response from the Greens earlier as I am not trying to provoke. The point that I am trying to make is that the motion is oversimplistic—when we talk about local democracy, we have to be clear about what we mean. It is multifaceted, which is not reflected in the motion.

It is also important to put front and centre that the Scottish Government will introduce a bill that will decentralise local authority functions, budgets and democratic oversight to local communities, which is what the debate will move on to. I know that the Greens will have some positive words to say on that.

At the Local Government and Communities Committee meeting this morning, we looked at the Community Empowerment (Scotland) Act 2015 and the statutory instruments that underpin it. We noted that powers already exist to extend more local democracy, but that a culture change is needed. Absolute statutory rights are coming into place in relation to asset transfers, for example.

I also welcome comments on participatory budgeting and I note that my SNP colleagues on Glasgow City Council—led ably by Susan Aitken—are talking about liberating £1 million for each council ward for local communities to decide and direct how that cash is spent. That is local democracy just as much as councillors or Government directing that cash, and I commend that.

It is becoming more difficult and complex to map local democracy. Areas include health and social care integration; the educational attainment fund; the scrutiny or lack of scrutiny of city deals—the people on the ground in local communities have not been involved with what that money is going towards; the review of community planning partnerships; planning reforms and the loss of planning gain; and charrettes perhaps being used as a badge of honour to say that communities have been consulted but, in my constituency, blocking co-production on community developments and community housing. The motion before us does not quite reflect all that. The provocation at the start was a way of

explaining that we need more. We need a bill from the Scottish Government to look at promoting and enhancing local democracy—we will get that and I will support it.

**The Deputy Presiding Officer:** Heaven forfend that you should be provocative, Mr Doris.

16:53

**Alex Cole-Hamilton (Edinburgh Western) (LD):** I congratulate the Green Party on an excellent motion and, unlike Bob Doris, the Liberal Democrats have no problem in understanding its meaning, so we will have no problem in supporting it tonight.

**Bob Doris:** Will the member give way?

**Alex Cole-Hamilton:** Not in the first 13 seconds. *[Interruption.]* Please sit down, Mr Doris.

**The Deputy Presiding Officer:** Sit down, Mr Doris.

**Alex Cole-Hamilton:** On Monday, James Fergusson, a retired resident from Corstorphine who subsists entirely on the state pension, came to see me. He was incandescent that his council tax is to be increased so that the Scottish Government can de-fund Edinburgh and redistribute money into other parts of the country. He was so angry that he was ready to take to the streets and stop paying council tax altogether. That a pensioner should be incited to civil disobedience is an indictment of that policy, which is the final straw for many people who perceive that, once again, this Government is meddling in local government.

As we have heard, the commission on strengthening local democracy points to a trend of centralisation that has spanned 50 years. In that time, the number of local councils has evaporated, going from 203 to just 32, and the 2011 commission on the delivery of public services hinted that that number could be cut further. I hope that, in her closing speech, the cabinet secretary will confirm that the local democracy bill will not seek to reduce our councils further.

In more than half a century of centralisation, many social indicators would suggest that the flow of power to the centre has not yielded positive results. The gap between rich and poor has widened while educational attainment has fallen. At no point in that time has the pace of centralisation been as great as it has been under the SNP. Under the sheep's clothing of the 2007 concordat, the Scottish Government claimed that it would unencumber our communities from the strictures of ring fencing. It did so while robbing them of the only revenue levers at their disposal. For nearly a decade, with the council tax

immobilised by SNP policy, we have not had an effective system of local taxation in this country.

**Bob Doris:** Will the member give way?

**Alex Cole-Hamilton:** I do not have time, I am afraid.

Having won two successive elections on a commitment to scrap the council tax, the Government has singularly failed to do that.

The SNP exalts those Scandinavian countries that hint at the prosperity that we might enjoy as an independent country, but it does not seek to emulate them. Norway, with a population that is nearly identical to ours, has 428 municipalities. The success of countries such as Norway is down to the absolute pre-eminence of the principle of subsidiarity—that fundamental liberal belief that power works better when it is closer to the people—whereas Scotland already has the lowest number of councils in Europe.

Certainly, there are savings to be made through economies of scale in relation to things such as the shared services agenda, but they should not come at the expense of a society where power is devolved to the lowest level possible.

The policy trajectory of this Government is one of centralisation, big government and control. That is evident in the police service's application of Strathclyde solutions to Edinburgh's problems while front-line morale falls through the floor; in the anxiety of healthcare professionals when they hear rumours about mergers across our health boards; and in the creeping erosion of the power of local government.

Last week, the First Minister admonished me and suggested that the Liberal Democrats were trying to intervene in local planning. However, we are seeking to empower authorities so that they can compel developers in relation to planning gain.

It is incumbent on us as legislators and as representatives to walk lightly through the lives of the people we serve. This Parliament must stay the hand of our ministers so that we are an enabling force, not a controlling force in our communities. We must be ever conscious of the fact that, without reversal of this centralisation, those who seek further empowerment will soon find that the 10 most frustrating words in our language are, "I'm from the Scottish Government, and I'm here to help."

16:58

**Alexander Stewart (Mid Scotland and Fife) (Con):** As someone who has served in local government for 17 years, on Perth and Kinross Council, I am very much aware of the part that

local democracy plays. Local councillors really are at the coalface and, because of that, we need to ensure that constituents come to local councillors. Constituents believe that there is much better co-operation between them and local councillors than is often the case with representatives in other tiers of government. Decisions are better taken by people who are closer to and more familiar with the communities that they reflect and look after. In that regard, we on these benches support the principle that is mentioned in the 2014 report that the Green motion refers to, although that report is two years old.

The sole purpose of most of our debates at the moment seems to be to fill the space created by the SNP's legislative vacuum. So much has changed with regard to local democracy since the report was published. In recent years, the direction of travel has gone one way: into the centre. In all spheres, we have seen more and more things going to Holyrood rather than being dealt with by us at a council level.

Our local police forces are now one and councillors no longer sit on joint police boards, which I feel is a loss to the democratic processes in our communities. It is vitally important that the local democracy that we have is kept. Councils across Scotland are in straitjackets.

Planning is a particularly local issue that can at times become extremely controversial, but again the Scottish Government has seen fit to ignore and undermine the decisions that are taken at local level. Last year, the Government overruled more than half of local planning decisions. That is not accountability; that is control from the centre.

At the same time, and perhaps unsurprisingly given the Government's approach to local government, it has continually cut funding to local government. After nine years of a council tax freeze, we are now to have a council tax rise for individuals in the community. The SNP has a new proposal, which is to cut the clear link between local democracy and local councils and individuals. Councils are to end up paying for a national priority, and we should not be doing that at all at local level.

The Scottish National Party talks about bringing power closer to the people, but that is a myth. It is interested in more powers for this place. It is hoarding powers and demanding more powers to ensure that it has as many powers as possible here, while constraining local government powers. The SNP, often aided and abetted by the Scottish Labour Party and the Greens, is the real threat to local democracy in Scotland. In sharp contrast, the United Kingdom Government has been working continually with Scottish local authorities to forge new deals, which are coming to fruition across Scotland. Those deals will allow greater flexibility

for local authorities to work in partnership, continually doing all that they can to ensure that local communities do well. Giving more powers to regions will allow them to design policies that better suit their areas, to support economic growth, to facilitate more job creation and to invest in local infrastructure projects.

I urge the Scottish Government to acknowledge the fact that many decisions are best taken closer to the communities that they affect. I am happy to support the amendment in Graham Simpson's name.

17:01

**Colin Smyth (South Scotland) (Lab):** I declare an interest, as a local councillor.

I congratulate the Scottish Greens on choosing the issue of local democracy for today's debate. I confess to being a bit of an admirer of Andy Wightman's contributions on the subject over the years, which predate his election to the Parliament, and his observations today did not disappoint. I may not always agree with some of his proposed remedies for the local democratic deficit that we face—namely, his suggestion to have 180 municipalities and six or so strategic regions—but I agree 100 per cent with his short, to-the-point and easily understood motion.

No one with any credibility can dispute the fact that, after a 50-year journey of centralisation, Scotland has the most centralised relationship between local and central government in the European Union. The debate is not about whether that leaves us out of step internationally, because that is taken as read; it is a debate between those of us who recognise that if we are serious about tackling inequalities or disenchantment with politics, that position must change, and those on the other side of the debate, who think that centralisation is acceptable. Sadly, more often than not, the Scottish Government fits into the latter category, and the journey of centralisation has accelerated in Scotland in the past decade.

The Scottish Government's instinct when establishing Police Scotland was to select a model that sucked powers and jobs from peripheral areas into the central belt and ended any meaningful local accountability. When it comes to funding local councils, there are no meaningful negotiations, just imposition, and if local government dares to call for a fair settlement, the threat of sanctions is waved in its face.

Despite the fact that, for 2016-17, the Scottish Government grant from the UK Government increased, albeit by a far too low 0.7 per cent, the Scottish Government imposed a 4.5 per cent cut in the revenue grant to local councils. On the day that income tax powers worth £12 billion will be

passed to the Parliament, I can reflect on the fact that, in my decade as a local councillor, I have never once had the power to set the council tax in my area. It would never cross the mind of the Government, or the Tories, to use those new tax powers to protect funding for councils, which shows contempt not just for local government but for the services that our local communities rely on.

Recent research by the Scottish Parliament information centre, the University of Glasgow and Heriot-Watt University has shown that such services are used most by those on low incomes. Never before have we seen such disregard for local government and such a systematic breakdown in the relationship between local and central government than the one that we are witnessing today. Local government is seen not as a partner of the Scottish Government, as the minister claims, but as the enemy.

For the past five years, Scottish politics has been dominated by the debate on which powers should come to the Scottish Parliament from the UK Parliament; yet, when anyone suggests a meaningful debate on whether some of the powers of this Parliament would sit better in local government, look at the reaction of some SNP members.

Joan McAlpine, in her *Daily Record* column, famously said that those wanting to devolve power to local councils did so because they wanted to “bring down our Parliament”. Apparently, according to Ms McAlpine, anyone who thinks that a local council might be better placed to deliver a back to work programme is an enemy of the state. I am sorry, but it is time for the more grown-up politicians to have a serious debate about which powers should now be devolved from this Parliament to local communities, and that includes local government.

That is very much the real unfinished business of the Smith commission. Indeed, as Lord Smith said in his introduction to the commission’s report,

“There is a strong desire to see the principle of devolution extended further”,

so maybe it is time for a Smith commission 2 to look at that work, because for all the warm words from this Government about devolving powers to communities, participatory budgeting and some of the positive aspects of the Community Empowerment (Scotland) Act 2015, it needs to get over its distrust of and paranoia towards democratically elected councils. It needs to take seriously the balanced, well-argued and clearly evidenced recommendations set out by the commission on strengthening local democracy—recommendations that anyone who genuinely believes in local democracy would have no problem whatsoever in supporting.

**The Deputy Presiding Officer:** Thank you, Mr Smyth—that was on the button. I call Graeme Dey, who is the last speaker in the open debate.

17:06

**Graeme Dey (Angus South) (SNP):** A direction of travel is being established around this important issue, with a bill to decentralise local authority functions and budgets and manifesto commitments from the Government party on the reform of community planning partnerships, on bringing forward, among other things, the use of citizens’ panels and town hall meetings, on introducing community choice budgeting and on looking at properly functioning community councils delivering some services.

All of that is surely welcome, but it strikes me that there are two things that should be at the core of any and all deliberations on the future nature of local democracy and on taking forward such measures. Preparedness, first, to listen; and, secondly, to fully explore the merits and practicalities of any suggestions that come forward. Let me deal with those in order.

There are reasons why people feel disconnected from the existing local democratic structures and how they deliver. We need to develop a proper understanding of that disconnect, not assume that we know the reasons and that we can identify the solutions. That will come about only through genuinely seeking and taking on board the views of the public.

I participated in a public event in Kirriemuir in my constituency a couple of months ago, looking at the future of local governance. It was well attended and ultimately—from my perspective—quite thought provoking, but by the time that I, as the last speaker, rose to make my contribution, the audience had been talked at for the best part of two hours and, worse still, one of the contributors had actually taken folk to task for not being sufficiently enthusiastic in their response to the views that were being advanced. We need to be prepared to listen, but we need also to explore, in partnership, whether what might look like a better approach would work effectively in practice.

That brings me to practicalities. It is easy to promote the introduction of lots of smaller councils without exploring how that would work in practice and whether other mechanisms might deliver greater benefits, and it is easy to identify apparently successful instances of local governance structures from other countries and to call for those to be implemented here without examining, among other things, the circumstances in which they worked and whether we could, in reality, implement them or versions of them here. Both might appeal and have their merits, but



change, however well intentioned at first glance, is rarely without difficulty if not properly thought through.

We need to have genuine conversations and then explore, in partnership and very carefully, how we can improve local democracy in order to deliver real improvement of the kind that meets realistic aspirations and works. The proposals for work around the community planning partnerships might offer that chance. That is not to risk—as the commission identifies—trading away fundamental change for more modest ideas, but it is a way of exploring the pros and cons and practicalities of change and of, most important of all, setting about the whole process in a way that rebuilds eroded capacity and confidence within communities, so that they can participate effectively in decision making at a local level, which is what the report calls for.

That is the key. It is not about the structures and whether we need many more smaller councils. What we need to show is that people's views can be listened to and delivered on, and we need to provide mechanisms for people to have a proper say in how services are delivered for their communities.

**The Deputy Presiding Officer:** This is becoming scary—everyone is keeping to their time. Excellent. I call Pauline McNeill to close for Labour. You have four minutes, Ms McNeill.

17:09

**Pauline McNeill (Glasgow) (Lab):** Presiding Officer,

“Many people are understandably losing interest in a democracy over which they feel little influence, where decisions are taken far away from where they live”.

