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Scottish Parliament

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[The Deputy Presiding Officer opened the meeting at 13:15]

Motor Neurone Disease Global Awareness Day

The Deputy Presiding Officer (Christine Grahame): Good afternoon. The first item of business is a members' business debate on motion S5M-05761, in the name of Christina McKelvie, on motor neurone disease global awareness day. The debate will be concluded without any questions being put.

Motion debated,

That the Parliament notes the work of Motor Neurone Disease (MND) Scotland and the Global MND Awareness Day, which takes place on 21 June 2017; further notes the Parliamentary reception, which is sponsored by MND Scotland, taking place in the evening that day; greatly commends MND Scotland for its inspiring and life-changing work in searching for a cure for the disease; pays tribute to the late campaigner, Gordon Aikman, who raised over £600,000 in the pursuit of finding a cure; notes the recently introduced £25,000 Gordon Aikman Scholarship from the Scottish Government, which will fund individuals and professionals to develop practical improvements to the way care is provided to people with MND; believes that this fund will help people with MND in the Hamilton, Larkhall and Stonehouse constituency and throughout Scotland; reiterates its praise for the work of MND Scotland, and hopes that there is as great a support as possible for MND Scotland's Global MND Awareness Day 2017.

13:15

Christina McKelvie (Hamilton, Larkhall and Stonehouse) (SNP): Before I kick off on the substance of the debate, I give my grateful thanks to all the members from across the chamber who took the time to sign my motion so that I could bring it to the chamber today. I am sure that those members will also have the grateful thanks of the community that supports and looks after people with motor neurone disease.

As I rise today to mark motor neurone disease global awareness day, as part of motor neurone disease global awareness week, I thank all the members who have come to the chamber today to show their support. I also thank them for their continued support in helping the motor neurone disease community, and in fighting to find a cure.

I also warmly invite members to the parliamentary reception that I will host in the garden lobby of the Parliament building at 6 o'clock this evening, where we can hear directly from MND Scotland, its patrons and people whom it supports.

As you know, Presiding Officer, motor neurone disease is indiscriminate. It knows no borders, no class, no race and no gender. It does not discriminate based on income or status, nor does it hold judgment on rich or poor. It is unrelenting, it is terminal and it is cruel.

However, as events of the past week at Grenfell tower and in Finsbury Park have shown, in the face of cruelty, we find community. Motor neurone disease global awareness day is such community; it is a specific day that binds people together—a day on which we all stand united in awareness of motor neurone disease and, of course, united in search of a cure.

This awareness day does exactly what it sets out to do: it gets people talking about MND in order to spread awareness of the issue, to campaign and to raise money. That money is vital, as always. It is precisely why the Scottish Government listened to MND Scotland and why we listened to the late Gordon Aikman, who was a friend to many people in this chamber.

The Scottish Government pledged to invest more in research for motor neurone disease and, as far as I can see, it is beginning to deliver that. The Scottish Government pledged to double the number of motor neurone disease nurses, and we now seem to be in a position where that is being delivered too. The Scottish Government also pledged to give motor neurone disease patients a voice, and through the inspirational work of Professor Siddharthan Chandran—whom I have met many times—and his inspiring team at the Euan MacDonald centre for motor neurone disease research, it is delivering on giving motor neurone disease patients a literal voice as well as an holistic care approach.

We will not stop there, because we cannot stop there. The work of MND Scotland will guide the Government to further action. I know that it is pretty insistent on doing that—as are many of us in the chamber—for which I commend it.

Presiding Officer, as you know I have a long-standing relationship with MND Scotland. Its support, advice and advocacy not only for me, but for the 450 people in Scotland who currently live with MND, have been invaluable, not just to my family but to many families.

Let us make no mistake about it—people who live with MND do not have long, so we do not have long. It is a race against time, and until this moment, that race has only ever had one outcome. The average life expectancy after diagnosis is 14 months. I repeat: 14 months. That is all. In real terms, that is nothing. It is mere hours with loved ones, and brief moments with friends. Some might say that in Scotland and the United Kingdom it is the equivalent of at least three

general elections. I say that just to try to bring a bit of lightness to the debate. That shows how short a time people have. Every moment of that time is utterly precious; every moment is accounted for.

Although we celebrate in the time that we have left, we must also make the reality better for those who must go through the MND journey. That journey has just been made a little bit easier. I am talking about a literal journey. In partnership with ScotRail, MND Scotland yesterday announced its “Journey to a cure”, which includes a pledge from ScotRail to increase accessibility of its trains for passengers living with MND and many other conditions.

We must also realise that MND is not just a neurological condition. Where possible, it is incumbent on us all to make that journey just a little bit more comfortable for those with MND and those who care for them. That is why I am reiterating my call to the Scottish Government—“Let’s Get Benefits Right” for MND patients. Let us grant lifetime welfare awards for people who live with lifelong terminal illnesses, because that lifetime is quite short.

Time is precious. For the 14 months from diagnosis, time is running out. It is a countdown—the clock is ticking. MND patients should not be available at the behest of Department for Work and Pensions officials: they should not have to rely on the mercy of individuals in the welfare system. Let us all, together, ensure that the precious moments that they have left on this earth are spent in happiness and dignity, and not in a state of destitution and worry about their welfare.

My relationship with MND has been well told in this chamber and more widely. Members are well-versed in it, and I make no apologies for that. For 10 years, I have been raising the issue in Parliament, and in those 10 years I have seen good advances.

For me, since the age of nine, MND has been an all-too-familiar disease in my family. Now, at the age of 21—maybe I am a bit older than 21—I have become much better versed in how MND affects other people’s families, too.

What do we do? We honour those people. We honour my dad, we honour my friend Owen McGhee, and we honour our friends and others’ friends, including Gordon Aikman, Euan MacDonald and Jimmy Johnstone. My family sends heartfelt best wishes to the family of Doddie Weir and we honour him and his brave decision to come out and tell us yesterday of his trials with MND.

How do we honour them? We do so with debates such as this one, with the reception that everyone is welcome to come to tonight, with skydiving, with fire walking, with zip sliding, and

with everything else that MND Scotland seems to be able to get us all to do, including monthly charitable donations and contributions to research, development and support. All those things matter; all that help matters.

When our friends and their families lose their voices to MND, we honour them by raising our voices in this chamber and outwith it at any opportunity. We raise our voices higher to seek better systems and to seek support for that research, and to maintain hope—yes, hope—when for some people, all hope was gone. It is up to us to pick up the issue and run with it. We can do that together in Parliament, across this land and all around world on this global awareness day. Together, we can cure MND.

13:23

Kezia Dugdale (Lothian) (Lab): I remind members of my entry in the register of members’ interests stating that I give all my external earnings to MND Scotland. I thank Christina McKelvie very much indeed for hosting today’s debate. As she mentioned, she has a long-standing, passionate interest in the disease and a long-standing commitment to finding a cure for it.

Christina McKelvie referenced the news that we heard today about Doddie Weir, that great Scotland giant of the rugby field, who faces his own MND diagnosis. She mentioned that this is not the first sports star we have heard of who has the condition. We can think of Fernando Ricksen, Jimmy Johnstone, Joost van der Westhuizen—the South African rugby player who used to torment Scotland on the rugby field—and even Lou Gehrig, who was an American baseball player in the 1920s who got the disease. For many years in America, MND or amyotrophic lateral sclerosis—ALS—was called Lou Gehrig’s disease in his memory.

There is undoubtedly a link between MND and sport—at least, we think that there is; we do not know, because we do not really know enough about MND and why people get it. That is why we have to do more research to find out about the disease and to find a cure.

We think that there is a link between getting head and neck injuries and getting MND, but again, we do not know, which is why we need more research money. We think that 5 to 10 per cent of people who get MND get it genetically and about 90 per cent of people get it through environmental factors, but again, we do not know.

My dear friend Gordon Aikman was an international gymnast for Scotland. He could have been one of the sports stars who get the disease because of their history of competitive sport, but we do not know, and he will never know.

The last time I saw Gordon was at the Euan MacDonald centre, when I was visiting to see much of the work that I know Christina McKelvie has seen over the years. Gordon and I were shown fantastic new research that the University of Edinburgh had done using zebrafish. Those tiny little fish can grow motor neurone cells that regenerate themselves; in humans, those cells affect muscle tissue, speech and many other functions. Experts at Edinburgh university now think that they can produce drugs that will help zebrafish to multiply those cells in their bodies. Once the experts have cracked that, they will be able to use that technology in humans and perhaps get humans to regenerate their own motor neurone cells, which could lead to finding a cure for the disease.

It was truly inspirational to see that work, which has global and world-leading potential, but it is poorly funded. Three countries in the world could find a cure for motor neurone disease: Canada, Israel and Scotland. Would it not be fantastic if Scotland set a national ambition to be the country that finds the cure to motor neurone disease? I appeal to the Scottish Government to take on that idea.

When I left the Euan MacDonald centre, I kissed Gordon goodbye and said that I would see him later, but I never did. For as long as we debate motor neurone disease in this chamber, I will speak in his memory and say some of the things that he would want us to talk about.

Christina McKelvie touched on my next point. We cannot ignore the fact that today is the day of the Queen's speech, which will contain further cuts to the social security system that we collectively built as a nation. One of the things that the Tories will cut is the Motability scheme, which Gordon used. He got a Jeep—a high car that he could climb into without having to move his legs too much. It was adapted so that he could use the gear stick, and it had additional sensors that acted faster for him whenever there was a danger, so that he could respond in time. That car gave him the freedom and independence that he needed for three months when he was still able to drive. I am not sure that he would get that today under the Tories, and I sincerely regret that.

We have powers in this place over personal independence payments, disability living allowance, attendance allowance and carers allowance. We have the power to guarantee automatic entitlement to benefits. Like Christina McKelvie, I very much hope that the Scottish Parliament will grab that opportunity and run with it.

Today is MND global awareness day. We must remind ourselves why we have to keep explaining what MND is and keep telling its story. As

Christina McKelvie said, we do that because many people who get MND die so quickly. It is not commercially viable to spend money on researching the disease because people die too quickly to get the drugs that are needed to cure it. That is why each and every one of us who has been affected by MND needs to use that experience to speak up about the disease and aspire to find a cure here in Scotland.

13:27

Clare Haughey (Rutherglen) (SNP): I thank Christina McKelvie for securing the debate, which allows us the opportunity to recognise the important and inspiring work that MND Scotland is doing. There can be no doubt that Gordon Aikman's brave and very public battle with this progressive condition, while at the same time fundraising more than £600,000 for MND research, raised public and political awareness of the disease and of the profound effect that it has on patients and their families.

Gordon was full of praise for his specialist nurses and carers and, through his Gordon's fightback campaign, he succeeded in securing his primary objective of getting the Scottish Government to agree to double the number of MND specialist nurses in Scotland. Those nurses are now paid by the national health service, which allows the charitable donations through which MND nurses were previously paid to be channelled into better support and care and into research for a cure.

We can only imagine how devastating an MND diagnosis is for the individual who receives it. Learning about how the condition progressively impacts all physical functions will be terrifying, and having to come to terms with experiencing a loss of mobility—and indeed with the inability to move at all—is unimaginable. They must understand that intimate personal care will be required, and they must fear that the time will come when communication may come down to electronic aids, signals or even just the blink of an eye. They must understand that intensive support and loss of independence will be inevitable. Then there is the realisation of the impact that that will have on family and friends, who have to witness it all, and the absolute knowledge that they cannot do anything to stop this progressive disease.

The diagnosis has an enormous impact on the lives and wellbeing of the patient's family and loved ones. There is no certainty about the future, as patients experience the progression of the disease differently and at different rates of acceleration.

Twenty-four-hour care will always be inevitable, and the financial implications of loss of earnings

will bring added stress to already unimaginable suffering. Because people face a future of no certainty, psychological and emotional support are essential for the patient and their loved ones. MND Scotland offers important counselling services and complementary therapies for patients and their families. In addition to the excellent care that NHS healthcare professionals give, MND Scotland provides a wide range of other support for patients and their families to help them to cope not only with the physical aspects of the condition—through things such as equipment loan services—but with practical aspects such as welfare and benefits.

Although good progress has been made on several of the objectives that are promoted by the Gordon's fightback campaign, work is still required in other areas. One of those is the fast tracking of benefits. It is simply not acceptable that people with terminal diagnoses of illnesses such as MND should have to wait long periods before receiving the Department for Work and Pensions benefit awards that they are due and urgently require. I therefore welcome the work that is being done on the Scottish Government's behalf by the disability and carers benefits expert advisory group to look at automatic and lifetime awards for those with terminal conditions.

With our new powers over social security, the Scottish Government wants to stop the revolving door of assessments and the stress and anxiety that that brings for those with long-term illnesses, disabilities or conditions. In building a new Scottish social security system that is based on dignity and respect, the Government is committed to introducing long-term awards.

As we have heard, MND currently has no cure. Research is vital to help to find a cure and to improve the lives of those who are living with MND. On MND global awareness day, it is right for us to commend the work of MND Scotland. This week, it announced a further £583,000 of MND Scotland-funded research into this devastating illness. It is right, too, that members across the chamber should support the efforts of MND Scotland to increase research investment across the United Kingdom, to bring more clinical trials to Scotland and to ensure that, as a society, we strive to provide a sensitive and dignified support system for those who are living and coping with motor neurone disease.

13:32

Donald Cameron (Highlands and Islands) (Con): I am delighted to contribute to the debate and I thank Christina McKelvie for bringing it to the chamber. Although we debated issues around motor neurone disease back in February, when the Parliament commemorated the life and

achievements of Gordon Aikman, it is crucial that we keep such matters in the public domain. Pressure and momentum must be maintained. I commend the will of parliamentarians across the chamber to keep motor neurone disease to the fore.

The debate is particularly poignant after we learned in the news yesterday that one of Scotland's rugby legends, Doddie Weir, announced that he has been diagnosed with MND. Doddie Weir was one of my childhood heroes. Many rugby fans and others will remember his athletic prowess as he towered above others in the line-out. He was a true talisman in the Scottish rugby teams of the mid-1990s. This will understandably be an extremely hard time for his family and friends, but we can all be heartened by his commitment to spend as much time as possible supporting research of the condition through his support of the Euan MacDonald centre, which members have mentioned, and by raising awareness and funds.

As Clare Haughey mentioned, the diagnosis of such a condition must be a devastating hammer blow, so it is truly incredible for someone to have the ability to see light at the end of the tunnel and go out make the best of the situation. What is especially inspiring about Doddie Weir is that he revealed his diagnosis yesterday in order to mark global MND awareness day and to raise public awareness. As the motion states, today is that day.

I commend the Scottish Government for establishing the Gordon Aikman scholarship, which the Cabinet Secretary for Health and Sport announced in February. As she noted at the time, the scholarship

"will fund professionals or individuals with knowledge of MND to take forward research into new and better ways of caring for people with the condition."—[*Official Report*, 22 February 2017; c 33.]

I think that I am right in saying that MND Scotland has matched that funding, which is wonderful and welcome news.

In my view, supporting research is one of the most important ways in which we can support people with MND. The short-term aim is to extend life expectancy and, with that, allow people greater personal freedom and dignity. Crucially, investment in research will assist with the long-term aim of finding a cure.

With that in mind, I commend the work of MND Scotland and its focus on research. I welcome the news that it is committing a further £583,000 to research projects that will look at several things, including protecting motor neurones, investigating issues around apathy in MND, links between metabolism and MND, and how gene mutations

react with proteins that help to protect motor neurones.

I am particularly intrigued by the research into apathy, because even those who have taken on Herculean projects to support MND research while living with the condition will have days when they are too mentally and physically fatigued to do anything at all and lack motivation. The aim of the research is to assess the real-life impact of specific types of apathy on people living with MND and their families, through the course of their illness.

As MND Scotland notes, that area has not yet been explored to any great extent and

“such demotivational problems are rarely assessed in clinical practice”.

Hopefully, such research will help to guide intervention and management of symptoms so as to improve the lives and care of people living with MND and their families. That is just one snapshot of the important work that is going into MND research. I know that other members will go into more detail about other areas.

It is important that members of the Scottish Parliament continue to talk about MND and the work of the many charities and individuals involved in research, fundraising and awareness. I once again commend the efforts of organisations such as MND Scotland that work day in, day out, to improve the lives of those with MND and to find treatments so that, eventually, the condition can be cured.

13:36

Monica Lennon (Central Scotland) (Lab): I give heartfelt thanks to Christina McKelvie for bringing this important issue to the chamber and for all her tireless campaigning over many years.

Motor neurone disease has a devastating and sudden impact on the lives of those who are diagnosed with it, and the lives of those who love them. Being diagnosed with MND—with its cause unknown and there still being no cure—is a truly life-altering event. The uncertainty of the illness, its pace, and the different way in which it affects different individuals, in addition to the finality of the diagnosis, all contribute to what makes MND so difficult to cope with. The all-too-quick deterioration from being able-bodied and healthy to succumbing to MND and then being unable to walk, or even speak, is a cruel and difficult experience for anyone.

Gordon Aikman—we are all familiar with his name—was incredibly brave in the final years of his life following his diagnosis with MND. His relentless pursuit of a cure and the fundraising that

has resulted from his efforts are a fitting legacy and a testament to his character.

I congratulate MND Scotland on its tireless campaigning work, and I add my good wishes to everyone who is looking forward to the reception that will be hosted by MND Scotland in the Parliament this evening.

I will use the rest of my speech to talk about someone I know who has MND—a constituent of mine whose family I have known for many years, and who I have had the fortune of being reacquainted with over the last few months, for perhaps the most unfortunate of reasons.

Frank Lyons, who lives in Hamilton in South Lanarkshire, was diagnosed with MND in September 2014. Just months after Frank took part in the famous ice-bucket challenge to raise awareness of the condition, he started experiencing difficulty swallowing and soon after began to find difficulty with his speech. He was in Australia at the time, where he had lived and worked with his wife Rae since 2007. When he first went to a doctor, Frank was initially told he had had a minor stroke and Rae thought that perhaps he had multiple sclerosis or Parkinson's.

It was almost another year before Frank received a formal diagnosis of MND, just before he was due to return to Scotland for a family wedding. He puts the length of time between his symptoms first appearing and his receiving a formal diagnosis down to the fact that MND appeared to be less well known about in Australia. At first, navigating the nuances of a foreign healthcare system was another barrier to the Lyons family. Confused by the difference between public and private healthcare and unsure about where to go or who to ask for help, Frank's wife said that their private healthcare often felt like they were paying more for no extra care or service.

To begin with, they always had different people coming to their home, with no consistency or continuity of care. That made a difficult situation all the more challenging. Diagnosed with a life-limiting condition in a foreign country with few friends or family to support him, the very least that Frank needed was someone in his healthcare team who could oversee his care. Once he had a permanent point of contact who visited once a month, things got better. That experience of the Lyons family underlines how important specialist MND support is; no matter where we are in the world, continuity of care brings peace of mind, knowing that there is one specialist point of contact who can direct specialist care.

Gordon Aikman's success in doubling the number of MND nurses in Scotland and paying them from the public purse simply cannot be praised enough. The difference that that will make

to people like Frank Lyons across the country and in the years to come is simply immeasurable.

Frank has now returned to live in Hamilton, where he has been attending Kilbryde Hospice, which serves South Lanarkshire, as a day patient over the past year. Like Gordon, Frank has not been slowed down by MND. Although he has lost the use of his voice, he has been campaigning hard to expand in-patient provision at the hospice, sending countless emails and getting the backing of the local paper, the *East Kilbride News*, for his campaign. The work of the staff at Kilbryde Hospice has given Frank and Rae a better understanding of the condition. He is certain that Kilbryde is where he wants to stay towards the end of his illness, should he require in-patient care. Frank is an inspiration, and I hope that he will be successful in his wish to remain at Kilbryde Hospice at the end of his illness.

Support for the work of campaigners such as Frank Lyons and of MND Scotland to improve the lives of those with the condition—with automatic entitlement and lifetime awards of benefits and free social care provision for all who need it—has to be the priority for us in the Scottish Parliament.

13:41

Brian Whittle (South Scotland) (Con): I thank Christina McKelvie for bringing this debate to the chamber.

Why are we here today? Members' business debates often present Holyrood at its best. The chamber gives us a powerful platform to speak not only for ourselves, but for others. Today's debate will be watched online, our speeches will be entered into the public record and journalists will report what was said through social media. All that will help to spread knowledge and awareness of important issues that should not be obscured by the fog of party politics.

Scotland is arguably more aware of the realities of motor neurone disease than most, thanks in no small part to the work of Gordon Aikman. I am sure that my colleagues across the chamber will agree that one of the most important legacies of his campaign—Gordon's fightback—is the greater awareness of MND not only among parliamentarians but among the public at large.

The desire to spread awareness about MND that Gordon Aikman embodied continues today. Yesterday, my friend—[*Interruption.*] He is going to call me such a big jessie.

The Deputy Presiding Officer: That is the last thing that you are, Mr Whittle.

Brian Whittle: My friend, the former Lions and Scotland rugby international Doddie Weir announced yesterday that he has motor neurone

disease. He is going to call me a big jessie—or a small jessie, as he is the only man who could get away with calling me “wee man”. I was supposed to be playing golf with him this weekend—he plays golf like a giraffe going for a drink.

Doddie's announcement highlights the indiscriminate nature of this horrible disease, and his decision to speak out and commit to raising awareness about the condition is admirable. I intend to help him to do that in any way that I can. MND sufferers such as Doddie and Gordon who choose to speak out about their condition give us an incredible insight into the world of an MND patient.

They say that a problem shared is a problem halved. It must surely follow that the more widely a problem is shared, the more manageable that problem becomes. Events such as motor neurone disease global awareness day are vital if we are to address the complex problems of tackling diseases like MND and of how to support patients and work to find a cure.

I welcome the Scottish Government's creation of the Gordon Aikman scholarship as part of this country's efforts to make life easier for MND patients. If the scholarship proves successful in generating innovative new ways to improve care for MND patients, I hope that we might see support for similar initiatives for other life-changing conditions such as Huntington's, MS or dementia.

In addition to improving our understanding, today gives us the opportunity to recognise the work that is already being done across Scotland, and the world, to help people with MND.

To MND nurses, researchers and campaigners, I say thank you. Perhaps the biggest thanks should go to the thousands of people across Scotland who go out of their way to raise funds for causes such as MND Scotland. Their willingness to run marathons, pour freezing water over their heads or to do anything else to raise funds should never be underestimated or taken for granted. To each and every one of them, I say thank you. Most of those people will go through life never meeting anyone with MND, but that has not stopped them. Those people do not need to know someone with MND to understand the effect that it has on those who have that disease, and they do not need to have someone in their family with MND to understand the heartache of watching a loved one's body fail, even if their mind remains strong. They do not need those things because they have awareness, and that awareness is thanks to the work of MND Scotland, Gordon Aikman and others who have chosen to speak out about their battles with MND.

One of the oldest axioms in politics is that knowledge is power. That is true not only in

politics, because the more of us who have knowledge of conditions such as MND, the more power we have to do something about it. That is why today is important, that is why the work of MND Scotland is important and it is why the Gordon's fightback campaign makes such a difference. By sharing their knowledge of MND, people give us the power to change things.

I began by asking why we are here today. We are here to change things. It is only by talking about MND and conditions like it that we can change things for the better. Winston Churchill said:

"If you have an important point to make, don't try to be subtle or clever. Use a pile driver. Hit the point once. Then come back and hit it again. Then hit it a third time—a tremendous whack."

I intend to keep hammering away until things get better, and I hope that colleagues across the chamber will do the same.

13:46

The Minister for Mental Health (Maureen Watt): I am pleased to be able to respond on behalf of the Government this afternoon as we mark MND awareness week and MND global awareness day. I thank Christina McKelvie for moving the motion and securing this important debate. Since entering Parliament in 2007, Christina McKelvie has tirelessly championed MND awareness, as the result of her father being diagnosed with the disease. In the speeches that we have heard from across the parties there have been powerful and personal stories of how MND touches the lives of many families across the country. As Brian Whittle mentioned, just yesterday, his friend Doddie Weir revealed that he had been diagnosed with MND. I am sure that the thoughts and prayers of all of us are with him and his family.

So many members in this chamber are knowledgeable about MND that I think we should be able to crack it, as Kezia Dugdale so clearly said that we should be able to do. It is clear from the remarks of many members how much of an inspiration the late Gordon Aikman was, and how great an impact his work with MND Scotland has had in transforming care for people living with the condition.

As others have said, the Gordon's fightback campaign has raised in excess of £600,000 for MND Scotland. That is an exceptional sum that will be invested in research that is aimed at finding a cure for MND. This Government is proud to have worked with Gordon and MND Scotland on the hugely successful campaign, and we are honoured to have played our part in helping to achieve some goals that he set not for his own

sake but to make life better for others. We have invested an extra £2.5 million annually in the specialist nursing and care fund. As Clare Haughey said, that has more than doubled the number of MND specialist nurses across the country and has ensured that all of them are now funded by the NHS.

Rachael Hamilton (Ettrick, Roxburgh and Berwickshire) (Con): Monica Lennon made an important point about specialist nursing care. NHS Borders accesses MND nurses from NHS Lothian, and there are 14 MND patients in the NHS Borders area just now. Adding the NHS Borders patient numbers to those in NHS Lothian results in a ratio of one MND nurse to every 1.36 patients. Can the minister tell us whether there are any plans to lower that ratio to ensure that patients with MND receive the best possible care?

Maureen Watt: In relation to numbers, each and every health board will have specialists, and cross-border health board working can ensure that we have access to a larger body of nurses. That is important. On the question the member asked, I will try to find out whether there are any specific plans to reduce the ratio and, indeed, whether that is necessary.

As I said, we have doubled the number of MND specialist nurses across the country and ensured that they are all funded by the NHS. We have legislated to give a statutory right to communication equipment and support in order to give a voice to people who do not have a voice or are at risk of losing theirs. We are also paying a real living wage to social care workers, which was another key aspect of the campaign.

We have provided local authorities with £6 million in 2016-17 to increase the thresholds at which people start to pay for their care and, working with the Convention of Scottish Local Authorities, we have already ensured that no one in the last six months of a terminal illness pays for the care that they receive at home. As we have set out in both our manifesto and our programme for government, we are carrying out a feasibility study on extending free personal care to people under the age of 65, regardless of their medical conditions. The findings of that study will be given to ministers at the end of the summer.

Significantly, we are investing in MND research, which we all know was hugely important to Gordon. Over the next three years there will be six newly funded MND-dedicated PhD posts in our universities as a result of Gordon's campaign. Kezia Dugdale and others will want to know that we are working with the chief scientist office to hold an MND research symposium later this year, bringing together experts committed to finding a cure.

Members may also recall that during the debate following Gordon's passing in February, the Cabinet Secretary for Health and Sport announced that we would create the Gordon Aikman scholarship programme. That programme will commemorate Gordon's contribution to improving the provision of specialist care and research for those with MND. I am pleased to confirm that the scholarship, which is a joint partnership with MND Scotland, is now open for applications. Furthermore, thanks to MND Scotland matching the Scottish Government funding of £25,000, the scholarship will be doubled to £50,000.

The fund will support individuals and professionals to develop, implement and evaluate practical interventions to improve the quality of life for people who are affected by the condition. The scholarships will continue to drive forward the improvements to MND care that Gordon had kick-started in Scotland and they will be a fitting tribute to a truly inspirational person. The scholarship scheme will be administered by the nursing, midwifery and allied health professions research unit at the University of Stirling. I am especially committed to learning from those affected by MND and a significant amount of the funding will be invested in a project led by people with MND or their carers. I want to make sure that the momentum that Gordon created and the good work that followed continues to be taken forward.

Christina McKelvie mentioned social security, and I underline our commitment that when the powers for disability benefits transfer to this Parliament, a fast-track system will be in place for those who are terminally ill so that payments can get to those people as soon as possible. In building our own social security system in Scotland we have committed to a rights-based approach that will exemplify the founding principles of dignity, fairness and respect. We will do that from the ground up, basing our policy, design and delivery decisions on the lived experience of those currently using the UK benefit system, those with expertise in providing advice and support and those with experience in delivery.

The recruitment of more than 2,000 volunteers to our experience panels will help us to design and test our communication channels, application processes, appeals framework, decision making, assessment process and information technology systems. We agreed to on-going engagement with MND Scotland to ensure that it is involved in the development of our policies on disability benefits eligibility and assessment, particularly in relation to award duration and automatic entitlement.

I pay tribute to the work of MND Scotland and the tireless efforts of the late Gordon Aikman. I give my commitment that we will continue to work with MND Scotland and others to ensure that

Gordon's legacy of lasting, practical improvement in the lives of people with MND is delivered.

The Deputy Presiding Officer: I thank members for their very personal and heartfelt contributions. As Mr Whittle said, they show the Parliament to the public in a different light.

13:55

Meeting suspended.

14:00

On resuming—

Business Motion

The Presiding Officer (Ken Macintosh): Our next item of business is consideration of business motion S5M-06270, in the name of Joe FitzPatrick, on behalf of the Parliamentary Bureau, on the suspension of standing orders in relation to consideration of a Scottish statutory instrument later this afternoon.

Motion moved,

That the Parliament agrees that, for the purpose of consideration of the Prohibited Procedures on Protected Animals (Exemptions) (Scotland) Amendment Regulations 2017 [draft], in Rule 10.6.5 of the Standing Orders, the second and third sentences are suspended.—[Joe FitzPatrick]

Motion agreed to.

Portfolio Question Time

14:00

Health and Sport

The Presiding Officer (Ken Macintosh): Question 1 has not been lodged.

Dentists (Rural and Island Communities)

2. Rhoda Grant (Highlands and Islands) (Lab): To ask the Scottish Government what action it is taking to address the reported shortage of dentists in rural and island communities. (S5O-01136)

The Minister for Public Health and Sport (Aileen Campbell): There has been a substantial increase under this Government in the numbers of high street dentists providing national health service dental care in Scotland. We recognise the potential challenges facing very remote and island communities, and that is why we have put recruitment and retention allowances for high street dentists in place. The areas where those allowances are available are reviewed annually to ensure that the needs of our island and rural communities are reflected.

Rhoda Grant: I thank the minister for that answer, but that has had little impact. She will be aware that a dental practice has closed in the Uists and that there are proposals to close another one there. The lack of dentists in Lewis means that 6,000 people are without a dentist, and there is a similar situation in Shetland, where people are being asked to fly to the mainland to access private dental treatment.

Nothing that the minister has specified has changed that. It is not enough, and she knows that poor dental health impacts on an individual's overall health. What is she going to do to ensure that my constituents can access dental services close to home?

Aileen Campbell: In relation to Lewis, officials have been working closely with the health board over the past few months. We expect a new high street dental practice to open in Stornoway within the coming months. As soon as an opening date has been confirmed, we will be sure to let interested members know about it.

As for Shetland, capacity is being built. This is the first time that a high street dental practice is offering NHS dental services. The opening of that in Shetland will enable the board to free up the PDS—the public dental service—to ensure that those islands that are further away from the Mainland of Shetland have access to dentists.

I should point out that the Government's record is strong when it comes to dentists. More than 91 per cent of people in Scotland are registered with an NHS dentist, compared with only 52 per cent in September 2007. What we inherited in 2007 has been drastically overcome, and we will continue to build on that record to ensure that people across the country, regardless of whether they live in rural or island communities, get the access that they deserve.

Edward Mountain (Highlands and Islands) (Con): I wish to question the minister further. It is not just about dental health. In Caithness, there are plans for NHS Highland to pool services between three medical surgeries, which is totally unacceptable. Does the minister have a view on that, or is that acceptable, too?

The Presiding Officer: That is slightly tangential, but the minister may briefly respond.

Aileen Campbell: We will endeavour to ensure that we engage with the member about the issues. The Government is ensuring that there is adequate local provision for people who require medical help and support, as well as ensuring that we have the clinically driven evidence that is required for the appropriate siting of specialist services, delivered in a safe way for patients. We have a strong record in ensuring that medical support is provided in localities that are suited to people.

On the issue that Edward Mountain raises, we will continue to work with him to ensure that that provision can be enhanced.

Gillian Martin (Aberdeenshire East) (SNP): I have a relevant supplementary question, Presiding Officer.

I remember a situation in Aberdeen and Aberdeenshire years ago, when there were queues round the block to register with NHS dentists, such was the demand of patients relative to the shortage of NHS dentists. How has the number of dentists being trained and employed to deliver NHS services changed over the past decade?

The Presiding Officer: The minister will note that it is for the chair to decide what is and is not relevant.

Aileen Campbell: Okay. Thank you, Presiding Officer. However, Gillian Martin is right and correct to point out that there has been significant change over the past 10 years, and part of that success has been down to the opening in 2008 of the Aberdeen dental school, which is near the area that the member represents and has helped to increase the supply of dentists in the north of Scotland by 31 per cent over the same period.

Again, over the past 10 years, the number of dentists, both independent and employed, providing NHS general dental services has increased by almost 30 per cent, and we now have nearly 3,350 dentists in Scotland providing NHS general dental services. We continue to train dentists to ensure that the dental workforce of the future reflects our population's needs, with 178 students expected to graduate this year, compared with 133 in 2008.

Registered Nurses from the European Union (EU Referendum)

3. Colin Beattie (Midlothian North and Musselburgh) (SNP): To ask the Scottish Government how many nurses from the rest of the European Union have registered to work in Scotland since the EU referendum was held, in light of a recent report suggesting that there has been a 96 per cent decline in the United Kingdom as a whole. (S5O-01137)

The Cabinet Secretary for Health and Sport (Shona Robison): It is important to note that, despite the huge drop that the member has referred to in registrations across the UK as a whole, the Nursing and Midwifery Council has actually recorded an increase over the year to May 2017 of approximately 7.4 per cent in the number of EU-trained nurses registered to an address in Scotland.

Colin Beattie: The cabinet secretary might be aware that, as the nursing establishment has expanded following the application of workforce planning tools, the boards have a number of vacancies to fill. Does she therefore agree that losing the option of freely recruiting nurses from elsewhere in the EU will result in great strains on the national health service and might impact on patient services across the region and particularly in my Midlothian North and Musselburgh constituency?

Shona Robison: I very much agree with the member. The Health Foundation figures that the member has referred to show a 96 per cent drop in the number of nurses from the EU registering to practise in the UK as a whole since July last year, and it is extremely concerning that only 46 EU nurses registered in April. The point is that, without EU nurses, it will be even harder for the NHS and social care providers to find the staff that they need to provide our services. That is another negative consequence of a hard Brexit, which is, of course, something that we need to avoid.

Dean Lockhart (Mid Scotland and Fife) (Con): I remind the cabinet secretary that nurse shortages existed for a long time before the EU referendum. In fact, when she was health secretary, the First Minister cut nurse training places by a fifth. Does the cabinet secretary

therefore accept that the current nurse shortages in Scotland are a result of that decision?

Shona Robison: What Dean Lockhart has not acknowledged is the fact that we have more qualified nurses and midwives than we had previously; indeed, under this Government, the number has increased by more than 2,700 whole-time equivalents. Of course, there is more to be done, which is why, this year, we have seen the fifth successive rise in student nursing and midwifery intakes to bring us closer to delivering our commitment to creating 1,000 extra nursing and midwifery training places over the course of the Parliament. I would have thought that Dean Lockhart would welcome that.

Recruitment of Nurses and Midwives (NHS Scotland)

4. Bill Bowman (North East Scotland) (Con): To ask the Scottish Government what steps it is taking to support NHS Scotland's recruitment of nurses and midwives. (S5O-01138)

The Cabinet Secretary for Health and Sport (Shona Robison): Workforce planning is the responsibility of national health service boards, which have fully delegated powers to recruit and plan their workforce in the way that best serves the needs of their population. The Scottish Government works closely with NHS boards in their recruitment efforts and a great deal is already being done to deliver sustainable solutions to workforce challenges.

Since 2007, the number of qualified nurses and midwives in NHS Scotland has increased by 6.7 per cent, or more than 2,700 whole-time equivalent qualified staff. We have also recommended a fifth successive increase in nursing and midwifery student intakes in 2017-18. Finally, a national health and social care workforce plan is being developed to strengthen workforce planning practice, including within the nursing workforce.

Bill Bowman: The Royal College of Nursing wrote to me this morning. It said:

"Nursing morale is low, and teams are struggling to recruit and retain the staff they need".

The latest figures show that the nursing and midwifery vacancy rate stands at 4.5 per cent, which is the highest rate ever reported. With unfilled posts at that level, how will patients receive the care that they need?

Shona Robison: We work very closely with the RCN. I meet it regularly and, of course, I listen to any concerns that it raises.

On nursing vacancies, in some specialties in particular, the creation of more posts has an impact on the number of vacancies, but it is

important that vacancies are filled. There is work with boards to ensure that, as we drive down agency costs and the reliance on agency recruitment, part of the solution is the filling of substantive posts. The work with boards to ensure that vacancies are filled is on-going.

There are challenges in particular specialties such as paediatrics and district nursing that are partly linked to the creation of new posts. There is, of course, a major expansion of health visitor posts, which will take time to fill, but great efforts are being made to do that.

Anas Sarwar (Glasgow) (Lab): Under the cabinet secretary, we have seen a workforce crisis, with more than 2,500 nursing and midwifery vacancies. When will the cabinet secretary publish the workforce plan? Will she do so before the summer recess? When will she clamp down on the £175 million of agency spend? When will she scrap the NHS pay cap? Should we accept that the cabinet secretary who helped to create the problem cannot be the one who can fix it and that, instead, we should wait for the expected reshuffle and ask the next health secretary the questions?

Shona Robison: Such a charmer.

The workplace plan will be published before the recess.

The Government has less agency spend than the agency spend that we inherited from when Labour was in power. As I said in my previous answer, we have a lot of work under way to drive that spend down, but it is still less than what we inherited.

On the pay cap, I hope that we can address pay issues with the staff side. As I said previously and as the First Minister has said, it is important that we take that issue forward. We very much recognise that inflation and costs are rising. Discussions with the staff side are under way in order to find a way forward that we can jointly agree on.

Anas Sarwar might want to reflect on other parts of these islands. Nurses' pay under the Scottish Government is higher than that in any other parts of these islands. In particular, the lowest-paid staff in the NHS in Scotland are paid over £1,000 more than those in other parts of these islands.

We have done a lot of work, and we will continue to do that work in partnership with the staff side.

NHS Greater Glasgow and Clyde (Chief Executive)

5. Stuart McMillan (Greenock and Inverclyde) (SNP): To ask the Scottish Government whether the health secretary has met the new chief

executive of NHS Greater Glasgow and Clyde and, if so, what was discussed. (S5O-01139)

The Cabinet Secretary for Health and Sport (Shona Robison): I have met the new chief executive of NHS Greater Glasgow and Clyde, Jane Grant, and we discussed matters of importance to local people.

Stuart McMillan: Does the cabinet secretary agree that the appointment of the new chief executive of NHS Greater Glasgow and Clyde gives the board the opportunity to significantly improve its communications with elected representatives and the wider public, not least on matters to do with local service changes?

Shona Robison: Yes. I expect all health boards, including NHS Greater Glasgow and Clyde, to meaningfully communicate and engage with all local stakeholders in line with national guidelines and standards, especially when local service changes are proposed. I know that the new chief executive of NHS Greater Glasgow and Clyde is taking the opportunity to review a number of arrangements at the board and that she is fully committed to working effectively with local representatives and local people in the best interests of patients.

Maurice Corry (West Scotland) (Con): The people of West Scotland are concerned about the suggested moving of general practitioner out-of-hours services from the Vale of Leven hospital to the Royal Alexandra hospital in Paisley. Locally, that is viewed as going against the spirit and substance of the vision for the Vale. The public are concerned about the time and distance that would be placed between them and a primary care source. Will the minister confirm whether the move of GP out-of-hours services from the Vale will go ahead?

Shona Robison: The issue of out-of-hours services is challenging, because NHS Greater Glasgow and Clyde has found it difficult to recruit GPs for those services. Despite that challenge, the board has to continue to provide a safe service and it is looking at the best way to do that. I expect the board to ensure that people in the locality of the Vale of Leven hospital continue to get a good and safe out-of-hours service.

Our wider work on out-of-hours services, which is led by Sir Lewis Ritchie, is to set up urgent care hubs that are multidisciplinary in nature to ensure that we do not rely solely on GPs to provide out-of-hours care. That is a sustainable solution, but it will take some time to roll that out across Scotland. I will be very happy to keep the member informed about the progress of that work.

Ivan McKee (Glasgow Provan) (SNP): The cabinet secretary will be aware that NHS Greater Glasgow and Clyde has decided to proceed with

its plans to close Lightburn hospital, and that the final decision will be passed to her. When does she expect to formally receive the proposals and what will the process be for their consideration? For example, would she be interested in meeting users of the current facilities?

Shona Robison: I expect to receive the board's formal submission shortly. As in all such cases, I will carefully consider all the available information and representations before coming to a final decision, which will include meeting local service users and stakeholders to hear their views.

The member will be aware of the history of Lightburn hospital. I have said—as the First Minister did, previously—that I would not consider approving proposals that do not address the concerns that were expressed in 2011, when the issue was last considered. The issues that were raised then have to be addressed effectively.

With regard to how long it will take to make a decision, I will take as long as is required to fully look at all the issues and to meet local people, as the member would expect me to.

Pauline McNeill (Glasgow) (Lab): As the cabinet secretary said, the fate of Lightburn hospital in the future remains in her hands. In her deliberations, will she consider the fact that many current users of the hospital will not be able to travel to the proposed new sites in Stobhill and Parkhead, as there is no bus service? I am sure that she is aware of the very low car ownership of people in the east end of Glasgow. Will the cabinet secretary take that factor into account in her deliberations as, if people cannot access the service by public transport, they cannot access the service at all?

Shona Robison: I will look at accessibility and transport issues, because they are important. I assure Pauline McNeill that I will consider those issues as part of my deliberations.

NHS Greater Glasgow and Clyde (Meetings)

6. Neil Bibby (West Scotland) (Lab): To ask the Scottish Government when it last met NHS Greater Glasgow and Clyde and what issues were discussed. (S5O-01140)

Shona Robison: Ministers and Scottish Government officials regularly meet all health boards, including NHS Greater Glasgow and Clyde, to discuss matters of importance to local people.

Neil Bibby: I last met the health secretary at a protest in Paisley against the closure of the Royal Alexandra hospital children's ward, which the Scottish Government had said was safe. She cannot ignore the fact that thousands of families and national health service staff in Renfrewshire

are totally opposed to the closure. The health secretary said that she would listen. Local Scottish National Party politicians might be silent, but the message from families and staff is loud and clear: the RAH should not be downgraded and the children's ward should be saved right now. Will she and the Scottish Government prove that they are finally listening to families and staff, and stop the closure of the RAH children's ward without any further delay?

Shona Robison: As Neil Bibby will be aware, after I had the pleasure of meeting him on 19 May I had a very important meeting with local parents, who are the most important people in all of this. At that meeting, which they felt was constructive and a good format for their views to be heard, I gave an undertaking to hold a series of further local meetings with local people. That is the right process to go through. I would have thought that Neil Bibby would appreciate my taking the time to meet as many local parents as possible. It would be very odd if he thought otherwise. I will continue with that process. I have another visit planned for the beginning of July, when I will visit the hospital and meet more local parents as part of the clear service change process that is laid out for ministers to follow.

Obesity and Type 2 Diabetes

7. David Stewart (Highlands and Islands) (Lab): To ask the Scottish Government what initiatives it is supporting to tackle obesity and type 2 diabetes. (S5O-01141)

The Minister for Public Health and Sport (Aileen Campbell): In line with the evidence, we have invested in a range of programmes to tackle obesity by making it easier for people to be more active, to eat less and to eat better. Those programmes include football fans in training, the healthcare retail standard, the eat better feel better campaign and a £50 million investment in active schools between 2015 and 2019.

In tackling type 2 diabetes, our newly formed expert group is leading on the development and implementation of a diabetes prevention framework, which will complement our wider health strategy, to identify high-risk population and support early diagnosis, treatment, education and lifestyle management.

David Stewart: Five per cent of the population of Scotland has diabetes, and there has been a 25 per cent increase in diagnoses since 2008. Diabetes costs the national health service around £1 billion a year in direct costs. The nine processes of care for diabetes are a key tool in preventing avoidable complications such as kidney failure, heart attack, stroke, sight loss and amputation. Will the minister introduce robust reporting and monitoring processes to assess how

well every health board is delivering those services to people with diabetes?

Aileen Campbell: I appreciate the interest that Dave Stewart takes in the issue. The annual Scottish diabetes survey aims to be published within 12 months of the end of each calendar year, so information is already being gathered for the 2016 survey. In addition, the expert group is looking at a range of areas in which we can enhance our knowledge of diabetes.

The obesity strategy consultation will be important for the preventative work that we need to undertake to help people to avoid getting diabetes in the first place. Tomorrow, I will speak at a podiatrists conference on some of the work that they are doing to enhance their knowledge of how to treat people with diabetes and how to help them to cope with the impact of the disease.

Maree Todd (Highlands and Islands) (SNP): What is the Scottish Government doing to support the development of more innovative approaches to improving the treatment of conditions such as diabetes?

Aileen Campbell: Examples of current innovative approaches include my diabetes, my way, the current small business research initiative innovation process to develop personalised care and education for people who have type 1 diabetes and the work of the Scottish diabetes research network, which supports the set up and delivery of clinical and epidemiological research across Scotland.

Innovation is one of the priorities of the Scottish diabetes improvement plan, and we will continue to provide the support that the diabetes community needs to develop and adapt innovative approaches to ensure that people get the help and support that they require.

Adult Psychological Therapies (Waiting Times)

8. Dean Lockhart (Mid Scotland and Fife) (Con): To ask the Scottish Government what action it is taking to reduce waiting times for adults referred for psychological therapies. (S5O-01142)

The Minister for Mental Health (Maureen Watt): We have put in place a £54 million comprehensive package of support to improve access to mental health services for adults and children, which will provide funding for additional staff, for workforce development and for in-depth improvement support to local services. In this first year, £4.3 million has been awarded to boards across Scotland to build capacity within mental health services. Further funding has been awarded through NHS Education for Scotland to provide each board with an individual tailored offer of funding and workforce development.

As part of a comprehensive package of support for boards, £4.6 million was announced for Healthcare Improvement Scotland to establish a mental health access improvement support team, which is working in partnership with boards to improve access to mental health services.

Dean Lockhart: I am glad that the hard work of staff in NHS Forth Valley has resulted in improvement in child and adolescent mental health services in recent months. However, waiting times continue to be a problem for adults who are referred for psychological therapies in NHS Forth Valley. According to the most recent figures from the Information Services Division, only 40 per cent of adult patients who were waiting for psychological treatment were seen within the Scottish Government's target timeframe of 18 weeks, which left nearly 500 people waiting too long for support. Does the minister agree that NHS Forth Valley needs more support to address those concerns?

Maureen Watt: I am glad that Dean Lockhart has acknowledged the great improvements in waiting times for access to CAMHS in NHS Forth Valley—the rate has gone up from 57.1 per cent in 2015 to 99.7 per cent in 2017. That shows the value of the improvement team's work with the board. The member should be aware that the initial focus was on CAMHS; the team and boards will share the lessons that they have learned in CAMHS in order to improve delivery of psychological services to adults.

As a result of the higher profile of mental health, the number of people who come forward for psychological therapies in Forth Valley has almost doubled. That is why it is important that we increase the number of lower-intensity interventions for people who want psychological therapies.

Monica Lennon (Central Scotland) (Lab): The minister will know that there tends to be a sharp drop-off in referrals for psychological therapies among adults over 65. As part of the £54 million package of support that she mentioned, what work is the Government doing to reduce that inequality and ensure that adults throughout Scotland have the same access to psychological therapies, regardless of their age?

Maureen Watt: Monica Lennon is right to say that people should have access to services regardless of their age. I am well aware of the work that is going on in that regard through the age in mind initiative. The mental health strategy emphasises the approach "Ask once, get help fast", which applies as much to people over 65 as it does to anyone else.

The Presiding Officer: Question 9 has not been lodged.