That is from page 6 of the report that we are debating this evening, and for me it sits at the very heart of the challenge that we face.

I always believed that the financial crash of 2008 would trigger the start of a very big public reaction, and I suspected that ordinary people would find some way of responding to the earthquake that had robbed them of their pensions, their wage rises and their belief in a modern, democratic, capitalist system. One might call that a bit strong for a debate on local democracy, but for me it is exactly the point. The revelation that the banks and the financial sector were selling people credit that they obviously could not afford highlighted the fact that, as the political economist Joseph Stiglitz put it,

“There was a party going on—only a few at the top were invited, but the rest of us would be asked to pay the bill.”

Worse than that, those people had conspired to manipulate the economy—accompanied, in some

cases, by criminal actions—in the belief that they would not be found out. I believe that that event has rocked our democratic system to its core. We should also add that, in this democratic system that we have grown up in, few have been held to account for their actions, and people's elected representatives have done little to redress the fact that it will take generations to recover from the fallout of the world recession. As we have heard in previous debates, the average pay for executives rose to £4 million between 2002 and 2012, while, over the same period, real pay did not increase at all for the average worker.

As a result, people feel remote from not just political but institutional power, and there is deep distrust of the political model and of politicians who preach business as usual. Is it any wonder that voting trends have become unpredictable? Moreover, as we have again debated, dangers lurk as right-wing parties across Europe and on our doorstep exploit people's insecurities. I believe, therefore, that we need a radical overhaul of power and accountability at every level throughout the United Kingdom and here in Scotland.

This debate is about how we devolve power down to and from all levels of government, and I believe that that is essential if we are to restore faith in our democracy. If people are made to feel that they are closer to where decisions are made and that they are part of that decision making, it might be a start in restoring their faith in the democratic system. Local government must be trusted to take more power to govern the communities that it represents but, in turn, communities must also have more of a say in planning and long-term decision making. It will not be easy to get that right, but I agree with Andy Wightman on the need for statutory provision to embed those rights in law for local communities.

Brexit might yet prove an opportunity to devolve more power across the UK and to construct new local democratic ways of getting people involved, but that will mean a halt to the centralising agenda that this Government seems to be bound for. I commend the Government for creating the Community Empowerment (Scotland) Act 2015 in the previous session of Parliament; however, although it is an excellent piece of legislation, I do not think that it has been driven with any passion so far, and I would like that to happen in this session of Parliament.

As SCVO has said, open government is all about a new relationship between citizens and the state, and it is time to make a start on that.

17:13

**Adam Tomkins (Glasgow) (Con):** The most alarming suggestion in the debate came a few moments ago when someone said that there should be some kind of Smith commission 2 to consider questions of local government in Scotland. At that appalling suggestion, Patrick Harvie and I shared, I think, a cross-party shudder.

**Patrick Harvie (Glasgow) (Green):** I am sure that your fellow Deputy Presiding Officer would share that horror, Presiding Officer—

**The Deputy Presiding Officer:** I am not allowed to comment.

**Patrick Harvie:** Should there perhaps be a call not for a Smith commission 2 but for something akin to the fiscal framework between the Scottish Government and local government, not between the UK and Scottish Governments?

**Adam Tomkins:** I will come to that in a few moments, if I may.

The greatest single challenge facing Scotland today is how we grow our economy and, in particular, how we do so relative to the rest of the United Kingdom. That is what Government policy should be resolutely focused on, but it should also be at the forefront of our minds when we in Scotland think about local government.

There is much in the commission on strengthening local democracy's report with which we agree. Scotland is far too centralised, and that problem has grown much worse under the SNP. As a nation, we have not had a mature and reflective rethink of the role, scope or shape of local government in Scotland since before the dawn of devolution in 1999. The commission's report is right about all those things. However, we cannot endorse a report that we do not altogether agree with. Andy Wightman and Alex Cole-Hamilton may be able to endorse something that they disagree with, but I agree with Bob Doris—this is a first—that that is an intellectual contortion too far.

**Andy Wightman:** Will the member take an intervention?

**Adam Tomkins:** I am afraid that I cannot, as I do not have enough time.

The report falls down in its failure to say anything at all about the vital role that local government can and must have in boosting the local economy. As Graham Simpson said, last night in the Parliament there was a quite brilliant presentation of the Stirling and Clackmannanshire city deal bid. Like all the UK's various city-region and other growth deals, at its core is a programme of innovative and potentially transformative economic regeneration and development.

The city that I represent—Glasgow—led the way in Scotland. When its city deal was signed in 2014, it was the richest anywhere in the United Kingdom. It was worth more than £1.1 billion to the local economy. It is fabulous that, thanks to the chancellor's autumn statement last week, there is now to be a city deal for every city in Scotland.

The importance of that was recognised in a report that was published in June this year, which I, for one, certainly would have endorsed. However, we have never debated that report in the Parliament; I fear that that is a sign of how little the SNP Government is interested in it. "Empowering Scotland's Cities: Empowering City Government" understands that cities and their regions are the real economic drivers of Scotland, but that, without what it calls

"radical change to the current working practices between local and central governments",

our cities will be comprehensively "outperformed" by their "English counterparts".

The devolution of power to England's cities has galvanised them. They have a confidence and a sense of ambition that is evident in them and is projected to the wider world. With devolved powers, cities can better integrate transport networks, streamline planning decisions, make localised decisions on skills and support for business, and promote an attractive and competitive image and identity. That is the future of local government, that is what we need in Scotland and, unlike the Greens' motion, that is the vision—ambitious and aspirational as it avowedly is for local government—that the Conservatives endorse.

I support Graham Simpson's amendment.

17:17

**The Cabinet Secretary for Communities, Social Security and Equalities (Angela Constance):** Mr Wightman started his speech by saying that he and the Green Party do not support every detail of the COSLA commission's report. That is the starting point for the Government, as well. I have to confess, not unreasonably, to taking quite a literal interpretation of the meaning of the word "endorses". Nonetheless, the debate is a good opportunity for us to begin to explore where we have common ground. I agree with Alex Rowley, who said that the COSLA commission is a good starting point.

I pay tribute to Councillor David O'Neill for his tenure in local government and his time of service in COSLA, and wish him well for when he retires next May.

The Government holds the widely shared view that local democracy in Scotland can be improved

to empower communities and engage individuals with a view to delivering better outcomes. I agreed with Councillor O'Neill when he said:

"We understand how difficult it is to throw off the shackles of the current way of looking at democracy. However, the reality is that if we are serious about making Scotland fairer, wealthier and healthier then we need to start putting local communities in control over what matters to them."

We have to balance equity with localism, of course. We have to ensure that there is equitable provision of public services at an appropriate standard, and we have to take that forward in tandem with the need for greater local decision making and local autonomy and flexibility.

I stress to Mr Simpson and others that there is a tripartite interest in making those improvements. That work has to span local government and the Scottish Government and, most important, it has to include communities. That is why the working group that will be established will include the Scottish Government, COSLA and, on an equal basis, community organisations. That working group will build on the platform of the work that has gone before it. It will lead into the introduction of the local democracy bill.

**Graham Simpson** rose—

**Angela Constance:** No, thank you. I am usually generous with my time, but not today.

I can reassure Mr Simpson that there is no tablet of stone. He should not believe everything that he reads in the Sunday papers. We are going forward with the bill in the spirit of co-production.

In response to the claims of centralisation, I point out that the number of councillors who scrutinise Police Scotland has actually doubled since the reforms. Police Scotland also has local plans at multimember ward level. We have 31 integrated joint boards whose elected members are involved in the scrutiny and implementation of health and social care reforms. This Government brought forward, with much passion and relish, the Community Empowerment (Scotland) Act 2015.

Regarding city deals, as a Government we will invest £760 million in the next 10 to 20 years to support that vision of economic growth becoming a reality. However, I confess that we do not have much enthusiasm for mayors. I have not detected any strong desire across Scotland for directly elected mayors with that executive power. To me, that would seem to be an example of centralisation.

The Scottish social attitudes survey of August 2016 tells us that 96 per cent of Scots think that local people should be involved in making decisions about the design and delivery of their public services and how resources are spent. This

is the point where I disagree with Mr Wightman. I believe that community empowerment and community involvement have to be at the very heart of local governance, and they have to be at the very heart of the debate that we take forward about the changes that need to be made in local democracy.

We have to move to service provision by communities and not necessarily always on behalf of communities. That approach will very much inform our thinking as we take public sector reform to its next stage.

All the discussion, thinking and reports—whether it is the work of the COSLA commission, the Local Government and Regeneration Committee in the previous parliamentary session, the Jimmy Reid Foundation or the Society of Local Authority Chief Executives and Senior Managers—have laid strong foundations. The challenge for us all now is to get on with the work of translating words into deeds and building the new democratic framework for Scotland. We have to continue to listen to and learn from experts. We cannot cherry pick from other countries; we have to really look and learn and apply what we learn to the Scottish context. We have to recognise, as we work together on the next chapter of our democratic story, that no one size fits all in terms of the agenda that we pursue.

I am very conscious of the cost to the public purse of the last round of local government reorganisation. I am also conscious of the need to build capacity in communities. That is why we have invested heavily in the empowering communities fund and the people and communities fund at £20 million.

17:23

**Alison Johnstone (Lothian) (Green):** I thank all those who have contributed to this lively debate. I welcome the comments by the cabinet secretary on the introduction of a local democracy bill, and I hope that it signals a move away from further centralisation.

I point out to Graham Simpson of the Scottish Conservatives and Bob Doris that their representatives on the commission did not dissent from the recommendations of the report.

**Bob Doris:** Will the member give way?

**Alison Johnstone:** I will not give way at this point.

Alex Rowley was right to highlight that empowerment is experienced in different ways by different people, according to their circumstances. Alex Cole-Hamilton was right to point out the opposition to the Government's top-slicing of

council tax. It is a priority that is shared, but local authorities must be empowered to raise revenue.

As for Alexander Stewart's painting of Andy Wightman as the greatest threat to local democracy, what can I say?

The Scottish Greens' manifesto said that

"Scotland can be a bolder democracy".

I am sure that we all agree. In his book, "The Missing Scotland", Willie Sullivan reminds us that 10 per cent and more of potential voters are not registered and are not voting in elections. By international comparisons, that is not too bad, but Willie rightly says:

"Gratitude at not being the worst should not translate into an acceptance of not being as good as we could be."

In the heat of an election campaign, we focus entirely on those who intend to vote, but afterwards, when we learn of turnouts as low as 20 per cent in some wards in local authority elections, we carry on as before: there are areas in Scotland in which 80 per cent of people have declined to exercise their right to vote. In Iceland in 2006, turnout dropped below 80 per cent for the first time, and there was an academic inquiry into that and soul searching about why it had happened.

The "Act as if we own the place" campaign commissioned the Electoral Reform Society to poll people, and only 1 per cent said that local politics interests them more than watching the telly. Some 46 per cent said that they would rather stay in bed than vote, and almost a quarter said that they would rather finish the ironing.

However, a strong democracy is not just about voting, so I was heartened to learn that in the same poll 45 per cent said that they would give up at least half a day each month to improve their local community. That does not surprise me. As a grass-roots activist and then councillor in Edinburgh, I met hundreds of people who were actively campaigning to keep their schools and nurseries open, fighting to save the only local green play space or attempting to overcome the might of professional power and vested interests that put global chain stores before shops where local folk could buy their tea.

People are passionate about what happens in their streets and communities, but in all those cases the community view was rejected, no matter how many meetings people had attended or how many people had completed what they saw as infuriating tick-box consultations. They had spent months meeting in each other's homes, reading complex council papers, poring over planning proposals, making home-made banners and writing to the local press, and at times they were up against the might of paid lawyers, lobbyists and

developers—professionals with expertise and budgets to match.

After such experiences, many people despair and feel disempowered and, to be frank, scunnered. Indeed, the old town community council, which represented the part of Edinburgh that we are in, disbanded entirely following an unequal and demoralising planning battle.

Too often, politics and democracy are seen as things that are done to people rather than with them. If we believe—the Scottish Greens and I do—that decisions that impact on people's lives should be taken where they most impact on people, the local decision-making bodies must be fully empowered. Fiscal empowerment is key to empowering local government to deliver the outcomes that we want. Lack of empowerment is having a negative effect on engagement.

Elections at community council level are a rarity—and no wonder. Although local participation in budget setting is slowly increasing, it is fair to say that the amounts are far from transformative. Communities are told what spend they can and cannot affect with their votes, and although many bring great experience as statutory consultees in areas such as planning and licensing, the voluntary time and effort that are expended by community councils too often come to naught.

We can do so much better. The difference between voter turnouts in the most affluent and least affluent parts of the country is stark, but engaging our disengaged communities is the key to addressing inequality, because empowerment is the key to increasing wellbeing. Not surprisingly, people who enjoy better health are far more likely to vote in elections.

I ask members to imagine that the active people that I have spoken about are able to put their skills to more positive use. Instead of taking on the council, they could work with it as equal partners. Scotland can revive local democracy by devolving more powers to local councils and requiring them to include local communities in decision making.

Change is required. Our local authorities are not really all that local—John Finnie mentioned making a 3.5 hour trip in order to be involved in a planning decision. We need to build on the cross-party work that went into the Convention of Scottish Local Authorities' commission on strengthening local democracy. The final report sets the scene and explains the context. Scotland's local government is not local and the default position is, increasingly, that efficient delivery means centralisation. By all means let us be challenged by the recommendations in the report, but let us welcome them, proudly endorse them and vote for the Green motion this evening.

**Patrick Harvie:** On a point of order, Presiding Officer.

A vote took place at the beginning of this month on the Council Tax (Substitution of Proportion) (Scotland) Order 2016. All the information that was provided by the Scottish Government and the Scottish Parliament information centre made clear that the order was changing only the council tax multiplier and contained nothing at all about how the money would be spent or by whom. However, during today's debate, Graham Simpson accused the Greens of supporting centralisation by voting for that order.