Hospital Waiting Times (West Scotland)

10. Jamie Greene (West Scotland) (Con): To ask the Scottish Government what action it is taking to reduce hospital waiting times in the West Scotland parliamentary region. (S5O-01144)

The Cabinet Secretary for Health and Sport (Shona Robison): I announced on 30 May that £50 million was being made available to NHS Scotland to help to improve performance and reduce waiting times for patients. The funds are being distributed across all territorial boards, including those in the West Scotland parliamentary region. West Scotland boards will receive up to £23 million in total from the additional funding.

Jamie Greene: In the previous quarter, NHS Ayrshire and Arran had the worst waiting times of any health board in Scotland, with only 73.6 per cent of cases meeting the 18-week referral-to-treatment guarantee. In March, that meant that more than 2,000 people waited too long.

Will the cabinet secretary say why NHS Ayrshire and Arran's performance is at the bottom of the spectrum? What support might she offer the board to help it to improve? More important, when will she set out a timeline for when Scotland's health boards will meet the Government's waiting times targets?

Shona Robison: I recognise the particular challenges with waiting times performance in NHS Ayrshire and Arran. The board has been allocated £3.7 million to improve its waiting times performance. Part of the challenge is to do with recruitment and retention of key specialist staff, which has been a long-standing issue in Ayrshire and Arran. The board is being supported to look at solutions to the problem in order to enable it to overcome some of the challenges.

All boards are drawing up their plans on waiting times improvement and recovery performance; those are due to come to the Scottish Government very soon. I will be happy to keep Jamie Greene informed of the detail of plans for NHS Ayrshire and Arran, if he so wishes.

Colin Smyth (South Scotland) (Lab): In the previous quarter, 95.6 per cent of patients who were waiting for chronic pain services in Ayrshire and Arran waited more than 18 weeks. To put that in perspective, I say that in the quarter ending in March this year, of the 295 patients who were referred for chronic pain, only 13 were seen within the target 18-week period. Does the cabinet secretary agree that that is completely unacceptable? What specific action is the Government taking to ensure that those who are suffering from chronic pain in Ayrshire and Arran are given the treatment that they need within the Government's target time?

Shona Robison: A lot of work is going on. The Scottish Government gathers figures for chronic pain services and the waiting times for them. That is unusual; such figures are not gathered in other places. However, it is very important that we use that information to make the improvements that are needed. Aileen Campbell, the Minister for Public Health and Sport, has established an expert group that is considering how to make the improvements. Support will be given to NHS Ayrshire and Arran and elsewhere in order to make improvements.

I agree with Colin Smyth that NHS Ayrshire and Arran's performance in the matter is not acceptable; it is not as we want it to be. We know that chronic pain has a severe impact on the quality of life of people who suffer from it, so it is very important that that work be taken forward. I am sure that Aileen Campbell will be happy to keep the member updated on progress.

Waiting Times (NHS Greater Glasgow and Clyde)

11. Anas Sarwar (Glasgow) (Lab): To ask the Scottish Government how many patients in NHS Greater Glasgow and Clyde were not treated within the legally guaranteed treatment waiting time in 2016. (S5O-01145)

The Cabinet Secretary for Health and Sport (Shona Robison): In the year 2016, more than 85,100 patients in NHS Greater Glasgow and Clyde were seen within the legal treatment time guarantee, and around 3,000 patients waited longer than 12 weeks.

I recognise that some patients are waiting too long for treatment, which is why I have made £50 million available to NHS Scotland, with up to £11.2 million being made available to NHS Greater Glasgow and Clyde. That additional funding will build up its capacity to ensure that all patients are treated in a timely fashion.

Anas Sarwar: Despite the actions of the cabinet secretary, treatment waiting time guarantee failures are actually going up and not down. As she has said, the independent statistics show that more than 3,000 patients waited longer than the Government's own legally guaranteed treatment target. To put that sharp increase in context, from March 2016 to December 2016, there was a 5,600 per cent increase in the number of patients who waited more than 12 weeks.

How can the cabinet secretary justify that rise? Does she recognise the impact that it is having on patient care and the extra stress that it is putting on our staff? Does she not recognise that this is just one more example of her complete mismanagement of our national health service?

Shona Robison: The reason why I announced the £50 million is that I recognise that waiting time performance needs to improve and the impact on patient care.

The £11.2 million that I mentioned in my first answer will be deployed to deliver the plan for improving its waiting time performance that NHS Greater Glasgow and Clyde has been working on. That money has not had an impact as yet, because the plan is being drawn up and the money has only recently been announced. The waiting time performance improvement that we expect to see over the next few months will be of benefit in Greater Glasgow and Clyde, and of course elsewhere in Scotland, as the money begins to have an impact.

Emma Harper (South Scotland) (SNP): The cabinet secretary has answered the initial part of my question, which was about what investment is being made in the NHS to improve waiting times. Can the cabinet secretary outline what additional support is provided to health boards to reduce waiting times?

Shona Robison: Officials work closely with boards to improve waiting time performance. That is why officials are working with NHS Greater Glasgow and Clyde to agree a plan for increasing activity to support the reduction of waiting times, with a particular focus on those patients who have the longest waits.

In addition, a big programme of reform is under way to modernise the out-patient journey in order to ensure that performance related to out-patients improves. A range of changes are laid out in the modern out-patient programme. That work is important in making sure that those who come through the system get to the right health professional as quickly as possible in order to have their needs assessed.

The Presiding Officer: Question 12 has not been lodged.

Cervical Screening Awareness

13. David Torrance (Kirkcaldy) (SNP): To ask the Scottish Government how it promotes cervical screening awareness. (S5O-01147)

The Minister for Public Health and Sport (Aileen Campbell): The Scottish cervical programme is supported by a range of national and local resources, including a suite of public communication materials that are also available in a number of languages; a new advertising campaign, which was launched in February this year and was developed in partnership with Jo's Cervical Cancer Trust to raise awareness of cervical screening among women aged 25 to 35; various local initiatives, including cervical screening awareness workshops; drop-in clinics

for women from disadvantaged backgrounds; dedicated staff working with women with learning difficulties; and workshops run for staff by national health service boards to promote cervical screening.

The Scottish Government is also working closely with Cancer Research UK and colleagues in NHS boards to develop a facilitators programme to support and promote cervical screening in general practices and pilot projects to target uptake among those who are less likely to participate in screening. We are also investing up to £5 million of funding from the cancer strategy in screening programmes to reduce inequalities in access to screening in Scotland.

David Torrance: The majority of cervical cancers are caused by a persistent human papillomavirus infection, which causes changes to the cervical cells. Will the minister provide an update on progress on HPV primary screening in Scotland?

Aileen Campbell: The United Kingdom national screening committee recommended the introduction of HPV primary screening in January last year. Following that recommendation, a full and detailed business case has been developed for implementation of the recommendation in Scotland and was considered by the Scottish screening committee at the start of this year.

The SSC recommended to ministers that HPV primary testing should be introduced in the Scottish cervical screening programme over the course of the next two years. We are now working with NHS National Services Scotland and NHS boards across Scotland to implement that change.

NHS Forth Valley (Meetings)

14. Angus MacDonald (Falkirk East) (SNP): To ask the Scottish Government when it last met NHS Forth Valley and what issues were discussed. (S5O-01148)

The Cabinet Secretary for Health and Sport (Shona Robison): Scottish ministers and officials meet NHS Forth Valley regularly to discuss matters of interest to local people.

Angus MacDonald: Clearly, the cabinet secretary and members in the chamber are aware that NHS Forth Valley has met waiting time targets for those needing specialist child and adolescent mental health support. There has been a marked improvement over the past year, following support from Healthcare Improvement Scotland. I note the cabinet secretary's response to question 8 earlier. Can she advise the chamber what action the board is taking to improve the performance of its adult mental health service?

Shona Robison: As the member said, within Forth Valley there has been a focus on child and adolescent mental health services and NHS Forth Valley is to be congratulated on its progress and hard work to reach this point. I will be looking to see that the team and board share the lessons on best practice in improving access to and the delivery of psychological therapies as things move forward.

As well as the improvement support, the £54 million package of support to improve access to mental health services includes funding for additional staff, workforce development and capacity planning within local services, which will support improvements in adult mental health services. We remain determined that we will hit our 90 per cent target, and we will continue to work with boards to ensure that that happens right across Scotland, including in Forth Valley.

Hospital Food (Quality)

15. Brian Whittle (South Scotland) (Con): To ask the Scottish Government how it ensures that the highest-quality food is served in hospitals. (S5O-01149)

The Minister for Public Health and Sport (Aileen Campbell): Patients have a right to expect high-quality and nutritious food that meets their specific needs and aids recovery. The Scottish Government has a strong set of nutritional standards in place for hospital food and, in March 2016, consulted on refreshed and expanded guidelines in "Scotland's National Food and Drink Policy—Becoming a Good Food Nation", which advocates greater use of fresh, seasonal, local and sustainable produce.

Brian Whittle: Given recent revelations about public food procurement and given that our hospital food comes through the central Excel contract, does not the minister recognise—as her colleague in education does—that an inquiry into the nutritional value of hospital food is appropriate? *[Interruption.]*

The Presiding Officer: I hope that you could hear that, minister.

Aileen Campbell: I apologise, Presiding Officer. I did not hear all of the question, but I think that it was about procurement. Our contracts endeavour to encourage more local sourcing through an increased focus on fresh, local and seasonal produce. An increasing proportion of food has been sourced from Scotland, and recently the Scottish Government convened a cross-industry meeting to examine increasing Scottish sourcing through public sector contracts, at which we agreed to look at how we can build much more capacity for local producers, streamline the

contracts process to make it more accessible for local producers and increase regional buying.

We take the issue very seriously. Scotland was the first country in the United Kingdom to develop a document specifying catering guidelines and nutritional standards for food in hospitals, so we will certainly look to see where improvements can be made. We have already made improvements across our hospitals, but there is no denying that good-quality food is part of the healing process, and we will endeavour to make improvements where we can.

Freedom of Information Requests

The Deputy Presiding Officer (Linda Fabiani): The next item of business is a debate on motion S5M-06126, in the name of Edward Mountain, on freedom of information requests.

14:41

Edward Mountain (Highlands and Islands) (Con): I am delighted to bring to the chamber this motion on freedom of information and at the outset I move the motion in my name.

I started campaigning to become an MSP in 2010, and one of my reasons for doing so was that, like many others in the chamber and across Scotland, I felt that politicians seemed remote, unapproachable and secretive. Countering those traits remains one of my key drivers, and that is what the debate is all about.

On Tuesday 13 June, there was a members' business debate on freedom of information. In the lead-up to that debate, I did some research on the topic that I was to speak on, and I was shocked. When I spoke in the debate, I found that I was sharing a platform with Neil Findlay and Andy Wightman. Although I share little political ground with them, it became clear as the debate progressed that we have a lot in common when it comes to the transparency of government.

The critical freedom of information laws and procedures in Scotland are based on the Freedom of Information (Scotland) Act 2002 and the Environmental Information (Scotland) Regulations 2004, both of which were introduced to improve Government transparency and set the aim of having strong standards. However, we have heard from journalists across the political spectrum that they have serious concerns about the Scottish Government's interpretation and implementation of the legislation.

I do not always believe what journalists write, but in this case there is no smoke without fire. We have heard about their concerns regarding freedom of information requests, and some of the issues that they raise include delays

"beyond the 20 working day deadline",

emails requesting updates

"being routinely ignored ... officials delaying responses for so long that the initial requests only get answered under internal review"

and

"Scottish government officials taking control of requests to other government agencies without the consent of the applicant".

I could go on.

The Minister for Parliamentary Business (Joe FitzPatrick): Would the member like to comment on the article entitled “FOI failings at the heart of government”, which was published on the BBC’s website earlier this week? That report, which is about the United Kingdom Government, talks about descriptions of

“delays as ‘unacceptable’, ‘extremely unhelpful’, ‘extreme’, ‘protracted’, ‘considerable’, ‘notable’, ‘unreasonable’, ‘unsatisfactory’, ‘excessive’, ‘prolonged’ and ‘severe’.”

We in the Scottish Government have accepted that our intention must be to improve our performance. I see no line from the UK Government that accepts that it needs to improve its response.

Edward Mountain: I love taking such interventions, because they remind me of when I was about eight years old and I was in the playground. If I got criticised for doing something wrong, I ran to the teacher and said, “It wasn’t me, miss—it was them.” The Scottish Government needs to stop doing that, take responsibility and deal with the issues that it has.

In their open letter, the journalists explain that their experiences raise concerns about whether journalists’ freedom of information requests are being “treated and managed differently”. As members of the Parliament, we all know that, when we raise tricky questions, they are often met with smokescreens, mirrors and diffusion. Many find it tempting, as I have, to make FOI requests so wide ranging that there is no way to dissemble about the answers. Delays and withholding information are not acceptable. It is no surprise that former Scottish Information Commissioner Rosemary Agnew ordered ministers to improve their performance.

I know that Richard Lochhead, who I am glad to see in the chamber, agrees with that position on freedom of information. He is reported as having said that “dithering and delaying” are unacceptable, as are the months and months that it takes Governments to respond to freedom of information requests. He made that comment about the United Kingdom Government, but any comments about the UK Government must apply to the Scottish Government, too. Maybe that helps to answer the minister’s point.

During the debate, I am sure that we will hear many examples of how the Scottish National Party-led Scottish Government avoids scrutiny. There are meetings with no agendas and certainly no minutes, and people are hiding behind thin veils of commercial confidentiality. That points to a code of secrecy and a Government that is defending the indefensible and fuelling the lack of trust that the public have in politicians.

Only a week ago, we heard the Government rebut such allegations. Joe FitzPatrick, the Minister for Parliamentary Business, provided a long list of statistics. In his long and disjointed speech, which he did not have time to finish, he made assertions that paint only half the picture, according to my research.

Assertion 1 was that the number of freedom of information requests has spiked; assertion 2 was that the Scottish Government achieved a consistently better level of responses than the 61 per cent that was achieved in the last full year of the previous Administration; and assertion 3 was that the Scottish Government was better than the UK Government—there we go again.

I will respond to those assertions. There have been more FOI requests but, in 2016-17, the Scottish Government answered only 38 per cent of them in full whereas, in 2014-15, 46 per cent were answered in full, which is a clear drop. In 2016-17, 21 per cent of the answers were late.

Neil Findlay (Lothian) (Lab): Will the member take an intervention?

Edward Mountain: I am short of time, so unless I am—

The Deputy Presiding Officer: I can give you half a minute extra.

Edward Mountain: Thank you.

Neil Findlay: Does the member think that there is a correlation between garbage parliamentary answers and the spike in FOI requests?

Edward Mountain: Yes.

It is clear that the Government is truly good at spin, but it is not good at listening and telling the whole story. That spin was evident yesterday when, in response to the motion, the Government made it clear that it accepts the criticism that is being made but tried to mask its failings by announcing that it will go further by publishing online all responses to FOI requests.

The debate proves that we in the Conservatives are doing what we promised to do when we were elected: holding the Government to account. By the SNP’s admission, we need an independent inquiry and post-legislative scrutiny. I assure those who are listening to the debate that we will keep a beady eye on the Government to ensure that it changes how it deals with FOI requests, because the Government knows that it is wrong and that it needs to be more accountable. Let us be honest that, in a mature and stable democracy, what the Government is doing is frankly indefensible.

The debate will prove that the Government has been dealing with FOI requests disingenuously. It knows that it is wrong and it cannot hide that. We in the Conservative Party, the Parliament and the

press will hold the Government to account. In the future, the Government must be more honest, transparent and accountable. I look forward to hearing the evidence from members and I hope that we might see some humility from the Government.

The Deputy Presiding Officer: Please move the motion, Mr Mountain.

Edward Mountain: I am sorry; I thought that I moved it at the beginning of my speech.

The Deputy Presiding Officer: I do not think that you did, but members are nodding, so I shall check the *Official Report*. It is not a problem if you move the motion twice.

Edward Mountain: I would never disagree with the Presiding Officer.

I move,

That the Parliament condemns the Scottish Government's poor performance in responding to freedom of information requests; calls for an independent inquiry into the way that it deals with these, and agrees to undertake post-legislative scrutiny of the Freedom of Information (Scotland) Act 2002.

The Deputy Presiding Officer: I call Joe FitzPatrick to speak to and move amendment S5M-06126.1.

14:50

The Minister for Parliamentary Business (Joe FitzPatrick): I thank Mr Mountain for giving us the opportunity to discuss how we might improve openness and transparency.

First I want to address our performance. Twelve years on, the statutory right to request information from a public authority—and be given it—has been embedded in our culture. People understand their rights and that has led to a steady increase in requests. FOI requests are also becoming more complex, with the average FOI response requiring seven hours of staff time.

Although there is some surprise that the Government is accepting the Conservative motion, anyone who has been listening to the on-going debate will know that we accept that our recent performance has not been good enough and we are working to improve it. It is a pity that the UK Government, which has more civil service resources in Scotland than the Scottish Government, does not accept that it needs to improve its performance.

The work to improve our performance is being undertaken in tandem with assessments of our performance by the Office of the Information Commissioner—in effect, that is an on-going independent inquiry. The Scottish Information Commissioner is selected by a cross-party panel.

The commissioner is independent of the Government and has always performed their function without fear or favour. A new commissioner will be appointed by Parliament next week and whoever is selected will no doubt want to continue that assessment to ensure that we are taking the correct steps to meet the standards expected of us.

Neil Findlay: A week ago, the minister claimed that he wanted to highlight the Government's achievements on transparency, saying that the Government operated to the highest standards and was involved in best practice. Today, he will vote for an amended motion that condemns his Government and, by dint of that, his own performance. Is that an outbreak of humility or is it just a shambles?

Joe FitzPatrick: If Mr Findlay had bothered to listen to anything that I said last week, he would have heard me making the point. We are clear that our performance is not what it should be and I was clear about that last week. We are in the process of trying to improve.

Before I cover the actions that we are taking to improve our performance, I will address some of the concerns that were set out recently by the media and members of the Scottish Parliament. We do not get everything right and I recognise that, at times, people have had reason to be unhappy with our performance.

First, as I have already said, we accept our performance is not what it should be and we are working to improve it. Secondly, it is important to recognise that the vast majority of requests are answered on time. When a response is late, officials will send a holding reply and where possible, that will give an indication of when to expect a response. It is clearly unacceptable when that does not happen and that is an area we are working to improve.

It is not in the interests of the Scottish Government to block or refuse requests for tenuous reasons or to miss a deadline—as has been suggested. Information can be withheld only for valid reasons. The ultimate arbiter of that test is not the Scottish Government but the Scottish Information Commissioner, whose decision is final.

Public bodies handle their own individual requests—any other practice would be in breach of the law.

Tavish Scott (Shetland Islands) (LD): I am grateful to the minister for giving way on the point about responding to the concerns expressed in the journalists' letter earlier this month. One of those concerns is that requests are being screened for potential political damage by special advisers. Is that true?

Joe FitzPatrick: No. Requests are all prepared by Scottish Government officials. Special advisers have a role in assessing draft responses for accuracy. [*Laughter.*]

As discussed in Parliament last week, I recognise the interest of the media in the operation of the Freedom of Information (Scotland) Act 2002. As well as responding to the recent letter from members of the media, I will be meeting the National Union of Journalists to discuss those and other points and how we can use our improvement plan to build confidence in the FOI process.

Turning to the action that we are taking, we need to ensure that we have appropriate resources in place to comply with our obligations. We are also taking steps to raise the profile of FOI through improved local management and staff training, and have set up an improvement project to examine different approaches to case handling.

We need to acknowledge that the ever-increasing expectation is that information will be readily available without having to ask for it, and at the click of a mouse. Proactive release is one way that we have chosen to feed that hunger for information. Current publications include ministerial engagements, travel and expenses information and detailed information on Scottish Government spending, and we continue to look for opportunities for proactive publication.

In tandem with improving our FOI performance and as part of our continuing development of the Scottish Government website, I am taking steps to ensure that all information released in response to information requests is also published online from 3 July. Publishing information when it is released will ensure that it is available to all without further requests and will add to transparency. That information will be available on the publications section of the Government's website at beta.gov.scot.

That move to make information readily accessible is in line with the principles of open government. Our open government national action plan sets out several demanding commitments, which include increased financial transparency to empower communities to influence budget priorities and increased citizen participation in local government. It is important that our legislation remains fit for purpose, and we have regularly revised our FOI framework to ensure that it remains up to date.

The Deputy Presiding Officer: The minister is concluding.

Joe FitzPatrick: The Freedom of Information (Amendment) Scotland Act 2013 improved the legislation by strengthening the ability to prosecute for an offence under the Freedom of Information

(Scotland) Act 2002 and paved the way for the lifespans of key exemptions to be reduced from 30 to 15 years. We have also brought within scope numerous organisations that deliver public services, and members will be aware of our consultation on extending coverage to registered social landlords, which I expect to respond to in the autumn.

On scrutiny, it is not for Government to tell committees what scrutiny they may wish to do, but if any committee decides that it wants to have scrutiny in this area, the information commissioner's outgoing report made points that might be useful.

This Government believes in open government. I move amendment S5M-06126.1, to insert at end:

“, and welcomes commitments by the Scottish Government to adopt a policy of pro-actively publishing all material released under FOI to ensure that it is as widely available as possible.”

14:57

Alex Rowley (Mid Scotland and Fife) (Lab): I welcome the opportunity to speak in today's debate, following the motion that was raised for debate last week by Neil Findlay, who highlighted some of the many concerns surrounding the Freedom of Information (Scotland) Act 2002 and the performance of this SNP Government. I reiterate the concern raised in Mr Findlay's motion that the application of the act by ministers and officials is questionable at best and, at worst, implies a culture and practice of secrecy and cover-up, including through routinely avoiding sharing information, often by not recording or taking minutes of meetings that are attended by ministers or senior civil servants.

Speaking from experience, responses to freedom of information requests from the Scottish Government have been relatively poor—I am sure that many members across this chamber will agree. Labour supports the calls for an independent inquiry into the way that the Government deals with FOI requests, with the potential to undertake post-legislative scrutiny of the 2002 act.

In the interests of open government and, in particular, full transparency of government, I hope the Government can recognise today that it can do more when dealing with such requests under the act. The Government amendment in the name of Joe Fitzpatrick, which accepts the motion recognising that the Scottish Government has performed poorly in this area, is welcome, as is the Government's commitment to publish all material released under FOI. However, I say to Mr Fitzpatrick that he is stretching the imagination to then claim that that is a boost to open government.

He misses the point, and most fair-minded people will see through that for what it is.

There are many issues that must be addressed before we can seriously claim any boost to open government. As Neil Findlay pointed out in the chamber last week, just two weeks ago 23 prominent journalists signed an open letter to this Parliament in which they raised serious concerns about freedom of information requests and the way they are being mishandled by the SNP Government. When outlining the details of the complaints from the 23 journalists, Mr Findlay called for a proper investigation into the issues raised. That is why Labour will support the motion today.

As well as considering how FOI requests are dealt with, the inquiry must also examine the level of information that is available. How can it be that Government ministers meet with quango chiefs, business chiefs and lobbyists to discuss issues that have major implications for the people of Scotland, yet no record is kept of those meetings? That is not right, and this Parliament must make it clear that we expect openness and transparency in government.

It has also been suggested that Scottish Government officials and special advisers are delaying answers or simply rejecting questions. The whole point of the freedom of information legislation should surely be to allow more openness and further transparency. It is not up to Government ministers, officials or special advisers to decide whether to disclose something, based on whether doing so would be in the Government's interests.

We also cannot ignore the fact that, at times, the responses to FOI requests seem more like they are dodging the questions than providing the answers. At its heart, freedom of information is about accountability, and this Government must recognise that, across this chamber and outwith this place, there is a cry for further accountability, openness and transparency.

By committing to an independent inquiry, the Government will show that it is committed to reviewing some of the damage it has done to the open and transparent image it says it is committed to.

Most importantly, there now needs to be a change in the culture of how FOI requests are dealt with. The Government and this Parliament can show that we want openness and transparency in all that we do by supporting the motion today and by supporting the SNP Government's amendment, which acknowledges its weaknesses and commits itself to addressing them.

15:02

Jamie Greene (West Scotland) (Con): Today marks the third time in as many weeks that we are discussing the Scottish Government's issue with transparency. We bring to the chamber today not just our concerns as Opposition parties but the concerns of the public, journalists and many individuals and third parties.

I am used to ministers engaging in the dark political art of avoiding answering questions on important issues such as the Scottish economy, health waiting times, education standards or digital skills deficiencies, or concerns over named person legislation and Police Scotland—I could go on. In fact, anyone who was in the chamber for portfolio questions today had to sit through a painful 40 minutes of apologies and excuses—coulda, shoulda, woulda—from the front bench.

The answers that ministers give generally follow a pattern—that of deflection—and usually involve the words “Tories”, “UK Government” and “Westminster”. In fact, we have heard UK Government bingo played already today. However, although the Government can brush us off in the Parliament, people outwith the chamber have had enough. People have an absolute right to ask robust questions of their Government—and to get robust answers.

There is no anti-Government conspiracy here today. How do I know that? Because our criticisms are not made in isolation. Yesterday, I was contacted by a constituent who regularly lodges FOI requests with the Scottish Government on a wide range of topics, from radiotherapy staff numbers to safety in sport. He forwarded me the responses that he received and none of them even remotely resembles an adequate response.

We are having this debate today because something has gone deeply wrong with the SNP's understanding of transparency. In today's *The Scotsman*, the Government responded to my criticisms by saying:

“Scotland has the most open and far-reaching freedom of information laws in the UK.”

Perhaps, but having far-reaching laws is not the same as adhering to those laws. That is simply no defence.

The Government went on to say:

“We take our responsibility for FOI seriously and in the large majority of cases we respond on time and in full.”

If that is the case, why are more than 20 per cent of requests—more than double the national average for public bodies—responded to late? If that is the case, why are requests from journalists being delayed beyond 20 days with no justification? If that is the case, why are we finding out that there was not a single minuted meeting

between the minister in charge of the Forth replacement crossing project and the main contractor in the crucial six months from October to March? If it is the case that Scottish ministers take FOI seriously, why are they not sending written updates to the Foreign Office after official overseas visits, as per the Scottish ministerial code?

Clare Adamson (Motherwell and Wishaw) (SNP): Did the member say “Westminster”?

Jamie Greene: Is that an intervention? I shall carry on. [*Interruption.*] Did I hear the words “UK Government” or “Westminster”? I am sure that that will be the excuse, as always. [*Interruption.*]

It is not just me asking those questions. Rosemary Agnew, the former Scottish Information Commissioner, branded the Government’s performance as “totally unacceptable”. We already know that earlier this month journalists from across the political spectrum, not just from certain areas, signed a joint letter about delayed responses, poor responses and, in some cases, no response at all.

What we are asking for today is nothing out of the ordinary. I want other parties to back our motion not to make a political point, but to send a really important and clear message. The Scottish Government, its ministers, directorates, public bodies and the whole civil service must be open to interrogation; more important, their responses should be abundant, forthcoming and accurate. Having listened to the minister’s spin today, I am afraid that we have a long way to go.

15:06

Stewart Stevenson (Banffshire and Buchan Coast) (SNP): I start by welcoming the Government’s announcement, which takes the public accessibility and availability of information relating to FOI requests—information that is in official hands—to new heights.

I want to talk about the Tories—the party that lodged today’s motion. They have not always been the most enthusiastic supporters of FOI. In the stage 1 debate on the Freedom of Information (Scotland) Bill on 17 January 2002, Lord James Douglas-Hamilton described the bill as

“a costly experiment to tinker with what he”—

the then Minister for Justice—

“calls a culture of secrecy.”

Lord James went on to say that

“The Executive seems to be intent on forcing through unnecessary measures.”

David McLetchie reinforced the Tory antipathy to the very concept of an FOI bill by saying:

“If the bill has been shoved down the list of priorities, the people of Scotland, aside from a few political anoraks, will not shed many tears.”

I see that Murdo Fraser is in the chamber. He said that the bill

“does us no credit whatever.”

My own contribution to the debate was to say that

“A desire to keep information is always an expression of someone’s self-interest”.—[*Official Report*, 17 January 2002; c 5467, 5469, 5480, 5494, 5499.]

I am strongly in favour of freedom of information, to the extent that when officials in the Labour and Liberal Executive prepared guidance to civil servants on how to implement the bill, I was delighted to discover, as the result of an FOI request, that they quoted from my speeches.

In government, and subsequently, I discovered that operation of the 2002 act places a genuine and proper burden on our public servants, whether they are employed or elected.

There have been many ministers in this Administration and in previous ones, and as one of them, I found myself responding to a significant number of FOI requests.

Johann Lamont (Glasgow) (Lab): Will the member take an intervention?

Stewart Stevenson: I will, if it is brief.

Johann Lamont: It will be brief. Does the member accept that people are being driven to use FOI because of the very poor quality of written answers that we get in this Parliament, with a resultant lack of transparency? If the written answers were right, the FOI burden would not be quite so bad.

Stewart Stevenson: No.

On many occasions we found that although the information was available, it was dispersed around so many different areas that it took a substantial effort to retrieve, organise and present it. It was there for the benefit of the administrator, not necessarily for the inquirer.

I ceased to be a minister on 6 September 2012—nearly five years ago. However, for years after that I was still being asked to confirm the contents of responses to FOI requests because they touched on my time as a minister. Under the ministerial code, I am not permitted to retain any ministerial papers. It is fair to say, “Mea culpa”, and I accept that a lot of the delays are down to me as a back bencher not always responding quickly enough to civil servants looking for information. That process is not yet finished, by the way. I have been summoned to appear in front of the Edinburgh trams inquiry, so I will have to come down for a full day to be briefed on what I

did between 10 and seven years ago. The reasons for delays are diverse.

Sir Humphrey Appleby in “Yes, Minister” reminded us that the Official Secrets Act is not there to protect secrets; it is there to protect officials.

FOI is an important part of civic Scotland’s weaponry to ensure that citizens can hold officials to account.

The Deputy Presiding Officer: You must close, Mr Stevenson.

Stewart Stevenson: I welcome the Tories’ new-found support for FOI. Let us hope that, across all the Administrations in which they might be involved, they properly implement the required principles and practices.

The Deputy Presiding Officer: Time for later speakers will be cut if members do not stick to four minutes at the very most.

15:11

Neil Findlay (Lothian) (Lab): There are many areas of Government policy where the rhetoric fails to come anywhere near reality, and nowhere more than in the area of transparency. That was self-evident to anyone who listened to last week’s members’ business debate, where we saw normally obedient SNP back benchers run for the hills rather than defend the Government’s appalling record on secrecy and evasion. That debate came about after 23 experienced journalists representing media outlets with editorial lines that span the political spectrum wrote to this Parliament to highlight the abuse and mishandling of freedom of information requests by the Government.

Joe FitzPatrick: I note the member’s points. It sounds as though he is taking the same line as he took last week. Does he accept that, last week and earlier today, I accepted that our performance is not good enough and explained some of the actions that we are taking to improve it?

Neil Findlay: It was unprecedented for journalists to highlight that requests were being delayed, that emails asking for an update were being routinely ignored, that there was gaming of the system to stifle the internal review process, that officials were taking control of requests to other agencies, and that requests were being blocked for tenuous reasons or—as confirmed by the minister today—screened by special advisers. All those actions were designed to block or limit the release of information.

Here are more examples from between September and October 2016. Keith Brown met Ineos at Grangemouth, and I asked for a copy of

the ministerial briefing—it was returned heavily redacted. Nicola Sturgeon attended a Business for Scotland dinner, and I requested notes, the guest list and any speech delivered by the First Minister—the Scottish Government said that it had no information. Shirley-Anne Somerville met Paul Little of the City of Glasgow College—there were no minutes. Keith Brown met the SME China forum—there were no minutes. Keith Brown met Philippa Whitford MP to discuss Prestwick airport—the minutes were heavily redacted. Keith Brown met Sir Hugh Aitken of the Confederation of British Industry—there were no minutes. Keith Brown met the Global Scots and I asked for a copy of any minute or note—no information was available. Nicola Sturgeon met PetroChina to discuss Grangemouth—there were no minutes and the briefing was redacted to the point of meaninglessness. John Swinney met Sir Kevan Collins, head of the Educational Endowment Foundation—exemptions were applied to the pre-meeting briefing to prevent its disclosure, and then it was claimed that it was an informal meeting and that no minutes or notes were held. What a farce! Those events involve just a few ministers over a very short period. If we scaled that up over several months or a year, it would show that such practices have been deployed on an industrial scale.

Just three months later, the Minister for Parliamentary Business signed the Scottish Government’s open government action plan at an open government partnership conference in Paris. Mr FitzPatrick, without the slightest hint of self-awareness, spoke at an event entitled “Leave no trace?—How to combat ‘off the record’ Government.” I have made an FOI request for Mr FitzPatrick’s speech and I cannot wait to read it—although maybe the Government will block it, right enough. There was the minister who is accountable to this Parliament for the repeated failure to keep and release information—the minister who has seen 23 of our foremost journalists write an open letter of complaint about a significant area for which he has responsibility—lecturing other nations about open government.

At least today, in leaving the motion intact, he now condemns his own failings—humility not normally being associated with this Government. This is a minister who could not get a single back bencher to support or defend him last week. He stood there last week almost naked; now, the final fig leaf has fallen away.

The Deputy Presiding Officer: You have left me stuck for words, Mr Findlay.

15:15

Andy Wightman (Lothian) (Green): It is fair to say that the debate last week confirmed that the

issues that were raised by the journalists are valid and urgent. As I am sure all members agree, journalists and citizens need a robust FOI regime in order to hold power to account, whether it be in relation to matters such as recruitment in the national health service, conversations between Government ministers and representatives of authoritarian regimes such as China, or Donald Trump's status as a global Scot.

I am particularly grateful that the Conservatives have secured the debate today because it provides me with an opportunity to remind members of what FOI can tell us about some of the Conservatives. Mr Henry Angest—a man whom I mentioned last week—is chairman and chief executive of Arbuthnot Banking Group, a former master of the Worshipful Company of International Bankers and a former Tory party treasurer who has been knighted for his efforts. He provided almost £7 million to the Tory party and was a funder of Atlantic Bridge—the charity that funded Adam Werrity's excursions around the world with Liam Fox.

Mr Angest has also provided substantial funds to the Tory party in Scotland. I am sure that Murdo Fraser will know Mr Angest, because he helped to fund Mr Fraser's doomed Tory party leadership bid. He also donated funds to Perth College for research, and we have learned through FOI that he was angling for an honorary degree as a reward. Because Perth College retained copyright in that information release, however, and refused to consent to my publishing the information, I am legally compromised in my ability to share it with others. That is one reason why the FOI regime warrants a fresh look.

Conservative members will also, I am sure, welcome the European Union's transparency regime on information that is held by the Scottish Government in relation to distribution of agricultural subsidies, which allow us to know that a company called Peter Chapman Ltd received £104,014 in farm payments in 2012, £114,800 in 2013 and £101,669 in 2015. Delfur Farms, in which the mover of the motion is a partner, received £131,960 in 2015.

That is all very interesting, and I think it is relevant. It is vital and useful information that allows citizens to understand how public money is being spent, how public authorities are discharging their duties on our behalf and how much influence on public affairs is exerted by private interests.

Neil Findlay: Given the information that he has just disclosed to the chamber, would Mr Wightman welcome a double-jobbing bill being brought to Parliament?

Andy Wightman: I look forward with interest to a double-jobbing bill and its contents. I will let Neil Findlay know my views on it when it is introduced.

Last week, the minister acknowledged

"that we are not where we want to be."—[*Official Report*, 13 June 2017; c 82.]

I think that most members will concur with that view. I therefore wish to commend ministers for not having sought to delete the motion and for instead having recognised the need to address failings in their own performance, as well as the need for post-legislative scrutiny of the 2002 act. That welcome attitude sends an important signal beyond the politics here: this is not a party-political matter, and it is not even just something for the Scottish Government, but is fundamental to a democratic society. I respect the Scottish ministers for holding their hands up on this occasion—withstanding the fact that substantial concerns remain, some of which have been highlighted by Alex Rowley.

I also commend ministers for their decision to publish full logs of information releases. That was a concern that Monica Lennon and I raised last week, so the Government's response is timely and welcome.

I wish to raise two matters in conclusion. First, in their letter, the journalists raised many serious issues, none of which has been fundamentally addressed by the minister today. I think that the minister confirmed in his opening remarks that he would write to journalists to address those specific concerns. If he could confirm that in his closing speech, it will be very welcome.

Secondly, on the proposed disclosure log, there are some concerns about the release of sensitive information simultaneously to requesters including journalists and to the public. I ask ministers to reflect and to consider whether to build in a time lag of a day or two to accommodate such cases. I merely make that suggestion.

15:19

Tavish Scott (Shetland Islands) (LD): I am with Andy Wightman in acknowledging how the Minister for Parliamentary Business, Joe FitzPatrick, has come to the chamber today accepting Edward Mountain's motion and seeking to amend it in a fairly mild way instead of trying to eradicate it. However, I have to say to Mr Wightman that that is more because Mr FitzPatrick knows that he would lose the vote if he were to seek the motion's eradication.

I want to concentrate briefly on the motion's call for an independent inquiry. Mr FitzPatrick was right to say that that is for committees and Parliament to decide in the fullness of time, but the

motion is also right to call for that inquiry. Neil Findlay made the same point in the members' business debate that he initiated last week. As a result, I look to the minister in his winding-up speech not only to accept—as he does implicitly—the need for an independent inquiry, but to set out how that inquiry will be put in place. After all, it must happen and, as Andy Wightman rightly pointed out, the best place for it to start is the letter to which 23 journalists put their names earlier this month. Who better to chair it than, say, Paul Hutcheon or Tom Gordon? Other suggestions will, I am sure, be gratefully received by the minister.

As I have said, I hope that when he winds up today the minister will say that he accepts the need for an inquiry, that there is a process under way to initiate it, that it will be independent and that the chairperson, whomever that might be, will be very independent indeed.

I want to make two more points that I think illustrate the sort of issue that needs to be tackled in any freedom of information review. The first relates to James McEnaney's work on the schools governance review that the Government announced just the other day. Last night, he set out on social media the questions that he, as a journalist, had submitted to the Government about the review, asking about projected costs, additional funding for support and for some other information on additional support needs in the education system. It is entirely fair for a journalist to ask such questions; he also asked a lot of other questions, as journalists are meant to do, if they are to do their job.

However, instead of answering those questions, the Government last night turned it all into a freedom of information inquiry, which will delay any answers to Mr McEnaney's questions into the summer recess. That raises the question why the Government turned it into a freedom of information issue instead of simply answering the questions.

As part of the long email trail and Twitter exchange on the matter, the journalist made it very clear that he went back to the Government official who is responsible and offered to take half of what he asked out and to reduce the questions if they were too detailed. In other words, as a journalist he bent over backwards to acknowledge that some of the questions could not be answered quickly, but would take some time.

But, no—the Scottish Government made it all a freedom of information issue and thus ensured that the questions would not be answered for at least 20 days. It is no wonder that some of us are a bit sceptical about the handling of freedom of information requests in Scotland today.

My second illustration of the sort of issue that needs to be tackled in the inquiry relates to the point that is made in the journalists' letter about

"Scottish government officials taking control of requests to other government agencies without the consent of the applicant".

A former constituent of mine who is a former fire officer has been looking into maintenance queries across the Scottish Fire and Rescue Service, particularly in the Highlands and Islands. He has told me that he was refused information under freedom of information legislation because of cost. However, it turns out—he knows about this, because he used to work in the fire service—that the information in question is all on a single database and could have been produced at the push of a button.

What is going on? The situation needs to change. An independent inquiry is the way to make sure that it does.

15:23

Richard Lochhead (Moray) (SNP): There is a joke that one can tell how far from Government a party is by how loudly it calls for robust freedom of information legislation. The point is, of course, that when they get into Government, parties of all colours like to keep some things secret and when they are in Opposition, all parties want maximum transparency and openness.

In his memoirs, Tony Blair said:

"Freedom of Information. Three harmless words. I look at those words as I write them, and feel like shaking my head till it drops off my shoulders. ... I used to say—more than a little unfairly—to any civil servant who would listen: Where was Sir Humphrey when I needed him? We had legislated in the first throes of power. How could you, knowing what you know have allowed us to do such a thing so utterly undermining of sensible government?"

That harks back to 1997, and those memoirs came out in 2010. We are now in 2017. This is Scotland, not the United Kingdom, and we should be relatively proud of how far we in this country have travelled with devolution with regard to openness, transparency and the involvement of citizens in public life—all of which are hallmarks of a healthy democracy.

The outgoing Scottish Information Commissioner, Rosemary Agnew, said in her farewell message:

"I believe we generally do well in Scotland. We are not perfect by any means, but we have a strong regime that enables access to a lot of information. The challenge for all of us is how we develop FOI from such a strong starting point in a rapidly changing world."

The report that she issued shortly before departing office said that we can tell the respect that

Scotland has from what other countries are saying. It states:

“This respect is reflected in the frequency with which we are approached to: host or visit countries putting in place FOI for the first time, and speak at both national and international events about FOI in Scotland.”

She said that

“Globally we are seeing the contribution that access to information approaches are having on supporting transparency, combatting corruption, enabling citizen participation and developing more democratic decision making.”

She also said that there are big issues out there at the moment—that is why I support our having today’s debate—including

“privacy vs transparency, accuracy and truthfulness in a post-truth environment, trust and confidence.”

Tavish Scott: Does Richard Lochhead also acknowledge that Rosemary Agnew said in her end-of-term report that public authorities now put greater emphasis on what not to disclose than they put on what ought to be released?

Richard Lochhead: I said that I welcome such debates. I welcome today’s debate in Parliament of that very important issue for our democracy in this country.

Rosemary Agnew also pointed out that 91 per cent of Scottish public bodies publish minutes of key meetings, agendas or strategic plans online, but that only 54 per cent provide all three. Those documents were hard to find on the 38 per cent of the websites that hold them. Only 41 per cent of public organisations put information on procurement and tendered contracts online. Reports in the media have also pointed that out.

There are challenges out there, and Parliament and the Government have to address them. That is why I warmly welcome the minister’s comments.

Rosemary Agnew went on to say:

“We now know from the data collected since 2013 that request volumes are increasing year on year. This comes with an increasing cost that Scottish public authorities must meet if they are to be statutorily compliant.”

I was a cabinet secretary for nine years, and I always had the attitude that we should put the maximum amount of information into the public domain when we received FOI requests. I was also absolutely staggered by the resources that were required in Government to answer FOI requests and the time that key civil servants had to spend answering them when there were other Government priorities that MSPs in all the parties were demanding that the Government deal with. The civil service and the Scottish Government face those real-life pressures, so we have to face that reality.

I was pleased that the previous Scottish Information Commissioner recognised the pressures and said that the current system is unsustainable and that we have to look at different ways of getting information into the public domain. I welcome the debate and hope that we can have other debates about those new ways of getting information into the public domain in order to take pressure off civil servants.

15:27

Brian Whittle (South Scotland) (Con): This is an interesting debate to speak in. One would think that legitimate scrutiny of the Government by the Parliament, the press and the general public would be an essential prerequisite in any open and transparent democracy. After taking office, Nicola Sturgeon stated that she wanted

“An outward looking Government which is more open and accessible to Scotland’s people than ever before”.

From the evidence that we have heard and are hearing, those claims are a little bit wide of the mark.

In the short time that I have, I thought that I would add my experience of making FOI requests and submitting written questions to the Government.

Early on in the session, in speaking in a debate on farming on one of the many Brexit Tuesdays, I had the temerity to suggest that we should take the opportunity to look at the Scottish market for Scottish produce. Fergus Ewing stood, puffed out his chest and boomed that perhaps Mr Whittle should look at the Scotland Excel contract, in which the food that councils access is predominantly procured from Scotland. Suitably chastised, I decided to take up Mr Ewing’s suggestion but, once I was in the loop of asking questions of the Government and getting answers that avoided answering the questions—despite its being obvious what was being asked in the question—it began to feel very much like groundhog day. Finding a different way to ask the same question and trying to elicit a response that is remotely close to the subject of the question is like a war of attrition. After six months or so, it became obvious why the question was being avoided. I presume that Mr Ewing, in throwing out the challenge at me, desperately hoped that I would not take him up on it. In fact, the Excel public procurement contract does not reflect the rosy picture that the cabinet secretary painted of locally procured high-quality produce.

However, after highlighting the oversight of the cabinet secretary, his colleague John Swinney instigated an investigation into the nutritional value of food in schools. I thought that that was fantastic. I took the opportunity to write to the Cabinet

Secretary for Health and Sport to ask whether she would follow suit with an investigation into the quality of food that is served in hospitals, and whether she would commit to looking at procuring locally from farmers. The answer that I received was that she was satisfied with the quality of food in our hospitals and that procuring local produce was subject to European procurement law, which suggests a hope that neither I nor my colleagues understand European procurement law. However, I do understand it, so I know that that is a ridiculous answer.

Additionally, please correct me if my geography is awry, but Thailand is not in Europe and nor are India, South America, New Zealand and the far east, yet a fair chunk of the food imports for the Excel contract comes from those places. The issue is not just about an avoidance of transparency and scrutiny; it is also about not taking the time to answer questions with the degree of respect becoming of a Government.

The most recent question that I asked regarded the value of the public procurement of information technology projects in the past 10 years and what percentage of that was spent with Scottish companies. The very helpful answer that I received from Derek Mackay stated:

"This information is not held centrally."—[*Written Answers*, 13 June 2017; S5W-09545.]

Apparently, the finance secretary does not know how much public money is spent on the procurement of public IT projects or how much of that public money is invested in Scottish companies. Really? Does he not know, or does he not want to say? I will get on the roundabout again and ask the same question in a different way.

It is not a game of hide the facts and say as little as possible. We are talking about proper public scrutiny of our Government. The members of this Parliament are here at the behest of the Scottish public and we are therefore accountable to the Scottish public. If a question is asked of the Scottish Government, a member has a categorical right to expect that it will be answered openly and honestly—warts and all. That ensures that the Government can be fully held to account for the actions that it takes on behalf of those whom the Parliament serves. That is not the current situation, so the status quo cannot continue.

15:31

Clare Adamson (Motherwell and Wishaw) (SNP): I declare an interest as a member of the National Union of Journalists.

I listened to the members' business debate last week and I am disappointed that the Tories have chosen to use precious time in the chamber to reiterate some of the arguments that were made

by members and answered by the Government. This week, the Brexit negotiations have started, with absolutely no openness or transparency from the Westminster Government about how that will go. This week, the Tories have also elevated someone who was rejected by the voters to the House of Lords to take up a ministerial position in the Scotland Office. I fail to see how openness, transparency and democracy are at the heart of those decisions.

I will put the debate in context. In 2016, the Scottish Government was designated as a global leading light in the campaign for open and accessible government and was one of the pioneer members of the Open Government Partnership's inaugural international subnational government programme. This Government has the most advanced freedom of information laws in the UK. The Scottish Information Commissioner said:

"since Scotland introduced the Freedom of Information (Scotland) Act 2002, it has put itself ahead of the international field."

That is the context in which we discuss the issues.

Last week, I heard the Government admit that it is not performing as well as it could. I also heard the Government commit to working with those who had raised concerns, including the journalists. I am sure that the cabinet secretary said that he had written to Paul Holleran at the National Union of Journalists, offering to work with him and other journalists about their concerns in this area.

The Scottish Government is already working with the Information Commissioner to improve on that area of concern. I hear the calls for an inquiry, but it is a legal matter. The commissioner has a very powerful job and could have taken legal action against the Government. However, she chose not to do so, as the Government worked with her to improve the situation, and I am sure that it will continue to work with the new Information Commissioner on appointment. The Government has conceded that things could be better and it is working to improve it, so I fail to see why other members in the chamber cannot recognise the Government's commitments.