Presiding Officer, I understand that if Mr Simpson is purely trying to misrepresent our position, that is a matter for him and not for you, but may we have your assurance that all the information that was provided to Parliament on the matter was accurate? Surely we need to have the confidence to say that Mr Simpson is entirely responsible for his complete failure to understand what he was voting for.

**The Presiding Officer (Ken Macintosh):** Thank you for the advance notice of your point of order.

I will assess the information for myself. You have made a debating point, not a point of order. That concludes our debate on local democracy.

## Policing and Crime Bill

17:31

**The Presiding Officer (Ken Macintosh):** The next item of business is consideration of a legislative consent motion on the Policing and Crime Bill. I ask Michael Matheson to move motion S5M-02806.

*Motion moved,*

That the Parliament agrees that provisions of the Policing and Crime Bill, introduced in the House of Commons on 10 February 2016, which refer to cross-border powers of arrest, restoring littering powers of Scottish local authorities and to firearms, where these matters fall within the legislative competence of the Scottish Parliament or alter the legislative competence of the Scottish Parliament or the executive competence of the Scottish Ministers, should be considered by the UK Parliament.—[*Michael Matheson*]

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

## Business Motions

17:31

**The Presiding Officer (Ken Macintosh):** The next item of business is consideration of business motion S5M-02840, in the name of Joe FitzPatrick, on behalf of the Parliamentary Bureau, setting out a business programme.

*Motion moved,*

That the Parliament agrees the following programme of business—

Tuesday 6 December 2016

2.00 pm Time for Reflection

*followed by* Parliamentary Bureau Motions

*followed by* Topical Questions (if selected)

*followed by* Scottish Government Debate: Support for Scotland's Renewables

*followed by* Business Motions

*followed by* Parliamentary Bureau Motions

5.00 pm Decision Time

*followed by* Members' Business

Wednesday 7 December 2016

2.00 pm Parliamentary Bureau Motions

2.00 pm Portfolio Questions  
Communities, Social Security and  
Equalities

*followed by* Scottish Government Debate: Sea Fisheries and End Year Negotiations

*followed by* Business Motions

*followed by* Parliamentary Bureau Motions

5.00 pm Decision Time

*followed by* Members' Business

Thursday 8 December 2016

11.40 am Parliamentary Bureau Motions

11.40 am General Questions

12.00 pm First Minister's Questions

12.45 pm Members' Business

2.30 pm Parliamentary Bureau Motions

2.30 pm Finance and Constitution Committee  
Debate: Written Agreement between the  
Scottish Parliament and Scottish  
Government

*followed by* Scottish Government Debate: Creating a Fairer Scotland: Our Disability Delivery

*followed by* Business Motions

*followed by* Parliamentary Bureau Motions

5.00 pm Decision Time

Tuesday 13 December 2016

2.00 pm Time for Reflection

*followed by* Parliamentary Bureau Motions

*followed by* Topical Questions (if selected)

*followed by* Scottish Government Business

*followed by* Business Motions

*followed by* Parliamentary Bureau Motions

5.00 pm Decision Time

*followed by* Members' Business

Wednesday 14 December 2016

2.00 pm Parliamentary Bureau Motions

2.00 pm Portfolio Questions  
Finance and the Constitution;  
Economy, Jobs and Fair Work

*followed by* Scottish Government Business

*followed by* Business Motions

*followed by* Parliamentary Bureau Motions

5.00 pm Decision Time

*followed by* Members' Business

Thursday 15 December 2016

11.40 am Parliamentary Bureau Motions

11.40 am General Questions

12.00 pm First Minister's Questions

12.45 pm Members' Business

2.30 pm Parliamentary Bureau Motions

2.30 pm Scottish Government Business

*followed by* Business Motions

*followed by* Parliamentary Bureau Motions

5.00 pm Decision Time—[Joe FitzPatrick.]

*Motion agreed to.*

**The Presiding Officer:** The next item is consideration of business motion S5M-02837, in the name of Joe FitzPatrick, on behalf of the Parliamentary Bureau, setting out a timetable for stage 1 of the Limitation (Childhood Abuse) (Scotland) Bill.

*Motion moved,*

That the Parliament agrees that consideration of the Limitation (Childhood Abuse) (Scotland) Bill at stage 1 be completed by 28 April 2017.—[Joe FitzPatrick]

*Motion agreed to.*

## Parliamentary Bureau Motion

17:32

**The Presiding Officer (Ken Macintosh):** The next item of business is consideration of a Parliamentary Bureau motion. I ask Joe FitzPatrick to move motion S5M-02838, on approval of a Scottish statutory instrument.

*Motion moved,*

That the Parliament agrees that the Crown Estate Scotland (Interim Management) Order 2017 [draft] be approved.—[*Joe FitzPatrick*]

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

## Decision Time

17:32

**The Presiding Officer (Ken Macintosh):** There are eight questions to be put today. I remind members that in relation to the debate on education, if the amendment in the name of John Swinney is agreed to, the amendment in the name of Liz Smith falls.

The first question is, that amendment S5M-02809.3, in the name of John Swinney, which seeks to amend motion S5M-02809, in the name of Ross Greer, on education, be agreed to. Are we agreed?

**Members:** No.

**The Presiding Officer:** There will be a division.

**For**

Adam, George (Paisley) (SNP)  
 Adamson, Clare (Motherwell and Wishaw) (SNP)  
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)  
 Arthur, Tom (Renfrewshire South) (SNP)  
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)  
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)  
 Campbell, Aileen (Clydesdale) (SNP)  
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)  
 Constance, Angela (Almond Valley) (SNP)  
 Crawford, Bruce (Stirling) (SNP)  
 Cunningham, Roseanna (Perthshire South and Kinross-shire) (SNP)  
 Denham, Ash (Edinburgh Eastern) (SNP)  
 Dey, Graeme (Angus South) (SNP)  
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)  
 Dornan, James (Glasgow Cathcart) (SNP)  
 Evans, Mairi (Angus North and Mearns) (SNP)  
 Ewing, Annabelle (Cowdenbeath) (SNP)  
 Ewing, Fergus (Inverness and Nairn) (SNP)  
 Fabiani, Linda (East Kilbride) (SNP)  
 FitzPatrick, Joe (Dundee City West) (SNP)  
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)  
 Freeman, Jeane (Carrick, Cumnock and Doon Valley) (SNP)  
 Gibson, Kenneth (Cunninghame North) (SNP)  
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)  
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)  
 Harper, Emma (South Scotland) (SNP)  
 Haughey, Clare (Rutherglen) (SNP)  
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)  
 Hyslop, Fiona (Linlithgow) (SNP)  
 Kidd, Bill (Glasgow Anniesland) (SNP)  
 Lochhead, Richard (Moray) (SNP)  
 Lyle, Richard (Uddingston and Bellshill) (SNP)  
 MacDonald, Angus (Falkirk East) (SNP)  
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)  
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)  
 Mackay, Derek (Renfrewshire North and West) (SNP)  
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)  
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)  
 Maguire, Ruth (Cunninghame South) (SNP)  
 Martin, Gillian (Aberdeenshire East) (SNP)  
 Mason, John (Glasgow Shettleston) (SNP)  
 Matheson, Michael (Falkirk West) (SNP)  
 McAlpine, Joan (South Scotland) (SNP)  
 McDonald, Mark (Aberdeen Donside) (SNP)

McKee, Ivan (Glasgow Provan) (SNP)  
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)  
 McMillan, Stuart (Greenock and Inverclyde) (SNP)  
 Neil, Alex (Airdrie and Shotts) (SNP)  
 Paterson, Gil (Clydebank and Milngavie) (SNP)  
 Robison, Shona (Dundee City East) (SNP)  
 Ross, Gail (Caithness, Sutherland and Ross) (SNP)  
 Russell, Michael (Argyll and Bute) (SNP)  
 Somerville, Shirley-Anne (Dunfermline) (SNP)  
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)  
 Stewart, Kevin (Aberdeen Central) (SNP)  
 Sturgeon, Nicola (Glasgow Southside) (SNP)  
 Swinney, John (Perthshire North) (SNP)  
 Todd, Maree (Highlands and Islands) (SNP)  
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)  
 Wheelhouse, Paul (South Scotland) (SNP)  
 White, Sandra (Glasgow Kelvin) (SNP)  
 Yousaf, Humza (Glasgow Pollok) (SNP)

### Against

Baillie, Jackie (Dumbarton) (Lab)  
 Baker, Claire (Mid Scotland and Fife) (Lab)  
 Balfour, Jeremy (Lothian) (Con)  
 Bibby, Neil (West Scotland) (Lab)  
 Briggs, Miles (Lothian) (Con)  
 Burnett, Alexander (Aberdeenshire West) (Con)  
 Cameron, Donald (Highlands and Islands) (Con)  
 Carlaw, Jackson (Eastwood) (Con)  
 Carson, Finlay (Galloway and West Dumfries) (Con)  
 Chapman, Peter (North East Scotland) (Con)  
 Cole-Hamilton, Alex (Edinburgh Western) (LD)  
 Corry, Maurice (West Scotland) (Con)  
 Davidson, Ruth (Edinburgh Central) (Con)  
 Dugdale, Kezia (Lothian) (Lab)  
 Fee, Mary (West Scotland) (Lab)  
 Findlay, Neil (Lothian) (Lab)  
 Finnie, John (Highlands and Islands) (Green)  
 Fraser, Murdo (Mid Scotland and Fife) (Con)  
 Golden, Maurice (West Scotland) (Con)  
 Grant, Rhoda (Highlands and Islands) (Lab)  
 Gray, Iain (East Lothian) (Lab)  
 Greene, Jamie (West Scotland) (Con)  
 Greer, Ross (West Scotland) (Green)  
 Griffin, Mark (Central Scotland) (Lab)  
 Hamilton, Rachael (South Scotland) (Con)  
 Harris, Alison (Central Scotland) (Con)  
 Harvie, Patrick (Glasgow) (Green)  
 Johnson, Daniel (Edinburgh Southern) (Lab)  
 Johnstone, Alison (Lothian) (Green)  
 Kelly, James (Glasgow) (Lab)  
 Kerr, Liam (North East Scotland) (Con)  
 Lamont, Johann (Glasgow) (Lab)  
 Lamont, John (Ettrick, Roxburgh and Berwickshire) (Con)  
 Lennon, Monica (Central Scotland) (Lab)  
 Leonard, Richard (Central Scotland) (Lab)  
 Lindhurst, Gordon (Lothian) (Con)  
 Lockhart, Dean (Mid Scotland and Fife) (Con)  
 Macdonald, Lewis (North East Scotland) (Lab)  
 Marra, Jenny (North East Scotland) (Lab)  
 McArthur, Liam (Orkney Islands) (LD)  
 McNeill, Pauline (Glasgow) (Lab)  
 Mitchell, Margaret (Central Scotland) (Con)  
 Mountain, Edward (Highlands and Islands) (Con)  
 Mundell, Oliver (Dumfriesshire) (Con)  
 Ross, Douglas (Highlands and Islands) (Con)  
 Rowley, Alex (Mid Scotland and Fife) (Lab)  
 Rumbles, Mike (North East Scotland) (LD)  
 Ruskell, Mark (Mid Scotland and Fife) (Green)  
 Sarwar, Anas (Glasgow) (Lab)  
 Scott, John (Ayr) (Con)

Scott, Tavish (Shetland Islands) (LD)  
 Simpson, Graham (Central Scotland) (Con)  
 Smith, Liz (Mid Scotland and Fife) (Con)  
 Smyth, Colin (South Scotland) (Lab)  
 Stewart, Alexander (Mid Scotland and Fife) (Con)  
 Stewart, David (Highlands and Islands) (Lab)  
 Thomson, Ross (North East Scotland) (Con)  
 Tomkins, Adam (Glasgow) (Con)  
 Wells, Annie (Glasgow) (Con)  
 Whittle, Brian (South Scotland) (Con)  
 Wightman, Andy (Lothian) (Green)

**The Presiding Officer:** The result of the division is: For 62, Against 61, Abstentions 0.

*Amendment agreed to.*

**The Presiding Officer:** The amendment in the name of Liz Smith falls.

The next question is, that motion S5M-02809, in the name of Ross Greer, on education, as amended, be agreed to. Are we agreed?