The outgoing commissioner put into the public domain her document, "Proactive Publication: time for rethink?", in which she examines where we are with freedom of information in the UK. One of the things that she says in her report is that

"It is doubtful that FOI in its current form is sustainable. We now know from the data collected since 2013 that request volumes are increasing year-on-year. This comes with an increasing cost that Scottish public authorities must meet if they are to be statutorily compliant."

She argues that, although proactive publication is important, it will not in itself deliver change.

Proactive publication is being championed by the Scottish Government. It is working to ensure that freedom of information requests are no longer required, because the information is in the public domain. That approach is changing the way in which things are done and it will result in progress.

Although I always welcome the opportunity to debate such matters, I think that today's debate has been used as a fig leaf by the Tories to deflect from the utter shambles at Westminster.

The Deputy Presiding Officer: We move to the closing speeches. I call Pauline McNeill, to be followed by Derek Mackay.

15:36

Pauline McNeill (Glasgow) (Lab): I for one am quite happy to use the Scottish Parliament's precious time to discuss an issue that is fundamental not just to journalists, but to ordinary people who want to challenge secrecy and power in our society. I am sorry to say that, although Clare Adamson has made many excellent speeches in Parliament, that was not one of them. If the SNP does not recognise that people want their Opposition politicians to challenge the Government of the day on its failings, that is quite sad.

The Government—rightly—has accepted a rap over the knuckles for its poor performance, and we must give it some credit for that, but I hope that the minister will accept that it is more than a case of poor performance. We are talking about the Government's handling of the Freedom of Information (Scotland) Act 2002. The charge is one of failing to operate transparently and withholding information unnecessarily. I hope that the Government accepts that that is a much wider and more serious charge than one of poor performance.

I thought that Tavish Scott would do this, but I put on record the fact that, to his credit, Jim Wallace was the champion of this right-to-know legislation. The Labour-Liberal Democrat coalition Government introduced the Freedom of Information (Scotland) Bill, which sought to give any citizen the right to ask for information that was held by the Government. It came about as a result of a growing dissatisfaction with the secrecy that surrounded Government policy development and decision making. Freedom of information is an integral part of the human rights legislation, and it is recognised by article 59 of the United Nations charter.

Notwithstanding some of the excellent points that Richard Lochhead made, there has never been a more important time to embrace the idea that the maximum possible public disclosure of information by public bodies is a principle that we

should all be striving to meet. The Westminster expenses scandal of 2010, which was at the centre of early FOI requests, led to the lowest levels of public confidence in politicians that we have seen. We all have a responsibility to open up government.

Who do we compare ourselves with? In response to an intervention by my colleague Neil Findlay, Joe FitzPatrick used the defence that we were doing better than the rest of the UK. I do not want us to compare what is happening here with what is happening in the rest of the UK. I would prefer to compare Scotland's record with that of the 100 countries that have excellent freedom of information records. In a sense, it does not really matter if Scotland's performance on FOI was better than that of the UK. The legislation is not worth the paper that it is written on if the Government of the day sets out to undermine it through delay.

The process of lobbying Government is fundamental to the Labour Party. The lobbying industry is a multimillion pound industry. The powerful people who sit with ministers have the ear of those ministers. I am not condemning that, but it has an impact on the situations that colleagues have talked about, in which journalists have tried to get to the bottom of things. I do not expect every meeting to be minuted in detail, but I expect a minute to be available—certainly if the meeting included a lobbying organisation that has money and power behind it.

The minister said that he is supporting the motion. For clarification, will he say whether that means that the Government supports an independent review of the Freedom of Information (Scotland) Act 2002?

The Deputy Presiding Officer: I apologise for causing confusion earlier: Joe FitzPatrick will make the closing speech for the Government.

15:40

Joe FitzPatrick: I am not sure what to make of members' reaction to the picture that Neil Findlay painted of me standing naked in the chamber. I will try to work it out later.

In my opening speech, I acknowledged that the Scottish Government's FOI performance is not good enough, and I outlined measures that we are taking to improve our performance. If members listened to what I was saying, they will understand that the issue is wider than just timeliness; we genuinely believe in freedom of information and we want to improve our performance and people's experience. That is why I am meeting the NUJ to try to understand its concerns and consider how we can improve.

Johann Lamont: Will the minister take an intervention?

Joe FitzPatrick: I am sorry. I have a lot to cover.

I really believe that our proposal to publish FOI responses along with information that is made available in response to FOI requests represents a significant step forward and demonstrates this Government's commitment to openness.

Members made a number of points, and there were a few helpful speeches. I want to respond to the members whom I thought were not just here to have a go at the Government.

Johann Lamont: Will the minister take an intervention?

Joe FitzPatrick: I will try to respond to the points that were made in the debate, thank you.

Tavish Scott talked about a request being turned into a formal request. That happens because the legislation requires us to treat any written request for information as an FOI request. We have no option in that regard. That might be the sort of thing that I can discuss with the NUJ, because I can understand the exasperation—

The Deputy Presiding Officer: Excuse me, Mr FitzPatrick. Will you make sure that you are speaking into your microphone?

Joe FitzPatrick: I am sorry, Presiding Officer.

Neil Findlay: Will the minister take an intervention?

Joe FitzPatrick: Mr Findlay ignored my intervention entirely. I will focus on other members who made remarks in the debate.

Mr Scott mentioned concern about the Scottish Government taking over requests to other bodies, which the journalists raised in their letter. As I said, that is just not the case—it would be against the law to do that. Public bodies handle their own requests. However, the Scottish Government and its agencies—incidentally, that does not include the Scottish Fire and Rescue Service—are regarded as one public authority for the purposes of FOISA, so that might be where some misunderstanding has arisen.

Johann Lamont: Will the minister give way?

Joe FitzPatrick: As I said, I want to try to get through some of the substantive points that members made.

Tavish Scott, Alex Rowley and Andy Wightman talked about an independent inquiry. As Clare Adamson said, the Scottish Information Commissioner is the person who is legally obliged to be in charge of FOI. The commissioner has an important role and is independently appointed by

this Parliament. The commissioner has started to look at our processes, to make sure that we get things right, and I am sure that the new commissioner will continue with that work. I will be happy to engage with the new commissioner when they have been appointed, to discuss what further action should be taken to make our FOI regime more transparent.

Andy Wightman referred to the point about data logs that he and Monica Lennon made in last week's debate. Contrary to some of the conspiracy theories that are roaming around on Twitter, it was very much the points that he and Monica Lennon made last week that persuaded us of the merit of publishing all FOI releases on our website. I think that that is the correct thing to do. I take on board Andy Wightman's point about timeliness in doing that; that is something that we can look at.

Stewart Stevenson gave—as he always does—the historical context for today's debate. It was helpful to remind us that it was not all that long ago that the 2002 act came into effect and that there are still members of this Parliament who were very much part of that. I acknowledge the role that Mr Wallace had in bringing forward that legislation. That might have been a challenging thing to do; I know that Tony Blair, after bringing forward similar legislation in the UK, said that his biggest regret was introducing freedom of information legislation.

I hope that colleagues realise that this Government takes FOI and open government seriously. Our culture is one of openness across Scotland. Our open data strategy sets out our high-level guiding principles in support of making data open. We will continue to look at how we can improve our performance and improve access to information going forward.

15:45

Graham Simpson (Central Scotland) (Con):

This has been a good debate but one that we brought with a collective heavy heart. That it was felt necessary to bring this motion to Parliament is testament to the way in which this Government treats its citizens—with disdain and derision.

Last week there was a members' business debate on the subject, with no contribution from the Scottish National Party save for a rambling and embarrassing performance by the minister Joe Fitzpatrick—clearly, Clare Adamson was watching something else. I can tell her that there was palpable anger after his performance, which is what led to the debate today.

Stewart Stevenson: Will Mr Simpson take an intervention?

Graham Simpson: No.

I want to pick up on something that Mr FitzPatrick said right at the start of the debate and which is quite concerning. He seemed to suggest that the very fact that we have an information commissioner means, in his words, that there is “an on-going independent inquiry”. That is not what the motion is calling for.

Joe FitzPatrick: Just to be clear, what I said was that the information commissioner’s actions were an independent inquiry. The information commissioner is independent, the information commissioner is taking action after having looked at our performance and that is an on-going process.

Graham Simpson: Her actions are not an independent inquiry. What this motion calls for is something entirely different and separate from the information commissioner. That is what Parliament will vote on.

It is encouraging that the Scottish Government has accepted the need for review and post-legislative scrutiny, but it has been dragged kicking and screaming to that point.

The background to this debate is, of course, the open letter signed by 23 journalists expressing grave concerns about the way in which FOI has been handled by this Government. The letter was mentioned by Neil Findlay, Alex Rowley and Jamie Greene. As Edward Mountain said in his opening speech, the journalists complained of information requests being repeatedly delayed beyond the 20-day deadline; emails asking for updates being ignored; delays leading to appeals to the Scottish Information Commissioner; and requests being blocked for tenuous reasons and screened for political damage. We have now had it confirmed that special advisers are involved in that process. The journalists called for a review and, in our demand for an inquiry, we call for that as well as post-legislative scrutiny—a transparency double lock.

Against that background it may surprise Parliament to learn that the Scottish Government believes that it is a beacon of transparency and that we have in Scotland something called an open government national action plan. The problem that we have is that giving evasive answers is in this Government’s DNA.

I asked colleagues for examples. Brian Whittle has given some today, as has Jamie Greene, but here is a stonker from Liam Kerr. When he put the question:

“To ask the Scottish Government what the budgeted ongoing costs were for Edinburgh Gateway station, and what the actual ongoing maintenance costs have been”,

he got this enlightening reply from Humza Yousaf:

“The operational and maintenance costs for individual stations on the ScotRail network is commercially sensitive information.”—[*Written Answers*, 15 June 2017; S5W-09540.]

One of our researchers asked, under FOI, for information about work that had been done on Scotland and Brexit. There were four lengthy questions. [*Interruption.*] If Mr Stevenson can stop chuntering, I will get on with my speech. Essentially, they asked for details of meetings and correspondence on the potential implications of the UK leaving the European Union for Scotland’s long-run economic performance. The answer was that the Government did not have those records because everything was done in face-to-face meetings.

That has been the *modus operandi* of this Government when dealing with questions. The way in which this Government treats freedom of information amounts to censorship that is worthy of a totalitarian state, but why would a Government be open with its people when it thinks that it is the people? Maybe recent democratic events will help to dissuade it of that delusory state of mind.

When the FOI act became law, we might have thought that we in Scotland were being advanced—not so. Scotland is a comparatively recent convert to FOI, with the world’s first freedom of information law happening in Sweden in 1766.

The Scottish public information forum, which was meant to enable the long-term effectiveness of FOISA and the Environmental Information (Scotland) Regulations 2004, did not meet for over six years from 2010 until being reconvened by the Campaign for Freedom of Information Scotland. It will next meet on 28 September—international right to know day. I am not sure whether the Scottish Government is celebrating that day.

We on these benches welcome the Scottish Government’s new commitment to publishing all information that is released under freedom of information. The test will still be how quickly answers are given and whether a cloak of secrecy surrounds them. The SNP Government has responded to only 38 per cent of FOI requests with a full release of the information requested. It needs to do better.

Finally, I remind the chamber of the words of the then Deputy First Minister Jim Wallace—mentioned by Pauline McNeill—during the 2002 debate on the Freedom of Information Bill. He said:

“information is the currency of an open, democratic society”.—[*Official Report*, 17 January 2002; c 5453.]

Mr Wallace was right in 2002. We now need a Government that holds to his words.

The Deputy Presiding Officer: That concludes the debate on freedom of information requests. Before we move on to the next item of business, I remind members that they should always be polite, even when they revert to name calling. *[Laughter.]*

Agriculture

The Deputy Presiding Officer (Christine Grahame): I am not sure about polite name calling. I think that we will leave that by the by. The next item of business is a debate on motion S5M-06186, in the name of Peter Chapman, on agriculture.

15:53

Peter Chapman (North East Scotland) (Con): I refer members to my entry in the register of members' interests.

I remember, just over a year ago, reading the Audit Scotland report into the common agricultural policy information technology system. I have never read such a damning document as that one in all my years in business. It showed a governance structure that was riddled with incompetence, a budget that was wildly out of control and no prospect of getting the additional functionality that was promised.

At the time, the Scottish National Party Government seemed to be absolutely committed to getting the fiasco under control. We had Fergus Ewing in the chamber apologising to farmers and promising that action would be taken. I remember it well—he said, “I will get in about it!” I am not sure that the cabinet secretary has got in about it, but he is certainly in it.

This year's update from Audit Scotland is, predictably, not much better. The Scottish Government is at risk of £60 million in fines from the European Union, but the First Minister does not seem to be overly concerned. It is amazing that after all the careful work that Audit Scotland has put in and its careful calculations, the First Minister thinks that she knows best and reckons that it will probably not be that much so why should we get worked up over it?

The Cabinet Secretary for Rural Economy and Connectivity (Fergus Ewing): I recognise that the Auditor General stated last year that the costs would range between £40 million and £125 million, but does Mr Chapman recall that we have made it clear that the actual estimated penalties—so far as we can ascertain them at the current time—are £5 million, and that the factual position is therefore substantially less bleak than it has been painted?

Peter Chapman: The interesting thing is that they came down to £5 million because we got an extra three months to pay the moneys out—until the end of October. If it happens this year, the figure might be different again, but £60 million is the figure that Audit Scotland came up with in its

report and that is the figure that I can legitimately use today.

The situation is indicative of the shocking complacency that defines the Scottish Government's attitude to what has been the worst cash crisis in a generation for our farmers. The response to that will no doubt be that there are many staff working hard to get the system going as soon as possible and that IT experts are now getting to grips with the system. Unfortunately, as reported by Audit Scotland, there is a risk that as and when contractors leave, the procedure to ensure that knowledge is transferred is inadequate. That is just another of the risks that the report highlighted.

As we speak, out in the local area offices, there are teams working overtime and under huge pressure to deliver for our farmers, but whose job is being made impossible by the faulty, overpriced IT system.

Andy Wightman (Lothian) (Green): Will Mr Chapman give way?

Peter Chapman: Fergus Ewing regularly sings their praises, and I totally agree. They have been doing their absolute best and have had to endure angry exchanges with farmers who are at their wits' end—[*Interruption.*]

The Deputy Presiding Officer: Please sit down, Mr Wightman.

Peter Chapman: I am sorry, Presiding Officer?

The Deputy Presiding Officer: Mr Wightman was asking if you would take an intervention, but you did not respond. We cannot have two members standing at the same time.

Peter Chapman: I did not realise. I am sorry, Presiding Officer.

The Deputy Presiding Officer: Unless you wish to take the intervention, of course.

Peter Chapman: I am going to carry on.

As we speak, there are teams in local area offices who are working overtime under huge pressure to deliver for our farmers. Fergus Ewing regularly sings their praises and I totally agree. They have been doing their absolute best and they have had to endure angry exchanges with farmers who are at their wits' end because they cannot pay their bills. However, those staff are working with their hands tied behind their backs, and it is the cabinet secretary's fault.

I know that farmers across Scotland realise that front-line staff are working their socks off every day to ensure that payments are made as quickly as possible, and I have heard that in some offices staff are being asked to cancel holidays and take

on yet more hours as we rapidly approach the 30 June deadline for payments.

Andy Wightman: Will Mr Chapman take an intervention on that point?

Peter Chapman: I heard him this time. Yes, indeed.

The Deputy Presiding Officer: I think that I helped you, Mr Wightman.

Andy Wightman: I thank Mr Chapman for taking an intervention. Will he confirm whether the £101,000 in 2015 and the £76,452 in 2016 that Peter Chapman Ltd received were on time?

The Deputy Presiding Officer: Bear with me for a moment, Mr Chapman—please sit down while I confer.

That is a matter on which you may or may not wish to respond, Mr Chapman.

Peter Chapman: It was a totally inappropriate question and I will not respond to it. [*Applause.*]

That brings us to another of the serious issues that the Audit Scotland report makes clear still need further work. The Scottish Government is required by EU regulations to make 95 per cent of payments by the end of June and there is a great deal of uncertainty about whether that can still be achieved or whether farmers will be left waiting yet again. Frankly, I do not believe that it can be achieved, but maybe the cabinet secretary can reassure us today on the subject; or does he intend to ask the EU for another extension to the payment window? I hope that Mr Ewing will be able to answer that question when he speaks.

Even if it can be achieved, it is still the case that farmers are punished far too harshly for minor errors. Let me give an example. A constituent of mine who forgot to attach maps for this year's greening application, but who had done all the work, had all the acres in place and submitted all the relevant information, is facing a possible £16,000 penalty. What makes the situation worse is that, last year, a map was not required for the scheme.

Assuming that the farmer's income is only £12,500, which was the average for 2016, even a Scottish National Party minister should be able to see that that leaves him in the red. His whole year's profit will be gone at a stroke because of one simple mistake. Perhaps the cabinet secretary can explain why he can make mistakes but still keep his job but my constituent can make a minor mistake like that and lose all his income. Is it the case that stronger for Scotland simply means more support for beleaguered ministers while leaving struggling farmers in the lurch?

One would think that, given the list of failures, there might be some good to take away from all

this, in that the worst is behind us, but I am sorry to say that that is not the case. In addition to the issues that plague the system every day, there is a real risk to the payment process from the absence of a back-up system. Audit Scotland highlighted that a year ago but nothing has been done. If a ransomware attack such as the one that hit our national health service just a few weeks ago and created havoc around the world were to be carried out on the CAP IT system, it would be cataclysmic. I am staggered that the SNP has done nothing at all to put in place basic safeguards, and I shudder to think how we would recover from such an attack.

Let us not forget that rural communities will have to go through the same fiasco all over again, as the system is not expected to be fully compliant until 2018 at the earliest. That means that, for nearly half the SNP's time in government, it will have failed to get to grips with the issue. Assuming that the system works by 2018, the SNP will have spent five years not delivering a system for farmers and not delivering vital money on time to the places that need it the most.

The Government has spent its time apologising for, explaining away and excusing its failure to work for rural Scotland. The question is: can we ever expect it to take positive action and get on with finally fixing its mess?

I move,

That the Parliament notes the findings of Audit Scotland's June 2017 update on the common agricultural policy (CAP) futures programme; notes that it highlights significant further work to be carried out on the CAP IT system; is concerned by the lack of detailed assessment of risk from financial penalties and the potential for up to £60 million in EU fines if the system is non-compliant; urges the Scottish Government to take swift action to develop a disaster recovery plan to cover the whole IT system; believes a clear plan for the transfer of knowledge to new staff must be developed, and is further concerned that the system will not be functioning as anticipated until 2018 at the earliest and will not deliver value for money.

16:01

The Cabinet Secretary for Rural Economy and Connectivity (Fergus Ewing): It is always good to have the opportunity to debate agriculture in the chamber, but it is disappointing that, with so much potential for debate on the topic, the Conservatives have focused narrowly on one specific issue. I absolutely recognise the importance of the issue. Significant work is still required, as the response plan published today makes clear. Although improvements have been made, resolving the outstanding problems remains my foremost priority.

I want to focus my comments on the role of agriculture now and in the future, and on its positives. Agriculture plays a crucial role in our

rural economy. There are around 52,000 farm holdings covering 5.6 million hectares. Barley is the largest crop, and there are 600,000 breeding cattle and 2.6 million breeding ewes. Since 2007, we have injected over £1,600 million into the rural economy, supporting over 21,000 projects. That is in addition to more than £400 million of direct annual support to farmers and crofters. Since 2015, we have supported 130 young and new farmers with £7 million in funding. Between 2007 and 2013, it is estimated that nearly 32,000 jobs were created. For every £1 spent, £2.30 was generated. Today, I announced the latest round of food processing and manufacturing grants, worth £5.8 million, to support butchers, food processors, pie manufacturers and farmers to invest in equipment, products, facilities and jobs all over Scotland.

The success of our agriculture sector was demonstrated only this week with the publication of the most recent food and drink export statistics, which showed that the value of exports has grown by 10 per cent compared to the same period last year. The statistics also make plain the importance of membership of the European Union single market, with the EU being the largest market outwith the United Kingdom for Scottish food and drink, accounting for 70 per cent, or £1,000 million, of our food exports alone.

All of that shows the precarious position in which we now find ourselves: an extreme Brexit, which would remove all the benefits that agriculture in Scotland currently enjoys, would have a devastating impact. That is why Scotland must be included in the Brexit negotiations. The reasons are practical, not political. We must protect the interests of our agricultural sector.

To deliver the best possible environmental and productivity outcomes, to keep people on the land—as we debated in relation to crofting yesterday, with people of like mind, such as Mr Finnie—to produce more food for ourselves and for export abroad and to support the development of the sector in the future, we need to maintain our share of funding and our access to people and markets.

It is important that we look to the future. Sustainability means growing markets. The recent achievement of BSE-negligible-risk status gives us the potential to grow the market for our quality meat sector. Sustainability also means supporting environmental enhancement. To date, the agri-environment scheme has invested £99 million in more than 1,500 projects, covering everything from enhancing biodiversity to protecting the water environment.

Farmers are increasingly innovating and collaborating to find their own solutions, such as monitor farms and co-operatives—just last Friday I

visited Highland Grain in North Kessock, north of Inverness. Farmers and crofters already play a key role as the custodians of our land. They help to shape and protect that most fundamental and natural asset.

In the future, there is more that they—and all of us—can and should do to achieve the best possible environmental and productivity outcomes. Those are not conflicting but complementary aims.

European Union funding—or its equivalent—is vital for the continued viability and sustainability of Scottish agriculture. Our landscape, needs and priorities are different from the rest of the UK, as evidenced by the fact that 85 per cent of land in Scotland is less favourable, as opposed to just 15 per cent of land in England. That is especially the case for hill farmers, as evidenced in the testimony of many hill farmers and crofters at the two summits that I recently held in Lanark and Dingwall.

We must receive a 16.5 per cent share of future funding for agriculture. In the future, we expect the same amount of funding to be available as is available now. The power to decide how and in what to invest funding to achieve sustainable outcomes must rest in Scotland. We will only get agreement on the next steps through discussions based on mutual respect and by taking a new cross-party, all-Government, four-nation approach to the Brexit negotiations. In pursuing that objective, I undertake to work with all the other parties in the Parliament—as I always try to do.

I move amendment S5M-06186.4, to leave out from second “notes” to end and insert:

“; agrees that the biggest threat to Scottish agriculture remains the UK’s departure from the EU, withdrawal from the CAP and the loss of membership of the single market; recognises the need to develop a sustainable system of future rural support beyond 2020 that invests in and supports the best possible environmental and productivity outcomes for agriculture; calls on the UK Government to agree to continue to ensure that Scotland receives the same share of future funding as it does now under CAP to allow farmers, crofters and rural businesses to know as early as possible what financial support will be available, and believes that any further investment must ensure that the current CAP IT system is future-proofed to deliver such post-Brexit support.”

16:08

Rhoda Grant (Highlands and Islands) (Lab): It would appear that there is no end in sight to this fiasco. The cabinet secretary in his first days in office said that it would be his top priority, but it appears that we are no further forward more than a year later.

There are a number of issues at stake: the impact on the public purse, on our farmers and crofters and on the rural economy.

I turn first to our famers and crofters. They have experienced difficulty in making claims and delays in receiving any money, whether it is substantial payments or loans. That has caused them to postpone plans for future development. All the while, the Scottish Government has put out press releases praising its investment in the rural economy—simply adding insult to injury.

I have spoken to people who are afraid to claim for a loan as they are not clear, under the new system, what their entitlement is and they cannot risk—[*Interruption.*]

The Deputy Presiding Officer: I am sorry Ms Grant, but someone who should not have their phone switched on has a friend calling them and it is spoiling your speech.

Members: It is up there.

The Deputy Presiding Officer: I have located the culprit, so you may continue, Ms Grant.

Jackson Carlaw (Eastwood) (Con): It was coming from the gallery.

The Deputy Presiding Officer: I am sorry, Mr Carlaw, but you went bright red, so I thought that it was your phone. [*Laughter.*] You will just have to stop blushing.

On you go, Ms Grant. I am sorry about that.

Rhoda Grant: Thank you, Presiding Officer.

I have spoken to people whose development plans have been badly undermined and who have had to shelve plans to make their businesses more viable. That will impact on the rural economy for years to come. The knock-on effects from the fiasco mean that families are losing their livelihoods and going out of business.

Fergus Ewing: I am absolutely aware of the difficulties facing individual farmers and crofters, but does Rhoda Grant recognise that the loan schemes that I instituted last November—earlier than the normal payment window of 1 December—injected about £270 million into the rural economy to farmers and crofters? That was at least a pragmatic and efficient act.

Rhoda Grant: Nobody argues that the loans should not have been paid; indeed, they were a necessity to allow people to continue to function. Unfortunately, they were not the full payment, which means that a lot of people had to put their plans on the back burner—plans that were effective for those businesses to carry on.

Businesses that depend on the rural economy have also suffered. Even if they have managed to stay afloat, they face hardship for years to come to pay off debts racked up as a result. Even if the problem were fixed tomorrow, the consequences would last a long time. Money and resource need

to be put back to support farmers and crofters as they try to pick themselves up again. They are vital, but public money once again has to be spent in the fallout from the mess. The Scottish Government needs to take responsibility for it, rather than shrugging its Teflon shoulders.

The fiasco also impacts on the larger rural economy: those who support farmers and crofters, such as people who improve buildings, fences and the like. Those maintenance and investment projects have stopped and small businesses are closing as a result, hitting the already fragile rural economy and delaying recovery, because those skills are lost. Far from investing in the rural economy, the Scottish Government has let it down.

Fergus Ewing might say that the system was not his choice as its purchase happened under Richard Lochhead's tenure, and that is correct. However, he has had a year to sort it out and he has not even begun to make headway. I am clear that this is not a criticism of regional office staff, who have worked long and hard to try to get payments out and to help claimants. This is a failure of management. The fault ultimately lies with the Scottish Government that sourced the system and employed the contractor. Was due process carried out to make sure that they were up to the task? I have seen the secret report, and it does not give me confidence that the system will ever work. Will it simply limp on until Brexit renders it redundant? It is still costing the public purse, because amendments and changes to the system need to be paid for by the public, as do the loans required to keep farmers and crofters in business.

How long will the European Commission continue to overlook its failures? With Brexit, there is no need for them to keep us on side. Penalties will add to the cost of the whole project; at a time of austerity, it seems absolutely counterproductive that the taxpayer is shelling out and paying for this Government's failure.

I acknowledge that the cabinet secretary has today published the conclusions and executive summary of the Fujitsu report, but it is time for the Government to be totally open with people about the extent of the issue and publish the full report, so that everyone can see what has happened.

Fergus Ewing: Will the member give way?

Rhoda Grant: Do I have time, Presiding Officer?

The Deputy Presiding Officer: Yes.

Fergus Ewing: I am most grateful. Does Rhoda Grant acknowledge that the reason why we cannot publish and have not published the full report is

commercial confidentiality? To do so would also risk breaching cybersecurity.

Rhoda Grant: That comment makes my point. If the report is so damning that it would call into question cybersecurity, it explains to people exactly what is happening. We need a new system; I am not reassured that this one will ever work. It was a vanity project, and it is now time to admit defeat.

I move amendment S5M-06186.1, to insert at end:

“; is concerned that after a year in post the Cabinet Secretary for Rural Economy and Connectivity has not ‘fixed it’ as promised, neither has it been his foremost priority, and calls on the Scottish Government to fully disclose all information with regard to the fiasco, including the Fujitsu report.”

The Deputy Presiding Officer: We move to the open debate, with speeches of four minutes. I will give members who take interventions a little leeway.

16:14

Finlay Carson (Galloway and West Dumfries) (Con): I start by setting out a few facts and statistics on agriculture in Scotland. Some 80 per cent of Scotland's landmass is under agricultural production, which makes the industry the single biggest determinant of the landscape that we see around us. Scotland's farmers, crofters and growers produce output that is worth about £2.9 billion a year. About 67,000 people are directly employed in agriculture, which represents about 8 per cent of the rural workforce and means that agriculture is the third-largest employer in rural Scotland after the service and public sectors. It is estimated that a further 360,000 jobs—one in 10 of all Scottish jobs—depend on agriculture. All of that highlights the important role that agriculture plays in relation to Scotland's economy, landscape and people, and the fantastic job that our farming community is doing despite the SNP Government.

For far too long, the Government has been failing our rural communities. I have a degree of sympathy with the cabinet secretary, as I accept that he inherited this dog's dinner of an information technology system from his predecessor back in 2016. At the time, Fergus Ewing said all the right things. He apologised to farmers and gave a commitment to getting this sorted. At the end of the day, that is where we need to get to. However, the cabinet secretary has totally failed to manage farmers' expectations, which has left them with a distrust of him and the SNP Government and left total confusion and uncertainty across the sector.

Our farmers and crofters are paying the price for the SNP Government's continued mismanagement of the CAP payments system.

Last week, Audit Scotland published a report on the failed system, and the findings were not complimentary. The report found that

“the difficulties encountered in previous years continue to have a significant impact on the processing of current ... payments”.

It also said that

“To date, the programme has not delivered value for money”

and that EU penalties

“of up to £60 million are possible”

for late payments. Possibly most damning of all, the report said:

“it is likely that the rural payments system will not be functioning as anticipated until SAF 2018 at the earliest”.

We have a computer system that cost the Scottish Government £178 million to set up, whose cost is 75 per cent over budget, which requires additional costs to set it up—not to mention the potential payment of fines—and which probably will not work until 2018 or maybe later.

Not only has the Government failed to get a grip of this mess, but it risks being accused of attempting to cover up any further criticism. The Scottish Government will not release a report by Fujitsu on the IT system because it claims that the report is commercially sensitive. I am afraid that I do not accept the cybersecurity excuse that the cabinet secretary gave.

Fergus Ewing: We saw what happened to the national health service recently when there were breaches of its IT system. The advice that the chief officer has given me, as the cabinet secretary with responsibility for the rural economy, is that releasing the report would risk similar cybersecurity breaches. Does Mr Carson not agree that it would be an act of sheer irresponsibility if I were to release information that could threaten the cybersecurity of our CAP IT system?

Finlay Carson: I think that the horse has possibly bolted because, as far as I understand the situation, the report has been leaked. I do not know what that says about security—cyber or otherwise.

Scottish Government officials confirmed that the report highlighted the need for remedial action and confirmed that there were system defects. It is totally unacceptable for any Government department to attempt to hide behind commercial sensitivity.

I urge the cabinet secretary to consider publishing a redacted version of the report. He should be transparent and allow proper scrutiny, so that we can get the computer system into a fit-

for-purpose state. That is what the farming communities of Scotland want and deserve.

Where are we now? As of 22 May, about 1,700 of the 2016 pillar 2 payments, with a total value of £14 million, were still outstanding. The delay to starting pillar 1 payments has increased the risk that the deadline of the end of June will not be met. The fact is that the issue is about more than just meeting targets; it is about businesses managing their cash flow. Put simply, it is about farmers' livelihoods. The delays mean that farmers cannot pay their debtors on time, that they do not have the funds to replace a piece of equipment that has broken down, that they cannot pay their staff and that they cannot make the prudent investments that businesses require to build a sustainable future.

The Deputy Presiding Officer: You must conclude at that point, Mr Carson. I have given you an extra minute.

16:20

Stewart Stevenson (Banffshire and Buchan Coast) (SNP): I start by declaring a relevant interest. NFU Scotland provides me with its magazine, *Scottish Farming Leader*, at no cost. The cover price is £3.50. I thank the NFUS for that, which helps me to stay in touch, and I will come back to that. I also declare that I have a registered agricultural holding of less than two hectares from which I derive no income.

The *Leader* helps us all to stay in touch. A different publication, *Farmers Weekly*, caught the situation in which farming finds itself in relation to farm payments in its 10 February edition. It said:

“The department's record of failure when developing systems to support subsidy payments to farmers does not inspire confidence in its ability to cope with the challenges with Brexit that lie ahead ... At the same time taxpayers continue to be hit in the pocket by financial penalties arising from the government's failure to deliver the scheme properly.”

The penalties to which it refers are of £0.5 billion. The failures that it describes are, of course, the Tory failures in supporting the CAP payments system in England.

That those in England are also in difficulties does not let us in Scotland off the hook—far from it—but it allows us to compare the Tories' rhetoric here with their record south of the border, which does not much favour my colleagues on the benches to my left. Westminster's Public Accounts Committee is chaired by a Labour MP, and Tory MP Richard Bacon has been its deputy chairman. He was withering on the Tories' record; in fact, he has even written a book called “Conundrum” on the nature and causes of overspending, delays

and failures in his Government's schemes and the failures of other Governments.

In contrast, our Government has fessed up and acted on legitimate concerns. A loan scheme has been introduced to protect the cash flows for farmers. In England, there has been no comparable action.

The motion asks us to note Audit Scotland's June findings. Let us do that. The report says that

"significant changes to leadership ... brought renewed effort to ... respond to the risks."

Thank you, cabinet secretary. The report continues:

"Online applications for 2017 opened on time on 15 March, and no major system problems were noted over the application period."

Thank you, cabinet secretary, and thank you to all the hard-working staff at the agriculture and rural economy directorate.

None of that should be news to Mr Chapman or to me. We were both present at a parliamentarians' meeting with NFUS members that took place at Thainstone mart on 28 April, when we both heard confirmation from active farmers that the application system was working and usable. That does not mean that the whole system is working, but the bit with which farmers interact was working.

Peter Chapman: Will the member take an intervention?

The Deputy Presiding Officer: The member is in his last minute.

Stewart Stevenson: We also heard that farm incomes had declined; we know of the serious pressures that there are. I welcome the assurance from the UK Government that funding for CAP will continue into 2020 but, in the light of the withholding of more than £100 million of convergence funding, I am a bit sceptical about the outcome.

Today's Queen's speech at Westminster said that the Government hopes to

"maintain the scope of devolved decision-making powers immediately after exit"

and refers to

"discussion and consultation with the devolved administrations on where lasting common frameworks are needed."

An agriculture bill has been proposed, and I am going to be quite radical. Why not have a joint committee between this Parliament and the Westminster Parliament to look at that bill?

As a computer person, I will make an important point on back-up systems, on which Peter

Chapman is entirely wrong. It is only the heritage or legacy systems that are not backed up, not the new CAP system and all the data, which confirms that it will be okay.

I end with July's edition of *Scottish Farming Leader*, which I have here. It has 66 pages and not a single word on CAP information technology systems or any of the failures. Farmers have moved on and the Government is moving on with them.

The Deputy Presiding Officer: And now you must move on, Mr Stevenson.

Stewart Stevenson: The Tories are out of touch again. Thank you, Presiding Officer.

The Deputy Presiding Officer: Mr Carson wishes to say something.

Finlay Carson: I put it on the record that I failed to declare that I am a member of the NFUS; I declare that at this point.

The Deputy Presiding Officer: Excellent—that is now on the record.

16:24

Claudia Beamish (South Scotland) (Lab): What a pity that we have, rightly, had to focus on the CAP delivery system both in the Tory motion and our amendment, instead of focusing on the future of agriculture more broadly. It is extraordinary that we have had to debate the CAP delivery system yet again. The abject failure to fix so many of these issues has put our farmers under prolonged financial pressure and it is deplorable that they continue to pay the price of this Government's mess.

In February 2016—a desperate point for farmers in Scotland—I met members of NFUS Forth and Clyde on-farm at Crawfordjohn in my region. At that time, many spoke of the stress that they were under and raised concerns about the mental health and wellbeing of farmers and their families. At that meeting, I heard of seed merchants suffering a loss of business and farmers struggling to meet hire-purchase payments.

Yet this very day, Tom French, vice-chair of the Clydesdale NFUS branch discussed with me the difficulties of restricted cash flow and its obvious effects on confidence in the supply trade and on farmers' ability to pay their accounts. Farmers in my region have told me that extended credit arrangements have contributed to several businesses downsizing and to some stopping trading altogether.

The Government's CAP failings have taken a huge toll on not just farmers awaiting payment, but the whole rural economy. Rural representatives well know the variety of factors that have made

rural economies more fragile than their urban counterparts through the years. This Government-imposed disruption has had a serious knock-on effect.

In March 2016, the then Cabinet Secretary for Rural Affairs, Food and Environment said in the chamber:

“Are we going to ensure that all the payments get out? Of course we are.”—[*Official Report*, 10 March 2016; c 16.]

Since then, the current Cabinet Secretary for Rural Economy and Connectivity has repeatedly assured us, on behalf of the Scottish Government, that “We are fixing it”.

Here we are today. I understand from talking to local people that some of the 2015 payments are still outstanding and that we have an uneconomical system that is riddled with problems.

Fergus Ewing: I am extremely grateful to Claudia Beamish for giving way, given that she has only a short time for her speech. I point out as a matter of fact that we have completed 99.9 per cent of the pillar 1 payments from last year.

Claudia Beamish: I am afraid that that is no comfort to my constituents. It is heavily disappointing to learn that the functionality to process pillar 2 claims had to be deprioritised in favour of processing pillar 1 payments, important though those are. Furthermore, the integration of the remaining pillar 2 schemes with the rural payments system was removed from the programme’s scope. It is chaos, which is so discouraging for farmers looking to invest in agri-environment and forestry schemes.

I find it concerning that the Scottish Government has still not established a disaster recovery arrangement for the whole CAP payment process. These systems are at risk and the Scottish Government’s reassurances are no comfort without proper testing and plans.

We must commend the staff who continue to work through challenging circumstances. Anyone can empathise with the prospect of facing a day at work with impending deadlines and backlogs of work. The level of pressure is enormous. The further update from Audit Scotland notes:

“the time pressure the programme was working under and the decision to make payments quicker had meant some governance practices, such as system documentation and quality controls, had been sacrificed.”

Staff should not be working under such pressure. That level of pressure is unacceptable and the structures and processes of the work environment should be monitored closely. I hope that the cabinet secretary will comment on that.

The cabinet secretary said that he would fix this mess. Effective delivery is long overdue. How much longer does rural Scotland have to wait?

16:28

John Finnie (Highlands and Islands) (Green): I have no problem noting the findings of the Audit Scotland report, which accurately reflects the situation. However, much of what we have heard does not accurately reflect what was in the report. We had the appropriate balance from Stewart Stevenson in his speech.

That an IT project is in disarray—not that I accept that the present situation is one of disarray—is not news in the public sector. What is important is the scrutiny that takes place. In the short time that I have I will talk about the Rural Economy and Connectivity Committee’s scrutiny.

There is no doubt that a problem has been identified. Has it been acknowledged? I heard it acknowledged today and it is certainly acknowledged in the Scottish Government’s amendment, as it was in previous debates.

Is it the result of neglect? No. Is it the result of a wilful act? No. Is there a lack of oversight on this issue? It is quite clear that Audit Scotland does, and has done, in relation to this matter what it does across the public sector, which is vigorously scrutinise what has happened.

Did the Rural Economy and Connectivity Committee get weekly updates about the state of payments? What we are interested in is the mechanisms that are put in place to ameliorate any problems. We have heard about the commendable staff effort, and it is gratifying to hear a range of members talking about that.

There is also the loan scheme. Is anything perfect? No, but that was a positive step. The previous system was not perfect, and I dare suggest that future systems will not be perfect either. It is a matter of understanding.

I do not have sufficient IT knowledge to comment in detail on such things but, if an expert tells me that there are issues of security, I am inclined to listen. The problem is that the current system of subsidies is overly complicated. That has created part of the administrative burden and that is why the development of the IT system was so problematic.

Much of that is distracting from the real challenges in Scottish agriculture, which are about not the sorting of a computer system, but the long-term implications for Scottish agriculture of being outside the European Union. The UK Government has promised to maintain the current CAP funding until 2020, but there are no published plans beyond that. Indeed, there is no guarantee that the

IT system being debated today will deliver any post-Brexit subsidy scheme that deviates from the existing CAP model.

On Friday it will be one year since the EU referendum and 12 weeks since article 50 was triggered. This week marked the start of official negotiations with Europe. What will we replace CAP with? That needs to be discussed, debated and scrutinised—and not behind closed doors. There has to be collaborative working between Westminster and Holyrood on that, and I believe that there will be. However, in focusing so heavily on an IT system that is specifically designed to deliver CAP, we risk tying ourselves into a like-for-like replacement of CAP and failing to address the inadequacies and complexities of the existing system.

Business as usual for CAP would be a missed opportunity. Area-based payments, which make up the bulk of pillar 1, continue to reward land ownership rather than sustainable land use. That drives up land prices, and it is one of the key barriers to further land reform.

The Scottish Green Party wants to move forward on the principle of public money for public good.

In the short time that I have left, I wish to say that leaving the EU provides an opportunity to simplify the subsidy system and to ensure best value for public money—public money for public good. That will not necessarily result in cutting funding to crofters—of whom we do not hear terribly much—farmers and rural businesses.

What is most important is that Scotland's voice is heard in the negotiations.

16:32

Mike Rumbles (North East Scotland) (LD): Sixty-three thousand people are directly employed in agriculture in Scotland, but more than 1 million people live and work in rural communities that benefit indirectly from European support for our agricultural industries.

I have another figure for you, Presiding Officer: £1 billion. That is the value of EU support that has been due to Scottish farm businesses since the Scottish Government's debacle over basic payments began more than two years ago. That is money that those working on farms and crofts across the country plan to use years in advance to employ workers, to rent and buy equipment and services and to buy seed and feed for the coming season.

Despite the Scottish Government's refusal to make a full assessment of the damage to our rural economy, we are now starting to see the depth of its catastrophic handling of farm payments.

Payments have been delayed by six months or more, there has been a decrease of 48 per cent in farm incomes, 6,000 farm businesses are still to have their payments processed, a third of farms in Scotland are operating at a loss, and more than £100 million of support payments are still sitting in the Government's bank account. John Finnie is saying that nothing is perfect.

Fergus Ewing rose—

Mike Rumbles: I have only got another two minutes—I am sorry.

I have no doubt that the minister inherited a complete mess from his predecessor, but I am also certain that more could have been done over the past year to right those wrongs. In the words of the recent Fujitsu report, a report that the minister requested should not be made public, but which was covered at the committee,

“many quality assurance and governance practices have been knowingly sacrificed”.—[*Official Report, Rural Economy and Connectivity Committee*, 10 May 2017; c 23.]

We said that in committee.

This afternoon, the Scottish Government has published parts of the Fujitsu report. In his covering letter, Mr Ewing says that it is a fair and balanced synopsis of the report. It is, however, no such thing. Nowhere does the synopsis say that

“many quality assurance and governance practices have been knowingly sacrificed”.

Anyone who reads this travesty of a synopsis of a report will see that it is not balanced, and I, for one, refused Mr Ewing's offer of a private—or secret—briefing to the committee, because it was wrong. This should be in the public domain, and it is completely wrong for the Government to operate in such a closed fashion.

For the past two years, this Government has presided over a systematic and inept mishandling of vital support for our rural economy and has shown a complete disregard for our rural communities. When he was first appointed as Cabinet Secretary for Rural Economy and Connectivity, Fergus Ewing told the chamber that there would be no repeat of the 2015-16 CAP debacle. In that speech, he said:

“The farming industry needs to have confidence in the payment timetable and that we will do what we say. There must be no repeat of the problems that were faced in 2015-16.”—[*Official Report*, 31 May 2016; c 5.]

Can the cabinet secretary honestly say that he has delivered on his promise? Can any observer say that the Government has delivered on it? I wonder whether our farmers and the Scottish taxpayer will agree. Millions have been paid out in fines for payment errors, with more fines of up to £60 million on the way for missing this year's deadline

for payments—a deadline that is only nine days away.

The Deputy Presiding Officer: I call Jamie Halcro Johnston, to be followed by Emma Harper. This is Mr Halcro Johnston's first speech in the Scottish Parliament, and we welcome him.

16:36

Jamie Halcro Johnston (Highlands and Islands) (Con): First, I declare an interest as a partner in the farming business of J Halcro-Johnston & Sons as well as the owner of a croft.

It is with great pride that I make my maiden speech as a member of this Parliament and as a representative of the Highlands and Islands, an area that includes my own home of Orkney. I am particularly delighted that my parents have been able to make it here today. Like, I am sure, the families of all politicians, they have experienced the highs and lows of my political involvement just as much as I have, and they have always been a great support to me. It was my father who inspired me to become interested in politics. Although we have not always agreed politically, he was, as a member of the Scottish constitutional convention, part of the process that brought the Scottish Parliament into being, and I am proud now to be a member in the chamber that he and others helped bring about.

I also pay tribute to my predecessor on the Highlands and Islands list, Douglas Ross, who is now the MP for Moray. His fantastic win is testament to the hard work that he has put in first as a councillor and then as an MSP for that area. It is a clear indication of the esteem in which he is held by local people in Moray, and I know that he will continue to work hard for them as their MP. I will avoid describing him as a rising star—it is an accolade from which few politicians recover—but I know that we all expect big things of him in the future and I look forward to working with him in my new role. Finally—and I am sure that I speak for my colleague Tom Mason, too—I thank David McGill, his team and all those who have made us both feel so welcome yesterday and today.

Although I am a new member of the Parliament, these surroundings are not unfamiliar to me, and it is great to see so many familiar faces among both the MSP and Parliament staff. Between 2003 and 2007, I worked as press officer and adviser to various Conservative MSPs including Ted Brocklebank, Brian Monteith, Bill Aitken, Mary Scanlon and Jamie McGrigor, and I thank them all for the opportunities that they gave me back then. I must congratulate Mary Scanlon on recently being awarded the CBE, which is a fitting tribute to her contribution to political life in the Highlands and Islands and to the Parliament. *[Applause.]* I

also congratulate Jamie McGrigor, who has recently been elected as a councillor in Argyll and Bute and will continue to serve his constituents.

When I last worked here, times were very different for the Scottish Conservatives. The only wins that we celebrated in Scotland were our victories in the annual tug-of-war competition. Our three years as undefeated champions were testament to the hard work and dedication of our team, which of course included the late and much missed Alex Johnstone. Alex and his wife, Linda, were always extremely supportive to me as a young candidate when I stood in my first election and I am saddened that I will not be able to serve here with him as my colleague—or, indeed, with David McLetchie or Dave Petrie, two other Conservative parliamentarians who were taken from us too soon.

The area that I now represent, the Highlands and Islands, is vast, and the challenges that it faces are many and diverse. Even within the agricultural sector, the needs of someone farming in Shetland or in Orkney can be very different from the needs of someone farming in Moray, Ross-shire or Caithness. However, a strong agricultural sector is vital for wherever people live in the Highlands and Islands. Even if a person is not directly involved in the sector, it is likely that they will know somebody who is. Those people are our friends, our family and our neighbours.

Scotland produces some of the finest produce in the world and the Highlands and Islands produce some of the finest produce in Scotland, but that needs to be supported and nurtured. Proper transport links are needed to get our food to markets, and producers need to receive a fair price for their goods. Local government and business need to support local producers by sourcing and promoting local produce and, of course, rural payments need to be paid on time. The Scottish Government's mismanagement of farm payments has meant real difficulties in the present and concerns for the future. It has left some farmers with severe cash-flow problems and has put financial pressure on the agricultural sector in general.

The past few years have not been easy, but I believe that there is a bright future for our farmers and those who support the sector. That is crucial if we want to attract the next generation to take up the mantle and be the farmers of tomorrow. As an MSP, I look forward to working with farmers, crofters, representative groups, producers and other stakeholders across the Highlands and Islands over the next few years.

I will finish on how I hope politics will change in our country. The anniversary of the murder of Jo Cox was last week. We should all agree on the sentiment that has come to the fore since her

death: that often we, as politicians, agree on far more than we disagree on. I hope that, over the next few years, we will see a normalising of Scottish politics again and that our focus as parliamentarians can be on the needs of our constituents, not on the constitution, and on how, working together, we can do better for them. *[Applause.]*

The Deputy Presiding Officer: Well said, Mr Halcro Johnston. I will teach you about my pen on another occasion: it is the signal for one minute to go.

16:41

Emma Harper (South Scotland) (SNP): I remind members that I am the parliamentary liaison officer to the Cabinet Secretary for Rural Economy and Connectivity.

I congratulate Jamie Halcro Johnston on his first speech in Parliament—26 and a half hours since he was sworn in, according to Stewart Stevenson, who is sitting next to me.