**Members:** No.

**The Presiding Officer:** There will be a division.

### For

Adam, George (Paisley) (SNP)  
 Adamson, Clare (Motherwell and Wishaw) (SNP)  
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)  
 Arthur, Tom (Renfrewshire South) (SNP)  
 Baillie, Jackie (Dumbarton) (Lab)  
 Baker, Claire (Mid Scotland and Fife) (Lab)  
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)  
 Bibby, Neil (West Scotland) (Lab)  
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)  
 Campbell, Aileen (Clydesdale) (SNP)  
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)  
 Constance, Angela (Almond Valley) (SNP)  
 Crawford, Bruce (Stirling) (SNP)  
 Cunningham, Roseanna (Perthshire South and Kinross-shire) (SNP)  
 Denham, Ash (Edinburgh Eastern) (SNP)  
 Dey, Graeme (Angus South) (SNP)  
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)  
 Dornan, James (Glasgow Cathcart) (SNP)  
 Dugdale, Kezia (Lothian) (Lab)  
 Evans, Mairi (Angus North and Mearns) (SNP)  
 Ewing, Annabelle (Cowdenbeath) (SNP)  
 Ewing, Fergus (Inverness and Nairn) (SNP)  
 Fabiani, Linda (East Kilbride) (SNP)  
 Fee, Mary (West Scotland) (Lab)  
 Findlay, Neil (Lothian) (Lab)  
 FitzPatrick, Joe (Dundee City West) (SNP)  
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)  
 Freeman, Jeane (Carrick, Cumnock and Doon Valley) (SNP)  
 Gibson, Kenneth (Cunninghame North) (SNP)  
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)  
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)  
 Grant, Rhoda (Highlands and Islands) (Lab)  
 Gray, Iain (East Lothian) (Lab)  
 Griffin, Mark (Central Scotland) (Lab)  
 Harper, Emma (South Scotland) (SNP)  
 Haughey, Clare (Rutherglen) (SNP)  
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)  
 Hyslop, Fiona (Linlithgow) (SNP)  
 Johnson, Daniel (Edinburgh Southern) (Lab)  
 Kelly, James (Glasgow) (Lab)  
 Kidd, Bill (Glasgow Anniesland) (SNP)



Lamont, Johann (Glasgow) (Lab)  
 Lennon, Monica (Central Scotland) (Lab)  
 Leonard, Richard (Central Scotland) (Lab)  
 Lochhead, Richard (Moray) (SNP)  
 Lyle, Richard (Uddingston and Bellshill) (SNP)  
 MacDonald, Angus (Falkirk East) (SNP)  
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)  
 Macdonald, Lewis (North East Scotland) (Lab)  
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)  
 Mackay, Derek (Renfrewshire North and West) (SNP)  
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)  
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)  
 Maguire, Ruth (Cunninghame South) (SNP)  
 Marra, Jenny (North East Scotland) (Lab)  
 Martin, Gillian (Aberdeenshire East) (SNP)  
 Mason, John (Glasgow Shettleston) (SNP)  
 Matheson, Michael (Falkirk West) (SNP)  
 McAlpine, Joan (South Scotland) (SNP)  
 McDonald, Mark (Aberdeen Donside) (SNP)  
 McKee, Ivan (Glasgow Provan) (SNP)  
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)  
 McMillan, Stuart (Greenock and Inverclyde) (SNP)  
 McNeill, Pauline (Glasgow) (Lab)  
 Neil, Alex (Airdrie and Shotts) (SNP)  
 Paterson, Gil (Clydebank and Milngavie) (SNP)  
 Robison, Shona (Dundee City East) (SNP)  
 Ross, Gail (Caithness, Sutherland and Ross) (SNP)  
 Rowley, Alex (Mid Scotland and Fife) (Lab)  
 Russell, Michael (Argyll and Bute) (SNP)  
 Sarwar, Anas (Glasgow) (Lab)  
 Smyth, Colin (South Scotland) (Lab)  
 Somerville, Shirley-Anne (Dunfermline) (SNP)  
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)  
 Stewart, David (Highlands and Islands) (Lab)  
 Stewart, Kevin (Aberdeen Central) (SNP)  
 Sturgeon, Nicola (Glasgow Southside) (SNP)  
 Swinney, John (Perthshire North) (SNP)  
 Todd, Maree (Highlands and Islands) (SNP)  
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)  
 Wheelhouse, Paul (South Scotland) (SNP)  
 White, Sandra (Glasgow Kelvin) (SNP)  
 Yousaf, Humza (Glasgow Pollok) (SNP)

### Against

Balfour, Jeremy (Lothian) (Con)  
 Briggs, Miles (Lothian) (Con)  
 Burnett, Alexander (Aberdeenshire West) (Con)  
 Cameron, Donald (Highlands and Islands) (Con)  
 Carlaw, Jackson (Eastwood) (Con)  
 Carson, Finlay (Galloway and West Dumfries) (Con)  
 Chapman, Peter (North East Scotland) (Con)  
 Cole-Hamilton, Alex (Edinburgh Western) (LD)  
 Corry, Maurice (West Scotland) (Con)  
 Davidson, Ruth (Edinburgh Central) (Con)  
 Fraser, Murdo (Mid Scotland and Fife) (Con)  
 Golden, Maurice (West Scotland) (Con)  
 Greene, Jamie (West Scotland) (Con)  
 Hamilton, Rachael (South Scotland) (Con)  
 Harris, Alison (Central Scotland) (Con)  
 Kerr, Liam (North East Scotland) (Con)  
 Lamont, John (Ettrick, Roxburgh and Berwickshire) (Con)  
 Lindhurst, Gordon (Lothian) (Con)  
 Lockhart, Dean (Mid Scotland and Fife) (Con)  
 McArthur, Liam (Orkney Islands) (LD)  
 Mitchell, Margaret (Central Scotland) (Con)  
 Mountain, Edward (Highlands and Islands) (Con)  
 Mundell, Oliver (Dumfriesshire) (Con)  
 Ross, Douglas (Highlands and Islands) (Con)  
 Rumbles, Mike (North East Scotland) (LD)  
 Scott, John (Ayr) (Con)

Scott, Tavish (Shetland Islands) (LD)  
 Simpson, Graham (Central Scotland) (Con)  
 Smith, Liz (Mid Scotland and Fife) (Con)  
 Stewart, Alexander (Mid Scotland and Fife) (Con)  
 Thomson, Ross (North East Scotland) (Con)  
 Tomkins, Adam (Glasgow) (Con)  
 Wells, Annie (Glasgow) (Con)  
 Whittle, Brian (South Scotland) (Con)

### Abstentions

Finnie, John (Highlands and Islands) (Green)  
 Greer, Ross (West Scotland) (Green)  
 Harvie, Patrick (Glasgow) (Green)  
 Johnstone, Alison (Lothian) (Green)  
 Ruskell, Mark (Mid Scotland and Fife) (Green)  
 Wightman, Andy (Lothian) (Green)

**The Presiding Officer:** The result of the division is: For 83, Against 34, Abstentions 6.

### *Motion, as amended, agreed to,*

That the Parliament believes that professionals who provide additional support for learning play a vital role in Scotland's classrooms; welcomes international comparisons that demonstrate that Scottish schools are inclusive, and recognises that, despite challenges, there remains a focus on enabling all children and young people with additional support needs (ASN) to reach their full potential through the approach taken in the Standards in Scotland's Schools etc. Act 2000 and the Education (Additional Support for Learning) (Scotland) Act 2004; acknowledges the increased achievements and attainment for young people with ASN since 2008; welcomes the Scottish Children's Services Coalition's call for greater collaboration and partnership working to deliver continued improvement in ASN provision, and commits to revising and updating the guidance on mainstreaming and the statutory guidance on the implementation of the additional support for learning framework.

**The Presiding Officer:** I remind members that, in relation to the debate on local democracy, if the amendment in the name of Kevin Stewart is agreed to, the amendment in the name of Graham Simpson falls. The question is, that amendment S5M-02804.2, in the name of Kevin Stewart, which seeks to amend motion S5M-02804, in the name of Andy Wightman, on local democracy, be agreed to. Are we agreed?

**Members:** No.

**The Presiding Officer:** There will be a division.

### For

Adam, George (Paisley) (SNP)  
 Adamson, Clare (Motherwell and Wishaw) (SNP)  
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)  
 Arthur, Tom (Renfrewshire South) (SNP)  
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)  
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)  
 Campbell, Aileen (Clydesdale) (SNP)  
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)  
 Constance, Angela (Almond Valley) (SNP)  
 Crawford, Bruce (Stirling) (SNP)  
 Cunningham, Roseanna (Perthshire South and Kinross-shire) (SNP)  
 Denham, Ash (Edinburgh Eastern) (SNP)  
 Dey, Graeme (Angus South) (SNP)  
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)  
 Dornan, James (Glasgow Cathcart) (SNP)

Evans, Mairi (Angus North and Mearns) (SNP)  
 Ewing, Annabelle (Cowdenbeath) (SNP)  
 Ewing, Fergus (Inverness and Nairn) (SNP)  
 Fabiani, Linda (East Kilbride) (SNP)  
 FitzPatrick, Joe (Dundee City West) (SNP)  
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)  
 Freeman, Jeane (Carrick, Cumnock and Doon Valley) (SNP)  
 Gibson, Kenneth (Cunninghame North) (SNP)  
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)  
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)  
 Harper, Emma (South Scotland) (SNP)  
 Haughey, Clare (Rutherglen) (SNP)  
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)  
 Hyslop, Fiona (Linlithgow) (SNP)  
 Kidd, Bill (Glasgow Anniesland) (SNP)  
 Lochhead, Richard (Moray) (SNP)  
 Lyle, Richard (Uddingston and Bellshill) (SNP)  
 MacDonald, Angus (Falkirk East) (SNP)  
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)  
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)  
 Mackay, Derek (Renfrewshire North and West) (SNP)  
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)  
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)  
 Maguire, Ruth (Cunninghame South) (SNP)  
 Martin, Gillian (Aberdeenshire East) (SNP)  
 Mason, John (Glasgow Shettleston) (SNP)  
 Matheson, Michael (Falkirk West) (SNP)  
 McAlpine, Joan (South Scotland) (SNP)  
 McDonald, Mark (Aberdeen Donside) (SNP)  
 McKee, Ivan (Glasgow Provan) (SNP)  
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)  
 McMillan, Stuart (Greenock and Inverclyde) (SNP)  
 Neil, Alex (Airdrie and Shotts) (SNP)  
 Robison, Shona (Dundee City East) (SNP)  
 Ross, Gail (Caithness, Sutherland and Ross) (SNP)  
 Russell, Michael (Argyll and Bute) (SNP)  
 Somerville, Shirley-Anne (Dunfermline) (SNP)  
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)  
 Stewart, Kevin (Aberdeen Central) (SNP)  
 Sturgeon, Nicola (Glasgow Southside) (SNP)  
 Swinney, John (Perthshire North) (SNP)  
 Todd, Maree (Highlands and Islands) (SNP)  
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)  
 Wheelhouse, Paul (South Scotland) (SNP)  
 White, Sandra (Glasgow Kelvin) (SNP)  
 Yousaf, Humza (Glasgow Pollok) (SNP)

#### Against

Baillie, Jackie (Dumbarton) (Lab)  
 Baker, Claire (Mid Scotland and Fife) (Lab)  
 Balfour, Jeremy (Lothian) (Con)  
 Bibby, Neil (West Scotland) (Lab)  
 Briggs, Miles (Lothian) (Con)  
 Burnett, Alexander (Aberdeenshire West) (Con)  
 Cameron, Donald (Highlands and Islands) (Con)  
 Carlaw, Jackson (Eastwood) (Con)  
 Carson, Finlay (Galloway and West Dumfries) (Con)  
 Chapman, Peter (North East Scotland) (Con)  
 Cole-Hamilton, Alex (Edinburgh Western) (LD)  
 Corry, Maurice (West Scotland) (Con)  
 Davidson, Ruth (Edinburgh Central) (Con)  
 Dugdale, Kezia (Lothian) (Lab)  
 Fee, Mary (West Scotland) (Lab)  
 Findlay, Neil (Lothian) (Lab)  
 Finnie, John (Highlands and Islands) (Green)  
 Fraser, Murdo (Mid Scotland and Fife) (Con)  
 Golden, Maurice (West Scotland) (Con)  
 Grant, Rhoda (Highlands and Islands) (Lab)

Gray, Iain (East Lothian) (Lab)  
 Greene, Jamie (West Scotland) (Con)  
 Greer, Ross (West Scotland) (Green)  
 Griffin, Mark (Central Scotland) (Lab)  
 Hamilton, Rachael (South Scotland) (Con)  
 Harris, Alison (Central Scotland) (Con)  
 Harvie, Patrick (Glasgow) (Green)  
 Johnson, Daniel (Edinburgh Southern) (Lab)  
 Johnstone, Alison (Lothian) (Green)  
 Kelly, James (Glasgow) (Lab)  
 Kerr, Liam (North East Scotland) (Con)  
 Lamont, Johann (Glasgow) (Lab)  
 Lamont, John (Ettrick, Roxburgh and Berwickshire) (Con)  
 Lennon, Monica (Central Scotland) (Lab)  
 Leonard, Richard (Central Scotland) (Lab)  
 Lindhurst, Gordon (Lothian) (Con)  
 Lockhart, Dean (Mid Scotland and Fife) (Con)  
 Macdonald, Lewis (North East Scotland) (Lab)  
 Marra, Jenny (North East Scotland) (Lab)  
 McArthur, Liam (Orkney Islands) (LD)  
 McNeill, Pauline (Glasgow) (Lab)  
 Mitchell, Margaret (Central Scotland) (Con)  
 Mountain, Edward (Highlands and Islands) (Con)  
 Mundell, Oliver (Dumfriesshire) (Con)  
 Ross, Douglas (Highlands and Islands) (Con)  
 Rowley, Alex (Mid Scotland and Fife) (Lab)  
 Rumbles, Mike (North East Scotland) (LD)  
 Ruskell, Mark (Mid Scotland and Fife) (Green)  
 Sarwar, Anas (Glasgow) (Lab)  
 Scott, John (Ayr) (Con)  
 Scott, Tavish (Shetland Islands) (LD)  
 Simpson, Graham (Central Scotland) (Con)  
 Smith, Liz (Mid Scotland and Fife) (Con)  
 Smyth, Colin (South Scotland) (Lab)  
 Stewart, Alexander (Mid Scotland and Fife) (Con)  
 Stewart, David (Highlands and Islands) (Lab)  
 Thomson, Ross (North East Scotland) (Con)  
 Tomkins, Adam (Glasgow) (Con)  
 Wells, Annie (Glasgow) (Con)  
 Whittle, Brian (South Scotland) (Con)  
 Wightman, Andy (Lothian) (Green)

**The Presiding Officer:** The result of the division is: For 61, Against 61, Abstentions 0. I use my casting vote against the amendment.

*Amendment disagreed to.*

**The Presiding Officer:** The next question is, that amendment S5M-02804.1, in the name of Graham Simpson, which seeks to amend motion S5M-02804, in the name of Andy Wightman, on local democracy, be agreed to. Are we agreed?