I welcome the opportunity to discuss the CAP futures programme and to acknowledge the difficulties and challenges that delayed payments have caused the farming industry. We cannot go back; we must go forward. As the First Minister said in the chamber last week, there is not a shred of complacency on the Government's part with regard to tackling the issue and ensuring that the system delivers, as farmers have a right to expect it to.

In 2016, a number of countries had problems with making CAP payments on time—so much so that the European Commissioner for Agriculture and Rural Development announced an extension to the deadline. England went through its troubles with the common agricultural policy back in 2006 and 2007, when it moved to a regionalised model. According to a recent report by the Public Accounts Committee, which examined delivery of the CAP in England, there are still significant failings in that system. That report concluded that the Department for Environment, Food and Rural Affairs had failed to assess the effect of delayed subsidy payments on farmers and had not done enough to mitigate the implications.

As Audit Scotland's report noted, the CAP futures programme has operated in a "challenging external environment", as

"EC requirements were not fully agreed before the programme needed to start".

Additional system complications were created by decisions that were taken in the middle of 2014 to accommodate the industry's requests to have three payment regions.

Despite the failings, the cabinet secretary has taken repeated measures to ensure that farmers do not lose out financially. Application periods have been extended to help to maximise the number of farmers who apply and to give them additional time to do so. Where it has been determined that meeting targets to pay farmers was not achievable, the Scottish Government has taken steps to minimise disruption by making payments in two stages rather than waiting until the system was ready to dispense any money.

Finlay Carson: Will the member take an intervention?

Emma Harper: I have only four minutes, so I will not take any interventions.

Less complex claims have been dealt with first to speed up the process, and the Scottish Government used more than £270 million of its own budget to pay farmers as speedily as possible by introducing interest-free loan schemes.

There is a lot more to do, but I welcome the fact that Audit Scotland's updated report recognises a wee bit of the progress that has been made. I know that the Scottish Government will now carefully consider the findings in the context of the significant improvement activity that is under way.

As the cabinet secretary states in his amendment, the biggest threats to Scottish agriculture remain the UK's departure from the EU, withdrawal from the CAP and the loss of membership of the single market. However, the SNP Government will focus on protecting Scottish farmers post-2020.

The involvement of representatives from around the UK at Brexit talks is crucial. Today, the newly appointed UK rural affairs secretary, Michael Gove, was due to chair the EU transition forum, at which UK farming ministers discuss the future for the industry after Brexit, but he decided not to attend.

I fully realise the impact that failings in the delivery of CAP payments have had on farmers. The president and vice-president of NFU Scotland both farm in Galloway, which is in my region, the south of Scotland. I reassure farmers that the Scottish Government will continue to work flat out and I will continue to listen to farmers and to support them, if needed.

16:46

Jackie Baillie (Dumbarton) (Lab): I congratulate Jamie Halcro Johnston on his maiden speech and I acknowledge the contribution of his father to public life. He has big shoes to fill.

It is safe to say that I am a city girl, but I am always willing to learn and I pay tribute to the NFU

Scotland members in my constituency who, over the years, have tried terribly hard to educate me. I now know the difference between tups and yows. I have spent time on local farms and I have grown to understand just how hard-working and creative local farmers have had to be over the years. They have had to diversify, challenge the supermarkets when milk prices have been less than the cost of production, and work with really tight margins. They have my complete respect and they do not deserve to have others fail them.

Let us be clear: it is the third year in a row that the IT system that was designed to make the payments has been in trouble. Although the loan scheme that was put in place is very welcome, it is there only because of the Government's failure.

I always listen very carefully to what Fergus Ewing says, and I know that he inherited the mess, so I have a degree of sympathy for him. As we have already heard from others, he might be a man of few words, but he makes them count. In May 2016, he said:

"On behalf of the Scottish Government, I address three simple words to all farmers and crofters who have suffered as a result: we are sorry. Let me follow that up with four further words: we are fixing it."—[*Official Report*, 31 May 2016; c 3.]

That is a direct quote. It was to be his first and foremost priority. He told us that he would do three things: complete the 2015 payments; deliver compliance and minimise any financial penalties; and see the 2016 payments placed on a proper footing. He was going to oversee and drive forward work to get things back on an even keel. Sticking with the cabinet secretary's fondness for brevity, let me say three words to him: you have failed.

We have a follow-up report from Audit Scotland that does not make for very positive reading. The programme that originally cost £178 million is now likely to cost an additional £33 million and there are potential fines of £60 million. Audit Scotland was being unduly kind in the report when it said:

"To date, the programme has not delivered value for money."

That passes as understatement of the year.

The independent technical report that was commissioned by the Government is shrouded in secrecy. Members of the Public Audit and Post-legislative Scrutiny Committee and the Rural Economy and Connectivity Committee were given a private briefing, but it should be available for the entire Parliament to scrutinise. I know that the cabinet secretary is trying to make the information available and he sent an email including it to both committees today, which is welcome. However, given that the entire report is in the hands of *The Herald*, he should consider full publication for the

Parliament. I suspect that it is a case of too little, too late.

Farmers and crofters have been ill served by the Government in its mishandling of the CAP futures IT programme. There has been a breathtaking level of incompetence and farmers are no clearer about whether payments will arrive when they should in 2017. That is the case across a number of schemes. In the less favoured area support scheme, payments of £12 million are outstanding, and in the hill sheep scheme, payments of £6 million are outstanding. I could go on, but I suspect that the Presiding Officer will not let me.

The SNP needs to get a grip. I will leave members with the words of someone whom I do not often quote, who said:

"We are talking about public money and people's livelihoods. We need something far better. This performance is not acceptable."—[*Official Report, Public Audit and Post-legislative Scrutiny Committee*, 8 December 2016; c 12.]

That was Alex Neil in December 2016, and he was right.

The Deputy Presiding Officer: You know me so well, Ms Baillie.

16:50

Fergus Ewing: I have found the debate interesting, even if it has been difficult, at times. I echo other members' congratulations to Jamie Halcro Johnston on his excellent dignified maiden speech. I am absolutely certain that he will make his influence felt here and beyond—and not just in the tug-of-war team.

I have listened with care to the speeches of members from across the chamber, and it behoves me to reply to the main points that have been raised. I am cognisant of the fact that, as Mr Finnie pointed out, I will appear before the Rural Economy and Connectivity Committee next week as well, to respond—as is my duty—to individual questions. I think that I have been as transparent as possible in attending the Rural Economy and Connectivity Committee and answering its questions.

I will deal first with the CAP IT programme and the issues that members have raised about the Audit Scotland report and the Fujitsu report. I welcome the Audit Scotland report, which underlines what I have said on many occasions: we still have work to do. I have been transparent about that and I point out that precise information about the performance on payments is made available to Parliament weekly—and rightly so.

The Auditor General's report notes that "significant" progress has been made over the past year, so I think that it is reasonable for me to

narrate some of that progress in order to present a balanced picture. According to the Auditor General, “significant” and positive changes have been made to the leadership and governance of the programme. I know that because I ordered them. The team has changed and the governance has changed.

Secondly, there has been progress on managing the contracts, as the Auditor General acknowledges. I have met Steve Thorn in person or digitally through videoconferences on numerous occasions—five occasions, I believe. Those discussions and work that officials have done have resulted in a £4.4 million reduction in costs to the taxpayer.

Thirdly, the Auditor General recognises—Stewart Stevenson was the first member to point this out in the debate—that there has been increasing success with the online single application form process, which is functioning properly.

In addition, we are making progress on payments, as I said in my intervention on Claudia Beamish; more than 99 per cent of basic payment scheme 2015 payments have been made. In every year, there is a tail of applications that cannot be met, for one reason or another—this year, the tail has been bushier. However, that is no excuse for not ensuring that our job is done. I think that Rhoda Grant credited me with having “Teflon shoulders”, which is an amusing phrase. I do not shirk responsibility; I intend to see the job through. We are making progress on payments, but we are not there yet.

I disagree with some parts of the Auditor General’s report, and I have made that clear to her. For example, the figure of £60 million that is cited on penalties and disallowances is entirely speculative, as the report notes, just as the figure of more than double that that was cited last year was entirely speculative.

Peter Chapman: Will the cabinet secretary take an intervention?

Fergus Ewing: I do not think that I can. I am very sorry, but I have a lot to cover. I will see Mr Chapman in committee next week.

Members have mentioned the Fujitsu report. I want to publish it in full, but I cannot because of advice that I have received that to do so would threaten cybersecurity. I have complied in full with the approach that was suggested by Jackie Baillie, as convener of the Public Audit and Post-legislative Scrutiny Committee, who asked me either to publish a redacted version or a summary of the report’s findings. Today, we have published the key findings, so I have complied—

Jackie Baillie: Will the cabinet secretary take an intervention?

Fergus Ewing: I am very sorry, but I cannot. It is just the time; I have more to cover.

The Deputy Presiding Officer: The cabinet secretary is in his last minute.

Fergus Ewing: If members read the letter from the convener of the Public Audit and Post-legislative Scrutiny Committee, it will be clear that I have complied exactly with what I was asked to do. However, the technical experts’ report noted that the IT infrastructure is fundamentally sound.

There are many more things that we need to discover. What happens in the event of Brexit? What about the points that John Finnie and Emma Harper made about the challenges that face the rural economy? What about the convergence funds that are due to Scotland—the £191 million that has not been passed on by the UK Government? I raised that issue with Mr Gove yesterday and he has undertaken to reply to me on it.

My time is drawing to an end, and I apologise to members for not being able to answer all their questions. I will do so next week; that is my job.

Let me say this: we are in the course of fixing the problem and we have made substantial progress. The technical experts’ report has said that the system is fundamentally sound. The system delivered more than 99 per cent of applications last year and it proceeded with the applications on time. It is helping us to make loan payments, which members have welcomed. We are fixing the system, although the job is not done yet, and I fully intend to accept my responsibility and to see the job through.

16:56

Alexander Burnett (Aberdeenshire West) (Con): I refer members to my entry in the register of members’ interests, in relation to my farming interests, and I confirm that I do not receive any rural farm payments.

Before I talk about the failures of the SNP, the Scottish Government and Fergus Ewing in relation to CAP payments, I welcome Jamie Halcro Johnston to Parliament and congratulate him on his fantastic maiden speech. As a proud Orcadian, he will be a welcome addition in standing up for our rural and remote communities, and his presence due to the election to Westminster of Douglas Ross is a clear message of dissatisfaction with the SNP’s performance in Moray. That must make former cabinet secretary Richard Lochhead justifiably nervous, given today’s debate.

On CAP payments, here we are again. We have had a five-year project and two cabinet secretaries, and we are still no closer to a functioning payments system—I summarise the speeches of Rhoda Grant and Jackie Baillie. That is why we will support the Labour amendment.

In its most recent report, Audit Scotland concluded that we face the risk of EU fines because the system is not compliant. Fines can be administered for failing to make the required payments within set timescales, for misinterpreting or breaching regulations, and for weaknesses in financial and administrative controls that are considered a risk to EU funds. There is a real risk of that occurring.

To say that a system that cost £178 million and managed to come in 75 per cent over budget has not given us value for money would be an understatement. Of course, Audit Scotland warned the Scottish Government that it would not deliver value for money, but the Scottish Government—unsurprisingly—refused to listen. The most recent figures, which were provided on 9 June, show that 6,725 applications were still to be processed. All that leads to one thing: additional costs.

We are left with a system that has merely been papered over, as the structure of payments collapses underneath it. Farmers are still left without a significant amount of pillar 2 money from 2015. Around £14 million is currently sitting in Bute house rather than in the Broch, Barra or the Borders.

As my colleague Peter Chapman said in his opening speech, the Scottish Government is at risk of fines of £60 million from the EU, but the First Minister does not seem to be overly concerned. Why? That is enough to pay for more than 2,000 teachers for our rural schools, which are crying out for staff.

In the debate, we heard from Stewart Stevenson, who as usual was more concerned with Westminster than with the matter at hand. We heard from Claudia Beamish, who talked about the important consequences of the Government's failure, from businesses failing to the mental health of farmers—a subject that is not discussed nearly enough.

We heard from Emma Harper, who acknowledged that the Government will consider the report. I hope that it does so soon, because it is anticipated that the rural payments system will not be fully operational until 2018, at the very earliest. That means that this time next year we will be realising Mike Rumbles's fears and having the same debate again. We will again be asking the Scottish Government whether it has done any work on a penalties assessment, we will again be asking the Scottish Government whether pillar 2

payments have been made, and we will again be asking the Scottish Government whether it has had to paper over the cracks with short-term loans. Finlay Carson summed up the fiasco well when he said that

“Our farmers and crofters are paying the price for the SNP Government's continued mismanagement”.

The Presiding Officer (Ken Macintosh): That concludes the debate on agriculture.

Business Motion

17:01

The Presiding Officer (Ken Macintosh): The next item of business is consideration of business motion S5M-06242, 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 27 June 2017

2.00 pm Time for Reflection
followed by Parliamentary Bureau Motions
followed by Topical Questions (if selected)
followed by Stage 3 Proceedings: Railway Policing (Scotland) Bill
followed by Scottish Parliamentary Corporate Body Motion on the Appointment of a New Scottish Information Commissioner
followed by Business Motions
followed by Parliamentary Bureau Motions
 5.00 pm Decision Time
followed by Members' Business

Wednesday 28 June 2017

1.15 pm Members' Business
 2.00 pm Parliamentary Bureau Motions
 2.00 pm Portfolio Questions
 Communities, Social Security and Equalities
followed by Scottish Government Debate: Education Governance Next Steps
followed by Standards, Procedures and Public Appointments Committee Motion: Code of Conduct for MSPs and Written Statement Revision
followed by Business Motions
followed by Parliamentary Bureau Motions
 5.00 pm Decision Time
followed by Members' Business

Thursday 29 June 2017

11.40 am Parliamentary Bureau Motions
 11.40 am General Questions
 12.00 pm First Minister's Questions
followed by Debate on the Commission on Parliamentary Reform's Report on the Scottish Parliament
 2.00 pm Decision Time

Tuesday 5 September 2017

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 6 September 2017

2.00 pm Parliamentary Bureau Motions
 2.00 pm Portfolio Questions
 Finance and 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 7 September 2017

11.40 am Parliamentary Bureau Motions
 11.40 am General Questions
 12.00 pm First Minister's Questions
followed by 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.

Parliamentary Bureau Motions

17:01

The Presiding Officer (Ken Macintosh): The next item of business is consideration of nine Parliamentary Bureau motions. I ask Joe FitzPatrick to move, on behalf of the Parliamentary Bureau, motion S5M-06243, on committee membership; motions S5M-06245 and S5M-06246, on designation of lead committees; motion S5M-06250, on office of the clerk; motion S5M-06251, on parliamentary recess dates; and motions S5M-06253 to S5M-06256, on approval of Scottish statutory instruments. They do not include the motion on the approval of the draft Prohibited Procedures on Protected Animals (Exemptions) (Scotland) Amendment Regulations 2017.

Motions moved,

That the Parliament agrees that Rachael Hamilton be appointed as a member of the Culture, Tourism, Europe and External Relations Committee.

That the Parliament agrees that the Rural Economy and Connectivity Committee be designated as the lead committee in consideration of the Islands (Scotland) Bill at stage 1.

That the Parliament agrees that the Equalities and Human Rights Committee be designated as the lead committee in consideration of the Gender Representation on Public Boards (Scotland) Bill at stage 1.

That the Parliament agrees that, between 3 January 2018 and 31 January 2019, the Office of the Clerk will be open on all days except: Saturdays and Sundays, 30 March and 2 April 2018, 7 May 2018, 25 and 28 May 2018, 14 September 2018, 30 November 2018, 24 December (pm), 25 and 26 December 2018, and 1 and 2 January 2019.

That the Parliament agrees the following parliamentary recess dates under Rule 2.3.1, 10 to 18 February 2018 (inclusive), 31 March to 15 April 2018 (inclusive), 30 June to 2 September 2018 (inclusive), 6 to 21 October 2018 (inclusive) and 22 December 2018 to 6 January 2019 (inclusive).

That the Parliament agrees that the Criminal Justice and Licensing (Scotland) Act 2010 (Consequential Provisions) Order 2017 [draft] be approved.

That the Parliament agrees that the Mental Health (Cross-border transfer: patients subject to detention requirement or otherwise in hospital) (Scotland) Amendment Regulations 2017 [draft] be approved.

That the Parliament agrees that the Mental Health (Cross-border transfer: patients subject to requirements other than detention) (Scotland) Regulations 2017 [draft] be approved.

That the Parliament agrees that the Mental Health (Cross-border Visits) (Scotland) Amendment Regulations 2017 [draft] be approved.—[Joe FitzPatrick]

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

Prohibited Procedures on Protected Animals (Exemptions) (Scotland) Amendment Regulations 2017 [Draft]

The Presiding Officer (Ken Macintosh): The next item of business is consideration of a further Parliamentary Bureau motion. I ask Joe FitzPatrick to move, on behalf of the Parliamentary Bureau, motion S5M-06257, on the approval of the draft Prohibited Procedures on Protected Animals (Exemptions) (Scotland) Amendment Regulations 2017.

Motion moved,

That the Parliament agrees that the Prohibited Procedures on Protected Animals (Exemptions) (Scotland) Amendment Regulations 2017 [draft] be approved.—[Joe FitzPatrick]

The Presiding Officer: I believe that several members wish to speak in the debate. Each member has up to four minutes.

17:02

Finlay Carson (Galloway and West Dumfries) (Con): I recognise and understand why tail shortening is a highly emotive topic right across the chamber. My colleagues on the Conservative benches and I strive for the highest level of animal welfare.

The Environment, Climate Change and Land Reform Committee sat through many hours of evidence on both sides of the argument. A wide range of people, from gamekeepers to farmers—all of whom are dog lovers and are committed to the welfare of dogs—contributed to the committee's evidence sessions, expressing their support for changes to the legislation.

I make it clear that we are supportive of the ban on tail docking that is in place. However, having considered the available evidence very carefully, we have taken the decision to support the Government in creating an exemption to the ban on tail shortening for a very limited number of working dogs.

It is important to clarify exactly what the exemption will mean. It will permit the shortening, by up to a third and by a vet, of the tails of spaniel and hunt point retrieve puppies when a vet believes that they are likely to be used as working dogs and possibly risk serious tail injury later in life.

Tail shortening will quite rightly continue to be illegal for the vast majority of dog breeds. The change will bring us into line with similar exemptions that already exist in the rest of the United Kingdom.

We believe that permitted tail shortening will reduce the incidence of painful injuries that a working dog can sustain later in life—injuries that could lead to the amputation of a dog's tail.

Let us not forget—and I am sure that on this we can agree across the chamber—that all vets are committed to improving animal health and welfare. Vets will always act in the best interest of the animals they are treating. We are allowing vets to make professional, informed and considered decisions as to whether a puppy that is presented to them from a breed of dog with a higher chance of tail injury is likely to be used as a working dog. That is the right decision to take. I have trust in our vets. I trust them to make the right decision to reduce the risk of extreme suffering for working dogs.

The problems are not just external. As Peter Chapman mentioned, we are now at risk of staff burnout: staff are being put under enormous pressure for another year because of shortcomings that had nothing to do with them. The 2016 Audit Scotland report found that the IT division and the programme team do not work as one. That is an area that John Finnie touched on. Administrative problems have also led to some farmers receiving duplicate payments, which together are valued at £490,000. That adds an administrative cost for their recovery.

Presiding Officer, it is clear: the SNP simply does not care about rural Scotland. It is no wonder that rural Scotland sent it a message earlier this month. Their safest seats turned blue in order to put some proper pressure on this incompetent Government. When it should have been sorting this mess out, its mind was on one thing only—furthering its cause of independence.

To finish, I will note what local farmers ask me about the First Minister. They ask, “What will it take for her to consider her own position on the matter?” On the eve of the Royal Highland Show, that is certainly a fair question.

On balance, members on the Conservative benches believe that tail shortening is a humane method of reducing the chance of the undisputed extreme pain and long-term suffering that tail injuries can cause working dogs. It is for those reasons that the Scottish Conservatives will support the SSI.

17:05

David Stewart (Highlands and Islands) (Lab):

I rise to oppose the SSI before us. As the Scottish Society for the Prevention of Cruelty to Animals has made clear, the tail docking of dogs in Scotland was banned in 2007 under the Animal Health and Welfare (Scotland) Act 2006. The Parliament looked at the evidence then and, by an

overwhelming majority, passed the legislation. The Parliament was recognised worldwide for putting animal welfare first.

Approval of the SSI tonight would be a retrograde step for animal welfare. Let me be clear that no animal welfare or veterinary organisation has supported the proposal to overturn the ban. The Dogs Trust was “deeply saddened” by the proposal. Blue Cross warned that the SSI changes a strong stance on animal welfare

“based on a narrow range of responses with little consideration of the negative implications.”

The British Veterinary Association confirmed its opposition to the exemption and warned that it would be a backwards step, when previously Scotland has led on animal welfare.

I quote a hard-working Highland vet, Matthew Erskine, who is a member of the BVA. He tells me that tail docking and shortening involve

“the cutting through or crushing of skin, muscles and up to seven pairs of nerves, bone and cartilage in puppies under five days old without anaesthetic.

BVA considers that puppies suffer unnecessary, acute pain as a result of docking, potentially resulting in chronic pain, and are deprived of a vital form of canine expression. A survey carried out by Noonan et al ... indicated that 76% of vets ... believed that tail docking causes significant pain and no vets believed that the procedure was free of pain.”

The *Veterinary Record* published an article by David Morton, called “Should the tail wag the dog?”, in which he said that between two and 108 puppies would need to suffer the pain and distress caused by tail docking in order to bring the prevalence of tail injury down to that of non-working breeds. He stated:

“By any calculations, still far more animals need to be docked than are injured. So even based on a pragmatic, utilitarian argument, it is still questionable whether this is acceptable.

Surely it is better just to treat those injured, as ... the total sum of overall harm would be far less than that caused by docking all puppies in a litter as a preventative measure.”

Enforcement of the regulations will be problematic. Only a vet can carry out the tail shortening procedure but the vet must be satisfied that the dog, aged five days or less, will definitely be used for work in connection with the lawful shooting of animals. How will that work in practice? As was outlined in evidence to the Environment, Climate Change and Land Reform Committee, any breach of the regulations can result in sanctions by veterinary professional bodies as well as criminal proceedings under the 2006 act, including the possibility of imprisonment.

Like many members, I am proud of this Parliament and our achievements—free personal care, the smoking ban and the Scotland Malawi partnership, to name but a few. Our approach to

animal welfare is up there as well. It may not be as headline grabbing but it is significant, important and progressive. I feel proud to be part of such a Parliament.

Today could be a turning point, when we put aside party interests and think about who we are and how we carry ourselves. I urge members to oppose the SSI—all that is needed now is the will to do and the soul to dare.

17:09

Mark Ruskell (Mid Scotland and Fife) (Green): I am one of the few current members of this Parliament who considered the evidence on tail docking when the Animal Health and Welfare (Scotland) Bill was passed just over a decade ago. I am also someone who has actually witnessed a tail docking operation in a litter of puppies, and it gives me no pleasure to have to rise to oppose this ill-conceived, illogical, anti-scientific reversal of what was a progressive policy to protect the welfare of dogs.

The American historian Henry Brook Adams once said:

“Practical politics consists in ignoring facts.”

Let us look at the facts that will be ignored by the majority of SNP and Tory members in this chamber, if they press their buttons in defence of tradition and against the science of veterinary medicine.

Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (SNP): Does the member agree that, with BVA Scotland, animal welfare organisations throughout Scotland and 70 per cent of the public opposing exemptions to the ban on tail docking—which is its proper name—back benchers, particularly on the SNP benches, should vote tonight because of their impartial and informed opinions, and should reject exemptions to tail docking?

Mark Ruskell: I am delighted to support Christine Grahame on this issue, and I commend the leadership that she has shown on animal welfare issues for many, many years in this Parliament. I just hope that more of her colleagues will join her and the rest of us tonight.