**Members:** No.

**The Presiding Officer:** There will be a division.

#### For

Adam, George (Paisley) (SNP)  
 Adamson, Clare (Motherwell and Wishaw) (SNP)  
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)  
 Arthur, Tom (Renfrewshire South) (SNP)  
 Balfour, Jeremy (Lothian) (Con)  
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)  
 Briggs, Miles (Lothian) (Con)  
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)  
 Burnett, Alexander (Aberdeenshire West) (Con)  
 Cameron, Donald (Highlands and Islands) (Con)  
 Campbell, Aileen (Clydesdale) (SNP)  
 Carlaw, Jackson (Eastwood) (Con)  
 Carson, Finlay (Galloway and West Dumfries) (Con)

Chapman, Peter (North East Scotland) (Con)  
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)  
 Constance, Angela (Almond Valley) (SNP)  
 Corry, Maurice (West Scotland) (Con)  
 Crawford, Bruce (Stirling) (SNP)  
 Cunningham, Roseanna (Perthshire South and Kinross-shire) (SNP)  
 Davidson, Ruth (Edinburgh Central) (Con)  
 Denham, Ash (Edinburgh Eastern) (SNP)  
 Dey, Graeme (Angus South) (SNP)  
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)  
 Dornan, James (Glasgow Cathcart) (SNP)  
 Evans, Mairi (Angus North and Mearns) (SNP)  
 Ewing, Annabelle (Cowdenbeath) (SNP)  
 Ewing, Fergus (Inverness and Nairn) (SNP)  
 Fabiani, Linda (East Kilbride) (SNP)  
 FitzPatrick, Joe (Dundee City West) (SNP)  
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)  
 Fraser, Murdo (Mid Scotland and Fife) (Con)  
 Freeman, Jeane (Carrick, Cumnock and Doon Valley) (SNP)  
 Gibson, Kenneth (Cunninghame North) (SNP)  
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)  
 Golden, Maurice (West Scotland) (Con)  
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)  
 Greene, Jamie (West Scotland) (Con)  
 Hamilton, Rachael (South Scotland) (Con)  
 Harper, Emma (South Scotland) (SNP)  
 Harris, Alison (Central Scotland) (Con)  
 Haughey, Clare (Rutherglen) (SNP)  
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)  
 Hyslop, Fiona (Linlithgow) (SNP)  
 Kerr, Liam (North East Scotland) (Con)  
 Kidd, Bill (Glasgow Anniesland) (SNP)  
 Lamont, John (Ettrick, Roxburgh and Berwickshire) (Con)  
 Lindhurst, Gordon (Lothian) (Con)  
 Lochhead, Richard (Moray) (SNP)  
 Lockhart, Dean (Mid Scotland and Fife) (Con)  
 Lyle, Richard (Uddingston and Bellshill) (SNP)  
 MacDonald, Angus (Falkirk East) (SNP)  
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)  
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)  
 Mackay, Derek (Renfrewshire North and West) (SNP)  
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)  
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)  
 Maguire, Ruth (Cunninghame South) (SNP)  
 Martin, Gillian (Aberdeenshire East) (SNP)  
 Mason, John (Glasgow Shettleston) (SNP)  
 Matheson, Michael (Falkirk West) (SNP)  
 McAlpine, Joan (South Scotland) (SNP)  
 McDonald, Mark (Aberdeen Donside) (SNP)  
 McKee, Ivan (Glasgow Provan) (SNP)  
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)  
 McMillan, Stuart (Greenock and Inverclyde) (SNP)  
 Mitchell, Margaret (Central Scotland) (Con)  
 Mountain, Edward (Highlands and Islands) (Con)  
 Mundell, Oliver (Dumfriesshire) (Con)  
 Neil, Alex (Airdrie and Shotts) (SNP)  
 Paterson, Gil (Clydebank and Milngavie) (SNP)  
 Robison, Shona (Dundee City East) (SNP)  
 Ross, Douglas (Highlands and Islands) (Con)  
 Ross, Gail (Caithness, Sutherland and Ross) (SNP)  
 Russell, Michael (Argyll and Bute) (SNP)  
 Scott, John (Ayr) (Con)  
 Simpson, Graham (Central Scotland) (Con)  
 Smith, Liz (Mid Scotland and Fife) (Con)  
 Somerville, Shirley-Anne (Dunfermline) (SNP)  
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)  
 Stewart, Alexander (Mid Scotland and Fife) (Con)  
 Stewart, Kevin (Aberdeen Central) (SNP)

Sturgeon, Nicola (Glasgow Southside) (SNP)  
 Swinney, John (Perthshire North) (SNP)  
 Thomson, Ross (North East Scotland) (Con)  
 Todd, Maree (Highlands and Islands) (SNP)  
 Tomkins, Adam (Glasgow) (Con)  
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)  
 Wells, Annie (Glasgow) (Con)  
 Wheelhouse, Paul (South Scotland) (SNP)  
 White, Sandra (Glasgow Kelvin) (SNP)  
 Whittle, Brian (South Scotland) (Con)  
 Yousaf, Humza (Glasgow Pollok) (SNP)

### Against

Baillie, Jackie (Dumbarton) (Lab)  
 Baker, Claire (Mid Scotland and Fife) (Lab)  
 Bibby, Neil (West Scotland) (Lab)  
 Cole-Hamilton, Alex (Edinburgh Western) (LD)  
 Dugdale, Kezia (Lothian) (Lab)  
 Fee, Mary (West Scotland) (Lab)  
 Findlay, Neil (Lothian) (Lab)  
 Finnie, John (Highlands and Islands) (Green)  
 Grant, Rhoda (Highlands and Islands) (Lab)  
 Gray, Iain (East Lothian) (Lab)  
 Greer, Ross (West Scotland) (Green)  
 Griffin, Mark (Central Scotland) (Lab)  
 Harvie, Patrick (Glasgow) (Green)  
 Johnson, Daniel (Edinburgh Southern) (Lab)  
 Johnstone, Alison (Lothian) (Green)  
 Kelly, James (Glasgow) (Lab)  
 Lamont, Johann (Glasgow) (Lab)  
 Lennon, Monica (Central Scotland) (Lab)  
 Leonard, Richard (Central Scotland) (Lab)  
 Macdonald, Lewis (North East Scotland) (Lab)  
 Marra, Jenny (North East Scotland) (Lab)  
 McArthur, Liam (Orkney Islands) (LD)  
 McNeill, Pauline (Glasgow) (Lab)  
 Rowley, Alex (Mid Scotland and Fife) (Lab)  
 Rumbles, Mike (North East Scotland) (LD)  
 Ruskell, Mark (Mid Scotland and Fife) (Green)  
 Sarwar, Anas (Glasgow) (Lab)  
 Scott, Tavish (Shetland Islands) (LD)  
 Smyth, Colin (South Scotland) (Lab)  
 Stewart, David (Highlands and Islands) (Lab)  
 Wightman, Andy (Lothian) (Green)

**The Presiding Officer:** The result of the division is: For 92, Against 31, Abstentions 0.

*Amendment agreed to.*

**The Presiding Officer:** The next question is, that motion S5M-02804, in the name of Andy Wightman, as amended, be agreed to. Are we agreed?

**Members:** No.

**The Presiding Officer:** There will be a division.

### For

Adam, George (Paisley) (SNP)  
 Adamson, Clare (Motherwell and Wishaw) (SNP)  
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)  
 Arthur, Tom (Renfrewshire South) (SNP)  
 Balfour, Jeremy (Lothian) (Con)  
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)  
 Briggs, Miles (Lothian) (Con)  
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)  
 Burnett, Alexander (Aberdeenshire West) (Con)  
 Cameron, Donald (Highlands and Islands) (Con)  
 Campbell, Aileen (Clydesdale) (SNP)  
 Carlaw, Jackson (Eastwood) (Con)

Carson, Finlay (Galloway and West Dumfries) (Con)  
 Chapman, Peter (North East Scotland) (Con)  
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)  
 Cole-Hamilton, Alex (Edinburgh Western) (LD)  
 Constance, Angela (Almond Valley) (SNP)  
 Corry, Maurice (West Scotland) (Con)  
 Crawford, Bruce (Stirling) (SNP)  
 Cunningham, Roseanna (Perthshire South and Kinross-shire) (SNP)  
 Davidson, Ruth (Edinburgh Central) (Con)  
 Denham, Ash (Edinburgh Eastern) (SNP)  
 Dey, Graeme (Angus South) (SNP)  
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)  
 Dornan, James (Glasgow Cathcart) (SNP)  
 Evans, Mairi (Angus North and Mearns) (SNP)  
 Ewing, Annabelle (Cowdenbeath) (SNP)  
 Ewing, Fergus (Inverness and Nairn) (SNP)  
 Fabiani, Linda (East Kilbride) (SNP)  
 FitzPatrick, Joe (Dundee City West) (SNP)  
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)  
 Fraser, Murdo (Mid Scotland and Fife) (Con)  
 Freeman, Jeane (Carrick, Cumnock and Doon Valley) (SNP)  
 Gibson, Kenneth (Cunninghame North) (SNP)  
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)  
 Golden, Maurice (West Scotland) (Con)  
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)  
 Greene, Jamie (West Scotland) (Con)  
 Hamilton, Rachael (South Scotland) (Con)  
 Harper, Emma (South Scotland) (SNP)  
 Harris, Alison (Central Scotland) (Con)  
 Haughey, Clare (Rutherglen) (SNP)  
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)  
 Hyslop, Fiona (Linlithgow) (SNP)  
 Kerr, Liam (North East Scotland) (Con)  
 Kidd, Bill (Glasgow Anniesland) (SNP)  
 Lamont, John (Etrick, Roxburgh and Berwickshire) (Con)  
 Lindhurst, Gordon (Lothian) (Con)  
 Lochhead, Richard (Moray) (SNP)  
 Lockhart, Dean (Mid Scotland and Fife) (Con)  
 Lyle, Richard (Uddingston and Bellshill) (SNP)  
 MacDonald, Angus (Falkirk East) (SNP)  
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)  
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)  
 Mackay, Derek (Renfrewshire North and West) (SNP)  
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)  
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)  
 Maguire, Ruth (Cunninghame South) (SNP)  
 Martin, Gillian (Aberdeenshire East) (SNP)  
 Mason, John (Glasgow Shettleston) (SNP)  
 Matheson, Michael (Falkirk West) (SNP)  
 McAlpine, Joan (South Scotland) (SNP)  
 McArthur, Liam (Orkney Islands) (LD)  
 McDonald, Mark (Aberdeen Donside) (SNP)  
 McKee, Ivan (Glasgow Provan) (SNP)  
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)  
 McMillan, Stuart (Greenock and Inverclyde) (SNP)  
 Mitchell, Margaret (Central Scotland) (Con)  
 Mountain, Edward (Highlands and Islands) (Con)  
 Mundell, Oliver (Dumfriesshire) (Con)  
 Neil, Alex (Airdrie and Shotts) (SNP)  
 Paterson, Gil (Clydebank and Milngavie) (SNP)  
 Robison, Shona (Dundee City East) (SNP)  
 Ross, Douglas (Highlands and Islands) (Con)  
 Ross, Gail (Caithness, Sutherland and Ross) (SNP)  
 Rumbles, Mike (North East Scotland) (LD)  
 Russell, Michael (Argyll and Bute) (SNP)  
 Scott, John (Ayr) (Con)  
 Scott, Tavish (Shetland Islands) (LD)  
 Simpson, Graham (Central Scotland) (Con)

Smith, Liz (Mid Scotland and Fife) (Con)  
 Somerville, Shirley-Anne (Dunfermline) (SNP)  
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)  
 Stewart, Alexander (Mid Scotland and Fife) (Con)  
 Stewart, Kevin (Aberdeen Central) (SNP)  
 Sturgeon, Nicola (Glasgow Southside) (SNP)  
 Swinney, John (Perthshire North) (SNP)  
 Thomson, Ross (North East Scotland) (Con)  
 Todd, Maree (Highlands and Islands) (SNP)  
 Tomkins, Adam (Glasgow) (Con)  
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)  
 Wells, Annie (Glasgow) (Con)  
 Wheelhouse, Paul (South Scotland) (SNP)  
 White, Sandra (Glasgow Kelvin) (SNP)  
 Whittle, Brian (South Scotland) (Con)  
 Yousaf, Humza (Glasgow Pollok) (SNP)

### Against

Baillie, Jackie (Dumbarton) (Lab)  
 Baker, Claire (Mid Scotland and Fife) (Lab)  
 Bibby, Neil (West Scotland) (Lab)  
 Dugdale, Kezia (Lothian) (Lab)  
 Fee, Mary (West Scotland) (Lab)  
 Findlay, Neil (Lothian) (Lab)  
 Finnie, John (Highlands and Islands) (Green)  
 Grant, Rhoda (Highlands and Islands) (Lab)  
 Gray, Iain (East Lothian) (Lab)  
 Greer, Ross (West Scotland) (Green)  
 Griffin, Mark (Central Scotland) (Lab)  
 Harvie, Patrick (Glasgow) (Green)  
 Johnson, Daniel (Edinburgh Southern) (Lab)  
 Johnstone, Alison (Lothian) (Green)  
 Kelly, James (Glasgow) (Lab)  
 Lamont, Johann (Glasgow) (Lab)  
 Lennon, Monica (Central Scotland) (Lab)  
 Leonard, Richard (Central Scotland) (Lab)  
 Macdonald, Lewis (North East Scotland) (Lab)  
 Marra, Jenny (North East Scotland) (Lab)  
 McNeill, Pauline (Glasgow) (Lab)  
 Rowley, Alex (Mid Scotland and Fife) (Lab)  
 Ruskell, Mark (Mid Scotland and Fife) (Green)  
 Sarwar, Anas (Glasgow) (Lab)  
 Smyth, Colin (South Scotland) (Lab)  
 Stewart, David (Highlands and Islands) (Lab)  
 Wightman, Andy (Lothian) (Green)

**The Presiding Officer:** The result of the division is: For 96, Against 27, Abstentions 0.

### *Motion, as amended, agreed to,*

That the Parliament recognises that empowering Scotland's cities and city regions is critical to economic growth and development in Scotland.

**The Presiding Officer:** The next question is, that motion S5M-02806, in the name of Michael Matheson, on a legislative consent motion on the Policing and Crime Bill, be agreed to.

### *Motion agreed to,*

That the Parliament agrees that provisions of the Policing and Crime Bill, introduced in the House of Commons on 10 February 2016, which refer to cross-border powers of arrest, restoring littering powers of Scottish local authorities and to firearms, where these matters fall within the legislative competence of the Scottish Parliament or alter the legislative competence of the Scottish Parliament or the executive competence of the Scottish Ministers, should be considered by the UK Parliament.

**The Presiding Officer:** The final question is, that motion S5M-02838, in the name of Joe FitzPatrick, on approval of a Scottish statutory instrument, be agreed to.

*Motion agreed to,*

That the Parliament agrees that the Crown Estate Scotland (Interim Management) Order 2017 [draft] be approved.

## World AIDS Day 2016

**The Deputy Presiding Officer (Linda Fabiani):** The next item of business is a members' business debate on motion S5M-2404, in the name of Kezia Dugdale, on world AIDS day 2016. The debate will be concluded without any question being put. Members who wish to speak in the debate should please press their request-to-speak button.

*Motion debated,*

That the Parliament notes the 28th annual World AIDS Day is being marked on 1 December 2016; believes that this is an opportunity to remember the estimated 35 million people who have died from AIDS-related illnesses since the start of the epidemic; recognises the importance of high-quality treatment for the 36.7 million people currently living with HIV across the world; supports efforts to meet the UN 90-90-90 goals, which would help end the global AIDS epidemic, and understands the need for innovative HIV policy solutions for Scotland to fully achieve these targets, which it has yet to reach; further understands that there are approximately 6,150 people living with HIV in Scotland, with an average of one person every day being diagnosed, and considers that ending HIV-related stigma by guaranteeing access to quality sexual health education and increased HIV awareness is crucial to ensure that more people access testing services, and commends the work of HIV Scotland in promoting policy changes that are grounded in evidence and experience of people living with, and at risk of, HIV.

17:40

**Kezia Dugdale (Lothian) (Lab):** I start by drawing the chamber's attention to my entry in the register of interests, where it is listed that I am a member of the Terrence Higgins Trust. The trust is named after Terrence Higgins, who was the first person to die of AIDS in the United Kingdom, succumbing to the disease in London's St Thomas' hospital aged just 37.

I am very grateful to all members who have decided to stay in the chamber to listen to or participate in the debate, which is designed to mark world AIDS day, which is tomorrow. I am particularly grateful to HIV Scotland for all the work that it has done ahead of tonight's debate and, indeed, ahead of tomorrow's lunchtime reception in Hemma, which members are most welcome to attend.

Having cornered several friends across the chamber and encouraged them to speak tonight, I know that we are in for an excellent debate. For Labour's part, Anas Sarwar will pick up the global and international development dimension of the battle against HIV and AIDS. Monica Lennon will discuss issues to do with HIV services for drug users, and Daniel Johnson will talk a little bit about Waverley Care here in Edinburgh and some of the work that the University of Edinburgh is doing to find a cure for the disease.

That leaves me with plenty of scope to reflect on how we got here. I have had a long-standing interest in HIV/AIDS—an interest that predates my experience of knowing dear friends who are HIV positive; being at ease with my own sexuality; and understanding the history of the lesbian, gay, bisexual and transgender community's relationship with the disease. My interest also predates all the fundraising efforts on our television screens to tackle the spread of AIDS, as it savaged, and continues to savage, sub-Saharan Africa.

I am very much a child of the 1980s, having been born in 1981, which was the year in which AIDS was first clinically observed. It was not called that at first. The working title, so to speak, was 4H—named after the four groups most likely to get it: heroin users, homosexuals, haemophiliacs and Haitians. That was replaced with GRID, which stood for gay-related immune deficiency—a name which, fortunately, had a very short lifespan.

We are all aware of the UK Government TV campaign of the time, which warned of a disease that was spreading—a disease for which there was no cure. There was a terrifying advert that started with an explosion and ended with a giant tombstone with the word “AIDS” engraved on it and the slogan “Don't die of ignorance”. A leaflet version of that advert was posted through every letterbox, on Margaret Thatcher's command.

I personally recall watching Mark Fowler try to tell his mum and dad in “Eastenders” that he had a virus—that it was just one of those things; that it did not mean that he was ill, just that he could get ill—but all they could hear was “AIDS” and all they could think of was the death sentence that came with it.

What I did not, and could not, appreciate, though, was how HIV/AIDS was affecting this dear city that I now have the great privilege to represent. We cannot, and should not, forget that Edinburgh was, during the 1980s, the AIDS capital of Europe. If Edinburgh was the capital, Muirhouse was the epicentre. It was a community with deep-rooted poverty, appalling houses and mass unemployment that was exploited by drugs, and the heroin brought HIV. A study of around 230 drug users from Muirhouse in the 1980s showed that 52 per cent of them were HIV positive. Sharing needles was literally a game of Russian roulette, as was brought vividly to life for all of us who have seen Irvine Welsh's “Trainspotting”.

Such a density of cases forced the Scottish AIDS Monitor into existence, and soon support services that we now know as Waverley Care were established. In 1991, Milestone house was opened as a hospice for people dying of AIDS. On Friday night, I attended a Waverley Care event to raise funds to keep it going, 25 years on. The difference now, of course, is that it has evolved

from caring for those who are dying to assisting so many more people in living their lives positively.

In preparing for tonight's debate, I took some time to look properly at some of the press cuttings from the 1980s. It is hard now to grasp the outrage that was sparked when Princess Diana was photographed holding the hand of a man who was dying of AIDS in Canada. How brave and groundbreaking it was of her to say, in 1986:

“HIV does not make people dangerous to know. You can shake their hands and give them a hug. Heaven knows they need it.”

She seemed to know instinctively that what was needed was compassion and understanding, not fear and ignorance. How applicable that is to so many of the problems that we face in the world today.

The first debate in the House of Commons on HIV/AIDS took place in November 1986—serendipitously, 30 years ago almost to this very day. Having read the full Hansard report, I would like to share some excerpts with members.

The Secretary of State for Social Services, Norman Fowler, was the first to speak. He told members that AIDS was a “serious threat”, and highlighted that there were 565 cases in the UK and 284 people had died. He said:

“The likelihood is that it is a problem for at least the next 10 years, probably for the rest of the century ... Even if no one else becomes infected from tomorrow, there are still the estimated 30,000 carriers”.

Little did he know that, just five years later, there would be 10 million people living with HIV. Today, the figure stands at 36.7 million people.

Sir David Price MP rose to ask for some clarification from the minister. He asked whether the disease could be transmitted through saliva or tears. What about breast milk? Was it safe to hug, to kiss, to cry or shake hands? He concluded:

“There is no ... evidence to treat them as lepers, although some elementary precautions should be taken.”

Anna McCurley MP—the Tory member for Inverclyde, no less—suggested that homosexual surgeons, dentists and even people working in the food handling industry should withdraw from their jobs and be compensated by the Government for doing so in order to reduce the risk of transmission. My dear friend Gavin Strang, who served as the Labour MP for Edinburgh East for 40 years, was the first to demand specific help for prostitutes such as counselling, alternative work, free condoms and dedicated healthcare. Those are just four of the demands that he saw as necessary, having seen at first hand the disease take hold of Edinburgh.

Frank Dobson warned that the threat facing the heterosexual community was underplayed. He said:

"That is partly because of the ... presentation by The Sun and other newspapers of AIDS as a gay plague. The people responsible for that sort of reporting must bear a great deal of the blame for helping heterosexuals to believe that AIDS was no threat to them."—[*Official Report, House of Commons*, 21 November 1986; Vol 105, c 800, 818, 860.]

I could read from the report of the debate all night, but I suspect that the Presiding Officer is keen for me to conclude at some point soon, not least to let other members have a go. I will tweet the link to the full report of the debate so that folk can read it for themselves.

Fast forward 30 years to today, and we have made vast progress. HIV is now one of the most scrutinised viruses in the world, and we probably know more about its transmission, spread, management, treatment and prevention than we know about any other disease, yet we have no vaccine and no cure—but we are close. Medical advances have given us antiretroviral therapy, which has transformed the lives and life chances of people who are living with HIV. Testing is critical, because early detection combined with early adoption of antiretroviral medication means happy, healthy lives. In fact, someone on antiretroviral medication may now have a viral load that is so low that the disease becomes undetectable again, and the risk of transmission to others is so small as to be statistically unquantifiable.

An HIV infection is no longer a death sentence. People who are living with HIV today say that it is not the infection that is the hardest thing to live with—it is the stigma, and the fear of how people will treat them. Fear and ignorance are two concepts that were the drivers behind how this country spoke about and dealt with HIV and AIDS in the 1980s, and they still exist today. However, we know that they can be defeated by education, whether that is formal education for pupils in schools; the information that is given to those working in saunas; informal conversation, compassion and understanding; or nights like this and days like tomorrow.

In marking world AIDS day this year, I conclude that, while so much has been done to tackle HIV, there is so much more to do. I pay tribute to all those individuals in HIV Scotland, THT and Waverley Care who have made tackling HIV and AIDS their life's work.

17:50

**Emma Harper (South Scotland) (SNP):** Tomorrow is world AIDS day, and the first day to raise awareness of HIV was 1 December 1988—

that was the first world AIDS day. While working in the USA in 1990, in the surgical environment, I learned a lot about the harm that HIV could cause to my patients. I learned about the presenting symptoms of the opportunistic infections called Kaposi's sarcoma and *Pneumocystis carinii* pneumonia. Nobody talks about them any more.

When I worked in trauma theatre, emergency surgery often meant the potential to be exposed to blood. Wearing personal protective equipment such as gowns, gloves, masks, face shields and goggles, and safely handling scalpels and sharps, meant that healthcare workers were protected from exposure and risk was reduced for us.

People who had the virus were stigmatised; it was easier to avoid them than to care for them. Many of the doctors and staff I worked with avoided operating theatres or even speaking to patients without suiting up. That was daft, because HIV was already known to be transmitted via blood and not to be airborne, but people were feared.

The disease has no cure. My best friend, Jacqui Pitt, worked as an HIV research nurse in Los Angeles. She helped me to understand the disease and how I could use my knowledge to care for human beings in the best way that I could.

In 1991, Earvin "Magic" Johnson, who was a famous basketball player for the LA Lakers, announced that he was HIV positive. He was not gay; he was heterosexual and he had a wife and weans. He highlighted that HIV and AIDS was not just a gay man's disease and, for me, that highlighted the need to address the disease and not judge or stigmatise the person.

Magic sought treatment and, in 1995, he announced that he had zero viral load. The media grabbed that and said that we had a cure, but it was not a cure. However, the treatment has advanced. We now have antiretroviral drugs, post-exposure therapies and even pre-exposure treatments for those who are deemed to be at high risk.

HIV Scotland says that HIV stigma is one of the biggest barriers to testing, treatment, care and support. Earlier today, I spoke with one of NHS Dumfries and Galloway's blood-borne virus nurses, Liz Kent. That wee health board is doing great work for all its patients with the resources that it has, but she said that stigma is still attached to persons with HIV. Those people must not be discriminated against. She also said that we need to continue to raise the awareness of many young people who do not know the history of HIV evolution.

The theme for world AIDS day is losing the stigma that is associated with HIV.

**Liam McArthur (Orkney Islands) (LD):**

Communities such as those that Emma Harper is talking about in Dumfries and Galloway can be quite intimate, and stigma can be more pronounced as a result. Is there a case for increasing the availability of home testing so that people can avoid having to present at a clinic for testing among people who they might know and who might be aware of the reasons why they might be in that clinic?

**Emma Harper:** The issue of addressing stigma is interesting. If home tests are available, the idea could be pursued. Other home and point-of-care testing can be done with devices that are already on the market; I used some when I worked in cardiac surgery. I would be interested in hearing more about anything that would help to address the stigma.

Today most people with HIV live healthy lives. On world AIDS day, I thank the specialist nurses, the blood-borne virus nurses and the infectious disease doctors, as well as all other healthcare providers, for their selfless work. Let us remember the people who have lost their lives and families, and continue to support and not stigmatise the people who are living with the disease. They are our fellow human beings.

17:55

**Donald Cameron (Highlands and Islands)**

**(Con):** I thank Kezia Dugdale for lodging the motion for debate and I note the significant fact that tomorrow is world AIDS day.

As a child of the late 1970s—I am slightly older than Kezia Dugdale, but not by much—I, too, well remember growing up with AIDS in the news, the pictures of Princess Diana and so on. Even at that age, it was impossible not to be aware of the high-profile hard-hitting advertising campaigns and the growing public knowledge and understanding, albeit sometimes slow and cautious, of the condition. Perhaps we thought that we had done enough, that we had won the battle and that there would be no need, three decades later, to continue to talk about it. Of course that is not the case; it is more important than ever.

The National AIDS Trust has chosen as the theme of this year's awareness day a focus on the stigma that continues to surround the issue, and I will talk about stigma. Many things have improved since the initial outbreak of the condition in the late 1970s, such as the way in which we talk about it, the ease with which most people can be tested and the way in which we manage and treat the condition, but one aspect that remains a problem is how people view HIV/AIDS and how people who have the condition are treated by society at large. One statistic that the trust produced particularly

surprised me: it is that two out of five people in Britain believe that their manager should tell them if a colleague is living with HIV.

Attitudes such as those are archaic and ill informed, but we cannot rely on simple condemnation to bring an end to such views. Education is fundamental. The Terrence Higgins Trust reported that three out of five children receive no information on HIV at all in school. There is clearly a need to improve the way in which we communicate on the matter but, beyond that, there are issues with how we approach sexual health education in schools. For many parents, it can be a taboo subject—I understand that as a parent. I support a collaborative approach in our schools between parents, young people and teachers to addressing sexual health and relationships, so that by the time that my children are of a certain age, they will not fear talking openly about those subjects.

I had the pleasure of meeting HIV Scotland last month to discuss a variety of issues that relate to HIV/AIDS and in particular its positive persons manifesto 2016. We discussed HIV prevention and what we in Parliament can do to help to fight HIV/AIDS. Tackling stigma is fundamentally linked with prevention. As HIV Scotland notes, about 17 per cent of people living with HIV do not know that they are living with it. HIV Scotland adds that

“one of the biggest barriers in getting people to get tested, is HIV stigma”.

There is a great need to increase access to safe testing. Public awareness campaigns are now significantly better compared with the sombre and off-putting adverts in the 1980s that I recall growing up with. It is incumbent on the Government to ensure that such preventative methods continue to be supported.

One issue that can be missed in the debate is that we tend today to focus more on the sexual aspect of HIV/AIDS and to forget to discuss the continuing problem of HIV infection as a result of drug use. Jamie Greene and I visited Inverclyde royal hospital on Monday and met NHS staff who treat drug addicts. The staff talked of the fact that the cohort of drug users who are at risk is ageing, and they demonstrated the various methods that they use to facilitate safe injecting as well as improved mental health. They spoke of the particular problem in the greater Glasgow area of a recent alarming spike in cases.

I end on an optimistic note. We have travelled far and there is more to do, but people with HIV are living longer and healthier lives and, with treatment, they have full life expectancy. That is a world away from the world of the late 1970s and early 1980s. Let us keep talking about the condition and keep campaigning. I am delighted to



support the motion and to participate in the debate, and I commend Kezia Dugdale for driving the issue forward.

17:59

**Anas Sarwar (Glasgow) (Lab):** The tone and content of the debate have demonstrated the very best of our Parliament. The speeches have been fantastic, and I am sure that that sends a strong message to the people of Scotland.

I put on record my thanks to HIV Scotland, which has done so much tremendous work in the run-up to the debate and for years on this important issue.

I was particularly struck by what Kezia Dugdale said in her speech, and I thank her for securing the debate. I vividly remember the “EastEnders” storyline that she mentioned, the message about “Trainspotting” and the Princess Diana photograph. When we were at school, AIDS or HIV was something that people would tease each other about—they would make silly remarks about how you could not shake hands with or kiss someone who had it. I am proud that we have moved away from that, but I do not think that we should be complacent about the stigma that still exists in many parts not only of Scotland and the UK but of the world. We have made great progress, and I think that the way in which we have dealt with HIV is an example to campaigners, charities and international development organisations around the world. However, as I said, we cannot be complacent.

We in the UK have played a leading role. I am proud that it was a Labour Government that, in 2002, actively supported the global fund to fight AIDS, which was funded primarily through the Department for International Development. I am also pleased that the current UK Government has donated to the replenishment of that global fund—it has pledged some £1 billion over the course of the current Parliament to tackling HIV and AIDS around the world. It is important to recognise that, through that global fund, we have been able to support direct intervention in the lives of 20 million people. That has been made possible through the support of UK taxpayers, who have put money towards the global fund and caring for others in other parts of the world.

When I was a member of the Westminster Parliament, I served on the International Development Select Committee. I also had the honour of being a shadow international development minister. During that time, I had the privilege of working with campaigners and charities here in the UK and of making visits to many countries, particularly in Africa, speaking directly to patients who had issues around HIV

and learning from them about what different actions we could take to shape our international development response. We must not lose sight of that because, across the world, there are 17 million people who are living with HIV and who are on treatment, more than half of whom have received treatment directly because of the global fund.

However, we should not be complacent about what is happening in Scotland. Although we have been successful in that 94 per cent of those people who have been diagnosed are on treatment, and 95 per cent of those have an undetectable viral load, we have a long way to go, particularly on diagnosis. One in six people in Scotland who are living with HIV are as yet undiagnosed. Across the world, it is estimated that half of the 37 million people who are living with HIV are unaware of their status and what it means for their health, which means that they could unwittingly pass on the virus to others. We have a human responsibility to try to do something about that.

We have made great strides. I want to make two final points, both of which relate to Glasgow. In the past year, there has been a spike in the number of cases of HIV in Glasgow. Research is needed into why that has been the case and what we need to do differently to avoid that continuing for a longer period of time. I pay tribute to Glasgow Caledonian University, whose school of health and life sciences has been doing research on the issue of stigma and discrimination around HIV, on which it has today published a follow-up report.

Mention has not been made of the opportunities of PrEP—pre-exposure prophylaxis—and I hope that someone will raise the issue.

We have a commitment from all parties in the Parliament—and, I hope, from all levels of government across the UK and from international aid agencies—to tackling HIV. We must tackle it not only at home but around the world, because we have a human obligation to do so.

18:04

**Patrick Harvie (Glasgow) (Green):** As other members have done, I thank Kezia Dugdale for bringing her motion to the chamber for debate and congratulate her on doing so.

Kezia Dugdale began by talking about the advertising campaigns in the 1980s. I am a modest bit older than she is, and I was about 12 or 13 when those iceberg adverts came out. Their principal impact was to accentuate people’s fears, while doing nothing at all to demystify and destigmatise the illness and the virus. That was at a time when a huge amount of vitriol and prejudice was being promoted by the tabloid press.

A few years later, I went to university in Manchester and that odious man, James Anderton, the chief constable of Greater Manchester Police—God’s cop, as he was called—had been describing people as

“swirling around in a human cesspool of their own making”.

That was his description of issues like HIV. When I was a student enjoying the dubious delights of the gay village in Manchester, he was sending cops to raid gay clubs wearing biohazard gear—that was the level of the prejudice and stigma that he was happy to promote, rather than to challenge.

As a student activist, I had many opportunities to get involved in sexual health promotion on campus and, later in life, I had the chance to do that as a professional in PHACE Scotland—Promoting Health and Challenging Exclusion—or PHACE West as it was at that time, which is a project for HIV AIDS care and education based in Glasgow. Like many people doing youth work in that field, I cannot be alone in remembering moments when—despite the successes that I had and the positive work that I did—somebody who I was working with told me that they had had a positive diagnosis. That is not the kind of thing that you can leave at your desk at 5 o’clock, and I would wonder for a long time whether I could have done more. Those memories stay with me.

I was working in the HIV field at the beginning of something new called PEP, or post-exposure prophylaxis. Initially, the idea was that people who were working in clinical settings—those who got a needlestick or stab injury, for example, as was mentioned earlier—could be given a dose of antiretroviral drugs in order to limit their chance of becoming HIV positive. It was the beginning of the thought of applying it in sexual health settings, so that people who had been exposed to the risk of HIV infection through unprotected sex might also use post-exposure prophylaxis to prevent them becoming HIV positive. Although that had a hugely positive impact, it was accompanied by hugely negative stigmatising portrayals in the press.

As we sit here now, it might be desirable to think that we have overcome that. However, as we begin to debate pre-exposure prophylaxis—using existing antiretroviral drugs to protect somebody who is at an existing high risk of infection—we again see stigmatising treatment from the likes of the *Daily Mail*. It had a big banner headline not so long ago saying that there was a “skewed sense of values” in the NHS considering funding PrEP, and contrasting HIV AIDS with other conditions that would go without treatment, notably children’s conditions, as if children going without treatment would be the simple trade-off. What nonsense. I know that the decision lies ultimately with the Scottish Medicines Consortium on the point of an application, but we all have a responsibility—if that

decision comes to be made—to openly and vocally challenge the prejudices that still exist among those who would seek to misrepresent PrEP and the opportunities to use it.

As HIV has moved closer to being a chronic manageable condition in the wealthy west, we must be committed to ensuring that that is achieved throughout the world. Countries with that intention will have to step into the breach when the Trump-Pence regime takes over in America and begins to withdraw funding for sexual and reproductive health from its international development work. We must all commit ourselves to stepping into the breach, too.

**The Deputy Presiding Officer:** There is so much that people want to say in today’s debate and there are still a few members who want to speak. I am happy to accept a motion without notice to extend the debate by up to 30 minutes.

*Motion moved,*

That, under Rule 8.14.3, the debate be extended by up to 30 minutes.—[Kezia Dugdale]

*Motion agreed to.*

18:09

**Monica Lennon (Central Scotland) (Lab):** I welcome the debate on Kezia Dugdale’s members’ business motion, ahead of World AIDS day tomorrow, and the opportunity to highlight some of the important issues around HIV and AIDS.

For those living with HIV in Scotland today, treatment and care is much improved from even a couple of decades ago. However, despite those changes, HIV policy solutions need to be further improved upon in order to help stop the spread of HIV in Scotland and to achieve the ambitious United Nations 90-90-90 goals by 2020.

As we have heard, there are approximately 6,150 people living with HIV in Scotland. Further to that, 217 people have been diagnosed with HIV in Scotland in 2016 so far. However, as Anas Sarwar said, around one in six of those with HIV in Scotland is thought to be living undiagnosed, so the actual figure is likely to be a lot higher. It is important that those new cases of HIV are given particular attention, and that focus is given to the issue of how we prevent new cases of HIV from occurring.

As Anas Sarwar noted, there is an on-going outbreak of HIV in Glasgow among people who inject drugs. That is concerning. In the NHS Greater Glasgow and Clyde area, there have been 72 new diagnoses of HIV related to drug use over the past 18 months. In the first six months of 2016 alone, 18 new cases of HIV in Glasgow were found to involve injected drugs, which was more

than the number of new cases that were discovered to have been transmitted sexually.

I would like to pay particular thanks to David Liddell of the Scottish Drugs Forum for his work in highlighting the issue and for the recommendations that his team has made about the actions that should be taken.

Any rise in the number of people contracting HIV is concerning, and this rise among intravenous drug users is a serious public health concern. The risk of similar outbreaks in other areas of the country and the risk of spread to other populations through patterns of imprisonment, involvement in prostitution and the resettlement of homeless people must be taken seriously.

Reducing cases of HIV in Scotland starts with improving education about and awareness of the disease. I echo the view of the Scottish Drugs Forum that an education campaign for drug users and staff in front-line services would be beneficial. As co-convener of the cross-party group on drug and alcohol misuse, I am keen to explore how we can continue to reduce the stigma that is directed at substance users and to increase the uptake of regular HIV testing.

Early detection and treatment is key to the reduction of infection and to better outcomes for patients. Last week was HIV testing week and I was happy to support that. It is important that any education or awareness-raising campaign focuses on the importance of regular testing for people who are involved in drug misuse.

We must do better to raise awareness about HIV by improving how we equip young people with the knowledge that they need to prevent the risk of infection. Current Scottish Government guidance on sex education, and the sexual health and blood-borne virus framework from 2015, acknowledge the importance of relationship, sexual health and parenting education as a means of ensuring that all young people have the information that they need to enable them to make healthy choices. HIV Scotland has been involved in great work on this topic. Its "Positive Persons' Manifesto" from 2015 highlights sexual health education as a key factor in preventing the spread and contraction of HIV.

Given that acknowledgment that sexual health education is vital, I would welcome moves by the Scottish Government to further consult on making sexual health education compulsory in the Scottish curriculum.

As I stated earlier, the situation for people living with HIV in Scotland today is much better than it was even a couple of decades ago. Despite that, stigma about HIV and those who live with it persists. Improving education about HIV is the way to ensure that the transmission rate continues to

reduce, and that people with the infection will be able to receive early treatment.

**The Deputy Presiding Officer:** You are all taking terrible advantage of me now.

18:14

**Tom Arthur (Renfrewshire South) (SNP):** I thank Kezia Dugdale for securing this members' business debate on the eve of the 28th world AIDS day. As Donald Cameron said, one of the key messages of world AIDS day this year is:

"HIV Stigma: Not Retro, Just Wrong".

The campaign is unfortunately all too necessary, as ignorance and misconceptions of HIV/AIDS are still far too prevalent in our society. The debate provides an opportunity to debunk some of the myths and stand up to HIV stigma.

As Kezia Dugdale mentioned, just under six months ago, at the beginning of June, we passed the 35th anniversary of the first public reporting of what would later be termed AIDS. Next year will mark the 30th anniversary of when human immunodeficiency virus—HIV—was confirmed by the International Committee on Taxonomy of Viruses. Most importantly however, July 2016 this year marked the 20th anniversary of the 1996 international AIDS conference in Vancouver, where the successful development of the first effective antiretroviral therapies was announced. Since then, there has been significant progress, with new and less toxic drugs developed and, importantly, the pill burden reduced.

I bring those dates to the attention of members to illustrate the very simple point that, for the majority of time that we have been aware of HIV/AIDS, we have also been able to treat it and to turn it into, as Patrick Harvie said, a "chronic manageable condition". Although a vaccine and a cure have so far proved elusive, we are getting closer. Only last month, we learned of encouraging early results from the kick and kill strategy. When HIV is still in the blood but at undetectable levels, perhaps because of the blood-brain barrier, that new method is getting in there and removing the last vestiges of HIV when it is hidden from detection. In the last few days, it was announced that the biggest ever HIV vaccine trial has begun in South Africa.

The reality is that, for the vast majority of people who receive ART, HIV is no longer a death sentence. The British HIV Association has said that successful ART is as effective as consistently using a condom in limiting transmission. The reality is that, in the developed world, we are winning the fight against HIV. However, we cannot be complacent. As was mentioned, of the approximately 6,150 people living with HIV in

Scotland, it is estimated that 17 per cent are unaware of their status. HIV positive individuals who do not know their status are at risk of inadvertently passing on the infection. For the majority of those infected, if left untreated, HIV will progress to AIDS.

In tackling HIV, prevention is still exceptionally important and our first line of defence. That is why, as Monica Lennon discussed, it is vital that our young people are equipped with the skills to talk confidently about relationships, sexual health and parenthood. Additionally, the development of PrEP represents a significant advancement in our ability to prevent transmission. I have been encouraged by the Scottish Government's approach and I urge the manufacturer to make a submission to the SMC at a fair price as soon as possible.

We must continue to be alert to developments and remember that new challenges may emerge. Last year, it was reported that the most aggressive strain of HIV ever studied had been found in Cuba. Of the 73 patients initially studied, all progressed to AIDS within three years, with a median latency period of only 1.4 years, compared to a median time of 9.8 years for average HIV strains. So far, that variant has been limited to relatively small numbers, but it serves to remind us of the challenges that may emerge in the future and the need to keep HIV/AIDS at the top of the political agenda.

In closing, I reaffirm my support for the continued fight against HIV/AIDS and welcome the plans to re-form the cross-party group on sexual health. Together, we can end HIV stigma, continue to create a supportive and inclusive society for HIV positive people and take another step towards a world where AIDS is found only in the history books.

18:19

**Jamie Greene (West Scotland) (Con):** I thank Kezia Dugdale for bringing the debate to Parliament. There have been some excellent contributions from all parties.

Earlier this month, I was honoured to speak at the youth stop AIDS campaign's big weekend in Glasgow. The young volunteers there had come from across the United Kingdom and had given up their weekend to support one another on a peer-to-peer basis. We heard some really moving and inspiring speeches. One was by a young man called Robbie Lawlor, who shared his experience of testing positive in Ireland, and told us about the relative lack of support that was available to him after his diagnosis. That is something that I took away from the event and have thought a lot about since.

We can all be thankful that antiretroviral therapy means that people who live with HIV today are enjoying healthier and longer lives than was possible 20 or 30 years ago. Being diagnosed with HIV today means something very different to what it meant in those days, but we are very much mistaken if we think that it is a problem of the past, which is why one of the hashtags for world AIDS day this year is "#HIVnotRetro".

Like Kezia Dugdale, I am a child of the 1980s and I remember many of the campaigns that we have spoken about being on television and in print, and in a lot of the gay media at the time, as well. They made the public aware of the importance of taking charge of their own sexual health. Admittedly, it was a fear campaign, but there is a generation of young sexually active people today who do not have those images ingrained in their brains in the way that I and some of my friends do.

In the Greater Glasgow and Clyde area alone, there have been 77 new cases reported this year. Young men in particular need to be made aware that the risks are still very real. Donald Cameron mentioned the meeting at Inverclyde hospital. I want to add some further thoughts about that, because we were also told about increases in other blood-borne viruses among certain groups, including young professionals who are social drug users and who snort drugs, and men who are gym goers and steroid users. We should not ignore the growing prevalence of intravenous drug use during sex, which is becoming an epidemic in certain parts of the world among men who have sex with men. It is not just people who are living in depravity and injecting drugs who are at risk; a whole bunch of other people out there are at risk, but we tend not to talk about them so much when we discuss the issue.

It is important to note that, of the HIV-positive individuals who have been reported in 2016, 81 per cent are male and 60 per cent are aged between 25 and 44. Those facts strike a very personal note with me. I have many friends who are HIV positive and I know their personal stories and experiences. I know of many who, as a result of their diagnoses, have found it really difficult to cope and have turned to alcohol or drugs. Many suffer from depression and anxiety and in some cases have been suicidal—in one case, unfortunately, successfully so. Particular attention should be given to how we help people who have recently been diagnosed.

As we know, about 17 per cent of the people who live with HIV in Scotland do not know their status. Stigma has a big part to play in that, but so does fear. I can talk only from my experience, but I know that fear of going for a test is fear of what the result might be. It is fear of having to tell people

about a positive result, and it is fear of how one might cope internally and whether one has the mental strength to deal with a positive result. We need to help people to get over that fear. HIV Scotland is producing a draft strategy on stigma; I hope that the Scottish Government will heed any recommendations that come out of that.

I am also pleased to be, alongside Kezia Dugdale, Patrick Harvie and Ben Macpherson, a co-convenor of the cross-party group on LGBTI+, and I hope that we can work with other cross-party groups and find mutually interesting areas so that we can discuss issues and help one another.

World AIDS day is still important, because it reminds the public and Governments that the problem has not gone away. It is still important that we raise money, increase awareness, fight prejudice and improve health and education services, and it is our duty as legislators to ensure that we do everything in our power to take the lead on prevention, treatment and awareness. Tomorrow, I will remember those who sadly have passed, and I will remember with sorrow that medicine could not help them in their day, but I will also remember them in hope that debates such as this will bring the issue to the forefront of people's minds and that the hard work will continue.

18:24

**Daniel Johnson (Edinburgh Southern) (Lab):**

I am hugely pleased to be speaking in this debate, not just because it is always a good idea to be supportive of a motion that one's leader puts before Parliament but because, as so many members have said, AIDS is something that people of my generation have grown up with. One interesting aspect of the debate is how so many of us have brought up the same experiences. I, too, remember the TV ads; I must have been nine or 10 when they came on, and they scared the living whatever out of me. I hope that that is parliamentary language, Presiding Officer.

The subject of HIV/AIDS has been defined and is haunted by that fear. What I find remarkable is how far we have come, and how far we have still to go. We can tell much about a society's prejudices from the names that children call each other in the playground. It is absolutely right that we have moved on from HIV/AIDS being used as a playground taunt. People are now surviving and living with HIV-positive status.

As I have said, however, we still have far to go. When I was talking to people from HIV Scotland at a photo call earlier, I remarked on how HIV/AIDS has been a defining issue for people of my generation. They said that although that is true and interesting, the fact is that people of my age

and demographic are most likely to acquire HIV infection.

That says something about where we are, because as members have pointed out, the condition is defined by marginalisation and stigma. That is understandable, given that the primary vectors by which people acquire HIV are sex and injecting drug use. The first is an issue that we are obviously very sensitive about, while the second is, by definition, about a very marginalised group of people. However, as the conversation that I had today made clear, there is also the issue of complacency to address. We cannot be complacent, because HIV/AIDS is a condition that preys on marginalisation, stigma and complacency.

Like Kezia Dugdale, I want to highlight the work of two organisations that are based in my Edinburgh Southern constituency. The first is Waverley Care, which was set up when Edinburgh was acquiring the title of AIDS capital of Europe. In 1991, it set up Milestone house, the very first AIDS hospice, which was opened by Princess Diana, who in her very direct, human and physical way did so much to break down the barriers of HIV/AIDS.

The story of Waverley Care, which I am very pleased to be visiting on Monday, tracks the story of HIV/AIDS in that it has gone from being an organisation that was focused on end-of-life care to one that is focused on outreach support, respite and helping people with HIV and AIDS to live well. Moreover, it is not only working very hard to speed up discharges from the NHS, but is doing much to address the stigma that members have highlighted. For example, it is working with marginalised communities and focusing on the damaging effects to the individual, as they live with fear of the judgment that HIV status might bring, as well as the damaging effects that are caused by not talking about the issue with other people, by not acquiring information about it and by being scared to be tested. All of those lead to later diagnosis and promote the spread of HIV—in other words, the fear itself drives infection.

I want to highlight two projects in particular. The first is the HIV Always Hear project, which works with church groups and schools to ensure that people have information about HIV. Likewise, the caring conversations project works with general practitioners and other healthcare professionals to ensure that best practice and understanding of the healthcare implications of HIV/AIDS are shared well.

I also want to mention briefly the work of the University of Edinburgh, specifically the HIV, human rights and development network. Its first seminar was hosted here in Parliament by my predecessor Jim Eadie in 2013. It is the UK's first

such network of academics and professionals. They have been brought together to focus on the intersection of HIV and the conditions of powerlessness, poverty, inequality and exploitation, and to look at the social, political and cultural elements that lead to the spread of HIV, and how they can be used to tackle that spread.

As I have said, many members have talked about marginalisation and stigma. I would add complacency to those as the issues that we need to examine and tackle. However, in order to tackle marginalisation, we need to understand that this is an issue that affects people. That approach will breed better understanding, but any such understanding must, in turn, rely on better information and communication. In that way, we will demystify HIV/AIDS and take away the fear and the stigma that contribute so damagingly to the condition.

18:30

**The Minister for Public Health and Sport (Aileen Campbell):** I sincerely thank Kezia Dugdale for securing the debate and for the very informed, passionate and emotional way in which she addressed us. That approach has been echoed by every member who has contributed to the debate.

Kezia Dugdale reminded us that Terrence Higgins died at the age of 37. I will be that age next year. The age at which Terrence Higgins died is a reminder of the tragedy of a life cut short and potential unfulfilled, but his impact has been profound, and the improvements that have been made in his name have been huge.

Like many members who have spoken in the debate—to add to the long list of 1980s children, I was born in 1980—I remember the images that Kezia Dugdale described. I remember the adverts and seeing Princess Diana's work. That illustrates how far we have come. Thankfully, the awful language and tone that were used in the debate in Westminster in 1986 in seeking homosexual dentists and doctors to give up their work and the general lack of awareness of the condition in that debate are as far removed from this informed, eloquent and heart-felt debate as possible.

No matter how far we have travelled on social attitudes and treatment over the 28 years since the first world AIDS day, world AIDS day is important because HIV is still important. It is important not just in Scotland but around the world. The day provides a moment to reflect on the task that lies ahead and presents a valuable opportunity to raise awareness of HIV. I am sure that many of us will take opportunities tomorrow to demonstrate our support for work to raise awareness of HIV and demonstrate our

commitment to stand against HIV stigma. I have been pleased to hear from many members about so many local events and initiatives in their constituencies.

In Scotland, we have very good access to treatment for HIV, as many members have said. However, it is vital that people who are infected but remain undiagnosed are tested and offered treatment. The Scottish Government's sexual health and blood-borne virus framework, which was updated last year, is clear that normalising testing and expanding the provision of testing is key to that. Although treatment is highly effective, public and individual health in Scotland is best improved by preventing infections, and that must continue to be a priority.

**Kezia Dugdale:** Will the minister address Liam McArthur's point about how difficult it is for some people in more rural communities to access the sexual health treatment or testing that is required? Might the Scottish Government look further at whether home testing kits using the postal service are a possibility?

**Aileen Campbell:** I listened to the point that was made by Liam McArthur, who is now away from the chamber, and I take on board the points that Kezia Dugdale has made, of course. I have certainly asked my officials to look into the postal testing kits and to see what progress can be made, if any.

The NHS has a crucial role to play in diagnosis and preventing infection, of course, but I also recognise the important contribution that the third sector makes. Its innovative, hands-on and targeted work to prevent transmission and its holistic, caring and supportive approach with patients do not go unnoticed. That compassion and that caring have been a big theme in the debate, which has been far removed from the language of a

"cesspool of their own making",

which Patrick Harvie mentioned hearing during his time in Manchester.

Although there is no silver bullet when it comes to HIV prevention, many members across the chamber have discussed the contribution that pre-exposure prophylaxis—or PrEP—might make to reducing the number of new cases of HIV in Scotland in the future. We do well to pay heed to the parallels that Patrick Harvie drew between the negative narratives around post-exposure prophylaxis and pre-exposure prophylaxis. From the debate, I think that all parties are very much up for the challenge that he has set to stand to that negativity.

Across all medicines, we remain committed to ensuring that patients in Scotland get access to

the new, innovative treatments that they need. That is why, following the granting of the licence for Truvada for PrEP by the European Medicines Agency earlier this year, the chief pharmaceutical officer has written to its manufacturer, urging it to make a submission to the Scottish Medicines Consortium, at a fair price, so that Truvada's routine use in Scotland can be considered as quickly as possible.

Stigma has undoubtedly been one of the big themes during the debate tonight. All of us want to live in communities that have positive, non-stigmatising and supportive attitudes towards people living with or affected by HIV. That is why our sexual health and blood-borne virus framework addresses stigma as one of its five outcomes. It is why I am sure that we all agree with the theme of world AIDS day this year, which is that stigma is "not retro, just wrong". There is no place for HIV stigma in Scotland today but, as Tom Arthur mentioned, campaigning against stigma is still an unfortunate necessity.

Education undoubtedly plays a big part in the effort to reduce stigma. We all want children to learn tolerance, respect, equality and good citizenship in order to address and prevent prejudice, and we want them to learn about healthy relationships. Relationship, sexual health and parenthood education is already an integral part of the health and wellbeing element of the school curriculum. We are supporting improvements in all those areas and doing more to equip our young people with the ability to cope and to emerge into their adulthood with the tools that they need to make informed and confident choices, and we are ensuring that the resources for that are there for Scottish schools.

Presiding Officer, tomorrow is world AIDS day, and I am sure that we will all take a moment to pause and reflect on those who we know have been lost to or affected by HIV. After listening to everybody's contributions this evening, I am proud that, 28 years from now, those who read our Parliament's *Official Report* will read a debate filled with compassion, tolerance and understanding. Our job, though, is to ensure that those things are felt widely across our society, that we make the medical improvements that we need to and that we challenge the stigma that is felt by too many, too often. What we do not want is to still be grappling with those issues 28 years from now. We must do better than that.

Thank you to everybody who has contributed this evening. It has been an informed, emotional and compassionate debate, and I very much enjoyed everyone's contributions. I thank Kezia Dugdale once again for bringing the issue to the floor of the chamber.

*Meeting closed at 18:37.*





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