Tail docking in a puppy is a painful tail amputation—it is not a shortening, it is an amputation—that is required to be carried out without pain relief. It makes no difference in terms of pain whether the tail is totally removed or partially removed. By the Government's own admission, this law will require at least 80 puppies' tails to be amputated to prevent an injury requiring amputation in a single adult working dog. How is that a net benefit to animal welfare? Does a puppy

feel 80 times less pain than an amputated adult dog? Where is the veterinary evidence for that?

Let us be clear about where the proposal started. It began with Richard Lochhead in 2007—a new minister understandably keen to placate the country sports lobby. What followed was a series of flawed studies. The first one was based on a self-selecting survey of shooters who were asked to report tail injuries in working dogs. It was a biased, campaigning piece of research led by traditionalists, not veterinary evidence. A second study then looked at populations of working breed dogs, but there was a complete failure to investigate other more damaging causes of tail injury, such as poor kennelling, and no analysis of alternatives to protect working dogs, such as tail sheathing.

There was no research into the negative impact of tail docking on behaviour, communication and potential confrontations between dogs. Professor Donald Broom, in his evidence to the committee, said that removing a significant part of a dog's tail is

“like preventing a significant part of human speech”,

yet the Government wants to allow it to happen to working dogs without any analysis of the behavioural problems that it could cause dogs and people.

A promised third study into the actual tail injuries of actual working dogs based on veterinary cases was never commissioned, but why bother with the evidence when the Government already has the votes in the bag?

The Scottish Green Party agrees with every professional veterinary body in the UK that the reintroduction of tail docking for working breed dogs is wrong on animal welfare grounds. Scotland had the most progressive animal welfare laws anywhere in the UK when the Animal Health and Welfare (Scotland) Act 2006 was passed, but now we see the Scottish Government attempting a race to the bottom, to mirror the weak legislation and loopholes that exist in England.

We need rationality, reason and evidence brought to the Parliament whenever a change in the law is proposed. This proposal, shamefully, has none of those. It is a backward step and it is a dangerous precedent for this Parliament to set.

17:13

Liam McArthur (Orkney Islands) (LD): I thank all those on the Environment, Climate Change and Land Reform Committee for their diligence and for the work that they carried out in scrutinising the statutory instrument. It cannot have been an easy task, as views both for and against amending the current blanket ban on tail docking are strongly

and, I believe, sincerely held. I am also conscious that, unlike other speakers in this afternoon's brief debate, I have not had the benefit of sitting through all the evidence presented to the committee. Nevertheless, it is an issue with which I am familiar, and I am grateful to the various organisations that have provided detailed briefings in the run-up to today's debate, not least because of the short notice that they would have been given of the debate and the vote.

At this point, I see little purpose in again rehearsing the arguments that we have heard from Finlay Carson, David Stewart and Mark Ruskell. Suffice it to say that the Scottish Liberal Democrats accept that the basis for the case being made both for and against the proposed change is founded on welfare concerns. Inevitably, those concerns will be weighted differently by different people. On that basis, as Christine Grahame rather forcefully and rightly pointed out, it seems inappropriate to apply the party whip to the decision. Therefore, my colleagues will vote accordingly.

17:15

The Cabinet Secretary for Environment, Climate Change and Land Reform (Roseanna Cunningham): The Prohibited Procedures on Protected Animals (Exemptions) (Scotland) Regulations 2010 imposed an outright ban on tail docking of all dogs. Today's draft regulations would amend those regulations to allow an exemption for tail shortening by a veterinary surgeon in limited circumstances, but only for the purpose of benefiting dog welfare and only in connection with breeds that are used in shooting activities.

This is a very emotive and divisive issue but, as Liam McArthur said, there are welfare issues on both sides of the debate. We firmly believe that shortening the tails of puppies that are at risk of tail injury while engaged in lawful shooting activities in later life will improve the welfare of those dogs. Research that was commissioned from the University of Glasgow showed that, in one shooting season alone, around one seventh of working dogs sustained at least one tail injury, with a higher incidence for certain breeds.

In line with the research findings, however, we intend that shortening should apply only to those dogs that are most at risk. The proposed exemption therefore applies only to the two types of working dog—spaniels and hunt point retrieve dogs—that are most at risk and most commonly used in those lawful activities. The regulations will also ensure, as far as possible, that only those dogs that are likely to be used for lawful shooting purposes can have their tails shortened and that that can be done only by veterinary surgeons.

Claudia Beamish (South Scotland) (Lab): Will the cabinet secretary take an intervention?

Roseanna Cunningham: I am sorry, but I need to finish this.

The operating vet must be satisfied with the evidence that is produced that shows that

"the dog is likely to be used for work"

in later life. The regulations will place the responsibility for making the decision in the hands of those who are best placed to make an informed professional judgment. They are the practising veterinary surgeons, mostly in rural Scotland, who know the clients who are working dog breeders, understand the risks of injury that are associated with normal shooting activities and, most important, have a professional duty to ensure the welfare of all animals in their care. Individual vets will of course be under no obligation to shorten tails if they do not believe that it is in the best interests of the animals that they are presented with.

Mention has correctly been made of tails being used for communication. In a number of instances, the term "amputation" has been used instead of "shortening", with the implication that the whole of the tail would be removed. However, the evidence showed no greater reduction in the probability of injury by removing more than the end third of the tail. The regulations therefore limit shortening to that extent. Dogs with two thirds of their tail and all of their other ways of using body language to communicate will still be able to socialise normally, as anyone who has ever seen a working spaniel happily and vigorously wagging a tail that has already been shortened will understand.

Yes, tail shortening is briefly painful, but that has to be weighed against the often prolonged recovery from serious tail surgery in an adult dog that has suffered pain before treatment and may also suffer in recovery. The pictures of those injuries are every bit as shocking as anything else that members may have seen. The evidence suggests that working dogs with a shortened tail are up to 20 times less likely to injure their tails in later life. I therefore ask members to follow the committee's recommendation and support the amended regulations. Whatever members' personal views on shooting as a sport, I believe that the amendment is proportional, that it is based on the best evidence that we have and, most important, that it will improve the welfare of dogs that are involved in a lawful activity.

Point of Order

17:20

Neil Findlay (Lothian) (Lab): On a point of order, Presiding Officer, I seek your advice on what we are voting on at decision time today in relation to the motion on freedom of information. The motion that has been accepted in full and will be amended by the Government calls for an independent inquiry into the way in which the Government has dealt with freedom of information requests, not for a review by the Scottish Information Commissioner or anything else other than an independent inquiry and post-legislative scrutiny.

It is important that we know what we are voting for, because listening to the hapless minister today, he seems to be under the impression that we are voting for something else. I am sure that like me, Presiding Officer, you would not want members to vote for the wrong thing. Can you offer members some helpful guidance on what we are voting on?

The Presiding Officer (Ken Macintosh): I thank the member for advance notice of his point of order. I note the concerns that the member has raised, but in this case I do not believe that it is for the Presiding Officer to interpret the remarks made by the member or the minister.

The motion before the Parliament puts a proposition to members. It is up to members to debate that point and take a view on the proposition. If the proposition is agreed, it becomes a resolution of the Parliament and it is then up to the Government to decide how to respond appropriately to that resolution.

I thank the member for his point of order.

Decision Time

17:21

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

The first question is, that amendment S5M-06126.1, in the name of Joe FitzPatrick, which seeks to amend motion S5M-06126, in the name of Edward Mountain, on freedom of information requests, be agreed to.

Amendment agreed to.

The Presiding Officer: The next question is, that motion S5M-06126, on freedom of information requests, as amended, be agreed to.

Motion, as amended, agreed to.

That the Parliament condemns the Scottish Government's poor performance in responding to freedom of information requests; calls for an independent inquiry into the way that it deals with these, and agrees to undertake post-legislative scrutiny of the Freedom of Information (Scotland) Act 2002, and welcomes commitments by the Scottish Government to adopt a policy of pro-actively publishing all material released under FOI to ensure that it is as widely available as possible.

The Presiding Officer: The next question is, that amendment S5M-06186.4, in the name of Fergus Ewing, which seeks to amend motion S5M-06186, in the name of Peter Chapman, on agriculture, 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, Dr 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)
 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)
 Torrance, David (Kirkcaldy) (SNP)
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
 Wheelhouse, Paul (South Scotland) (SNP)
 White, Sandra (Glasgow Kelvin) (SNP)
 Yousaf, Humza (Glasgow Pollok) (SNP)

Against

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Balfour, Jeremy (Lothian) (Con)
 Ballantyne, Michelle (South Scotland) (Con)
 Beamish, Claudia (South Scotland) (Lab)
 Bibby, Neil (West Scotland) (Lab)
 Bowman, Bill (North East Scotland) (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)
 Dugdale, Kezia (Lothian) (Lab)
 Fee, Mary (West Scotland) (Lab)
 Findlay, Neil (Lothian) (Lab)
 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)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Harris, Alison (Central Scotland) (Con)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Kelly, James (Glasgow) (Lab)
 Kerr, Liam (North East Scotland) (Con)

Lamont, Johann (Glasgow) (Lab)
 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)
 Mason, Tom (North East Scotland) (Con)
 McArthur, Liam (Orkney Islands) (LD)
 McNeill, Pauline (Glasgow) (Lab)
 Mitchell, Margaret (Central Scotland) (Con)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Rennie, Willie (North East Fife) (LD)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Rumbles, Mike (North East Scotland) (LD)
 Sarwar, Anas (Glasgow) (Lab)
 Scott, John (Ayr) (Con)
 Scott, Tavish (Shetland Islands) (LD)
 Simpson, Graham (Central Scotland) (Con)
 Smith, Elaine (Central Scotland) (Lab)
 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)
 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 61, Against 57, Abstentions 6.

Amendment agreed to.

The Presiding Officer: The next question is that amendment S5M-06186.1, in the name of Rhoda Grant, which seeks to amend motion S5M-06186 in the name of Peter Chapman, on agriculture, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Balfour, Jeremy (Lothian) (Con)
 Ballantyne, Michelle (South Scotland) (Con)
 Beamish, Claudia (South Scotland) (Lab)
 Bibby, Neil (West Scotland) (Lab)
 Bowman, Bill (North East Scotland) (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)
 Dugdale, Kezia (Lothian) (Lab)
 Fee, Mary (West Scotland) (Lab)
 Findlay, Neil (Lothian) (Lab)
 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)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Harris, Alison (Central Scotland) (Con)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Kelly, James (Glasgow) (Lab)
 Kerr, Liam (North East Scotland) (Con)
 Lamont, Johann (Glasgow) (Lab)
 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)
 Mason, Tom (North East Scotland) (Con)
 McArthur, Liam (Orkney Islands) (LD)
 McNeill, Pauline (Glasgow) (Lab)
 Mitchell, Margaret (Central Scotland) (Con)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Rennie, Willie (North East Fife) (LD)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Rumbles, Mike (North East Scotland) (LD)
 Sarwar, Anas (Glasgow) (Lab)
 Scott, John (Ayr) (Con)
 Scott, Tavish (Shetland Islands) (LD)
 Simpson, Graham (Central Scotland) (Con)
 Smith, Elaine (Central Scotland) (Lab)
 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)
 Tomkins, Adam (Glasgow) (Con)
 Wells, Annie (Glasgow) (Con)
 Whittle, Brian (South Scotland) (Con)

Against

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)
 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)
 Torrance, David (Kirkcaldy) (SNP)
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
 Wheelhouse, Paul (South Scotland) (SNP)
 White, Sandra (Glasgow Kelvin) (SNP)
 Yousaf, Humza (Glasgow Pollok) (SNP)

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 57, Against 61, Abstentions 6.

Amendment disagreed to.

The Presiding Officer: The next question is that motion S5M-06186, on agriculture, 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, Dr Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Beamish, Claudia (South Scotland) (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)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Freeman, Jeane (Carrick, Cumnock and Doon Valley) (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)
 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)
 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)
 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)
 Torrance, David (Kirkcaldy) (SNP)
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
 Wheelhouse, Paul (South Scotland) (SNP)
 White, Sandra (Glasgow Kelvin) (SNP)
 Yousaf, Humza (Glasgow Pollok) (SNP)

Against

Balfour, Jeremy (Lothian) (Con)
 Ballantyne, Michelle (South Scotland) (Con)
 Bowman, Bill (North East Scotland) (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 (Ettrick, Roxburgh and Berwickshire) (Con)
 Harris, Alison (Central Scotland) (Con)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Lindhurst, Gordon (Lothian) (Con)
 Lockhart, Dean (Mid Scotland and Fife) (Con)
 Mason, Tom (North East Scotland) (Con)
 McArthur, Liam (Orkney Islands) (LD)
 Mitchell, Margaret (Central Scotland) (Con)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Rennie, Willie (North East Fife) (LD)
 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)
 Tomkins, Adam (Glasgow) (Con)
 Wells, Annie (Glasgow) (Con)
 Whittle, Brian (South Scotland) (Con)

Abstentions

Findlay, Neil (Lothian) (Lab)
 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)
 Smith, Elaine (Central Scotland) (Lab)
 Wightman, Andy (Lothian) (Green)

The Presiding Officer: The result of the division is: For 80, Against 36, Abstentions 8.

Motion, as amended, agreed to,

That the Parliament notes the findings of Audit Scotland's June 2017 update on the common agricultural policy (CAP) futures programme; agrees that the biggest threat to Scottish agriculture remains the UK's departure from the EU, withdrawal from the CAP and the loss of membership of the single market; recognises the need to develop a sustainable system of future rural support beyond 2020 that invests in and supports the best possible environmental and productivity outcomes for agriculture; calls on the UK Government to agree to continue to ensure that Scotland receives the same share of future funding as it does now under CAP to allow farmers, crofters and rural businesses to know as early as possible what financial support will be available, and believes that any further investment must ensure that the current CAP IT system is future-proofed to deliver such post-Brexit support.

The Presiding Officer: If no member objects, I propose to ask a single question on nine

Parliamentary Bureau motions, not including the motion on tail docking.

As no member has objected, the question is that motions S5M-06243, S5M-06245 to S5M-06246, S5M-06250 to S5M-06251, and S5M-06253 to S5M-06256, all in the name of Joe FitzPatrick, be agreed. Are we agreed?

Motions agreed to,

That the Parliament agrees that Rachael Hamilton be appointed as a member of the Culture, Tourism, Europe and External Relations Committee.

That the Parliament agrees that the Rural Economy and Connectivity Committee be designated as the lead committee in consideration of the Islands (Scotland) Bill at stage 1.

That the Parliament agrees that the Equalities and Human Rights Committee be designated as the lead committee in consideration of the Gender Representation on Public Boards (Scotland) Bill at stage 1.

That the Parliament agrees that, between 3 January 2018 and 31 January 2019, the Office of the Clerk will be open on all days except: Saturdays and Sundays, 30 March and 2 April 2018, 7 May 2018, 25 and 28 May 2018, 14 September 2018, 30 November 2018, 24 December (pm), 25 and 26 December 2018, and 1 and 2 January 2019.

That the Parliament agrees the following parliamentary recess dates under Rule 2.3.1, 10 to 18 February 2018 (inclusive), 31 March to 15 April 2018 (inclusive), 30 June to 2 September 2018 (inclusive), 6 to 21 October 2018 (inclusive) and 22 December 2018 to 6 January 2019 (inclusive).

That the Parliament agrees that the Criminal Justice and Licensing (Scotland) Act 2010 (Consequential Provisions) Order 2017 [draft] be approved.

That the Parliament agrees that the Mental Health (Cross-border transfer: patients subject to detention requirement or otherwise in hospital) (Scotland) Amendment Regulations 2017 [draft] be approved.

That the Parliament agrees that the Mental Health (Cross-border transfer: patients subject to requirements other than detention) (Scotland) Regulations 2017 [draft] be approved.

That the Parliament agrees that the Mental Health (Cross-border Visits) (Scotland) Amendment Regulations 2017 [draft] be approved.

The Presiding Officer: The final question is, that motion S5M-06257, in the name of Joe FitzPatrick, on the approval of a Scottish statutory instrument, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Adam, George (Paisley) (SNP)
Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)
Arthur, Tom (Renfrewshire South) (SNP)
Balfour, Jeremy (Lothian) (Con)
Ballantyne, Michelle (South Scotland) (Con)
Beattie, Colin (Midlothian North and Musselburgh) (SNP)
Bowman, Bill (North East Scotland) (Con)
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)
Dey, Graeme (Angus South) (SNP)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Dornan, James (Glasgow Cathcart) (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)
Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
Golden, Maurice (West Scotland) (Con)
Greene, Jamie (West Scotland) (Con)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Harper, Emma (South Scotland) (SNP)
Harris, Alison (Central Scotland) (Con)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Hyslop, Fiona (Linlithgow) (SNP)
Halcro Johnston, Jamie (Highlands and Islands) (Con)
Kerr, Liam (North East Scotland) (Con)
Kidd, Bill (Glasgow Anniesland) (SNP)
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)
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
Martin, Gillian (Aberdeenshire East) (SNP)
Mason, John (Glasgow Shettleston) (SNP)
Mason, Tom (North East Scotland) (Con)
Matheson, Michael (Falkirk West) (SNP)
McAlpine, Joan (South Scotland) (SNP)
McArthur, Liam (Orkney Islands) (LD)
McDonald, Mark (Aberdeen Donside) (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)
Rennie, Willie (North East Fife) (LD)
Robison, Shona (Dundee City East) (SNP)
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)
 Todd, Maree (Highlands and Islands) (SNP)
 Tomkins, Adam (Glasgow) (Con)
 Torrance, David (Kirkcaldy) (SNP)
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
 Wells, Annie (Glasgow) (Con)
 Wheelhouse, Paul (South Scotland) (SNP)
 Whittle, Brian (South Scotland) (Con)
 Yousaf, Humza (Glasgow Pollok) (SNP)

Against

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Beamish, Claudia (South Scotland) (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)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (East Lothian) (Lab)
 Greer, Ross (West Scotland) (Green)
 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)
 McNeill, Pauline (Glasgow) (Lab)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Sarwar, Anas (Glasgow) (Lab)
 Smith, Elaine (Central Scotland) (Lab)
 Smyth, Colin (South Scotland) (Lab)
 Stewart, David (Highlands and Islands) (Lab)
 Wightman, Andy (Lothian) (Green)

Abstentions

Adamson, Clare (Motherwell and Wishaw) (SNP)
 Denham, Ash (Edinburgh Eastern) (SNP)
 Evans, Mairi (Angus North and Mearns) (SNP)
 Haughey, Clare (Rutherglen) (SNP)
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 McKee, Ivan (Glasgow Provan) (SNP)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)
 White, Sandra (Glasgow Kelvin) (SNP)

The Presiding Officer: The result of the division is: For 86, Against 29, Abstentions 9.

Motion agreed to,

That the Parliament agrees that the Prohibited Procedures on Protected Animals (Exemptions) (Scotland) Amendment Regulations 2017 [draft] be approved.

Stroke Care

The Deputy Presiding Officer (Linda Fabiani): The next item of business is a members' business debate on motion S5M-05474, in the name of Alexander Stewart, on stroke care in Scotland. The debate will be concluded without any questions being put.

Motion debated,

That the Parliament understands that, every year, 14,000 people in Scotland experience stroke, which is the third most common cause of death and the most common cause of severe physical disability among adults; believes that stroke patients account for 7% of all NHS beds and that treatment for the condition takes up 5% of the NHS budget; considers that there is well-established evidence demonstrating the benefits of organised specialist care in improving outcomes; notes the recent SIGN guidelines that focus on acute care and secondary prevention and emphasise the importance of providing access to specialist services quickly; understands that there has been a welcome long-term downward trend in mortality rates, with a 39% decrease between 2006 and 2016; considers that the challenge now is that more people than ever, around 124,000, are living with the long-term effects of stroke, half of whom have a disability; notes that, in the most deprived areas, the mortality rate in 2015 for such cerebrovascular diseases was 42.3% higher than the least deprived; recognises that people in remote and rural areas can face issues in accessing clinical care, including access to thrombectomy, which is unavailable outside Edinburgh and Glasgow as there are only three clinicians trained to carry out this procedure in Scotland, compared with over 80 in England and Wales; notes the view that greater investment would help tackle what it sees as this inequity; believes that, outside the work of the recognised charities, only NHS Greater Glasgow and Clyde and NHS Tayside offer specialist follow-up nursing, but with more limited scope and timescales; understands that stroke nurses provide flexible and holistic support that covers health, wellbeing, socialisation, vocational rehabilitation and advice on financial issues, and notes the opinion that there is an urgent need for further investment in high quality aftercare, more stroke nurses and support systems and pathways in place in communities in Mid Scotland and Fife and across the country to keep survivors active in order to improve recovery, wellbeing and to aid secondary prevention.

17:28

Alexander Stewart (Mid Scotland and Fife) (Con): I am grateful for the opportunity to open this members' business debate on stroke care in Scotland, and delighted to take part.

Every year, 14,000 people in Scotland experience stroke, which is the third most common cause of death and the most common cause of severe physical disability among adults. Stroke patients account for 7 per cent of national health service beds and treatments for the condition, which takes up around 5 per cent of the NHS budget.

It may be appropriate at this stage to describe, in layman's terms, a bit about stroke and why the diagnosis and treatment is so multifaceted. In

Scotland, sadly we know and understand “heart attack”; stroke is quite literally a “brain attack”. It happens when the blood supply to part of the brain is cut off. As we all know, blood carries essential nutrients and oxygen to the brain; without that, the brain can be damaged and cells can die. That damage can have different effects depending on where it happens in the brain. A stroke can also affect the way in which someone’s body works, as well as how they think, feel and communicate.

Most strokes are caused by a blockage cutting off blood supply to the brain, but they can also be caused by bleeding in and around the brain. It is also possible to suffer a mini-stroke, which is the same as a stroke, except that the symptoms last a short time—normally no longer than 24 hours. That is because the blockage that stops the blood getting to the brain is only temporary.

As we age, our arteries become harder and narrower and are more likely to become blocked. However, certain medical conditions and lifestyle factors can speed up the process, as has been well documented.

People have often asked me whether it is possible to recover from a stroke. For some people, the effects may be relatively minor and may not last long, although others may be left with more serious problems that make them dependent on other people. Unfortunately, not everyone survives. Around one in eight people die within 30 days of having a stroke. That is why it is important to be able to recognise the symptoms and get medical help as quickly as possible. If that is done, the individual stands a much better chance. It has to be noted that stroke diagnosis, resulting in prompt action, and immediate care in Scotland are amongst the best in the world. However, I want to spend time this evening talking about post-stroke aftercare and assistance in recovery.

Just under a year ago, not long after I became a member of the Scottish Parliament, one of my constituents contacted me and told me a story about his wife’s issues with stroke. He wrote:

“Lynda had a stroke in March 2003. She was 44 years old, a mother then of 10-year-old twin girls, and a primary school teacher in Dunblane. It was totally unexpected. She was having a cello lesson at home.

At the start of the cello lesson she was fine, as she finished her lesson there was obviously something dramatically wrong. By the time Lynda arrived at A&E she was almost in a coma, and stayed in a coma for a few days. She was cared for in intensive care. She was later transferred to a high dependency unit for around a week—where her care was arguably very good—although not specialised in stroke.

After that, she was transferred to what was deemed to be a ‘stroke unit’.”

My constituent learned directly from the consultant that there were no trained stroke

nurses in Lynda’s ward, which was predominantly or exclusively geriatric.

Lynda was in hospital for 10 weeks. At the start of her recovery phase, it was very much her right side that showed evidence of damage. She was therefore unable to walk and had limited movement on that side and in her right arm. She received physiotherapy and occupational therapy, but that certainly was not at the minimum level in today’s Royal College of Physicians’ guidelines. Although the people delivering the rehabilitation were good, their time was spread thinly between all the patients and they were present only four days a week, with every Wednesday being taken up with a multidisciplinary team meeting, which meant that there was no rehab directed to patients.

Lynda’s rehab continued at home. That was good while it lasted, but the family were aware of pressure to stop rehab at the earliest opportunity and they felt very much as if they were left alone.

Lynda needed, and often still needs, someone on her left-hand side to support her as she goes about her daily life. Over the years, there has been some recovery of movement in her right side, but that has to be worked on to ensure that it is maintained.

Lynda and her husband Roger are not alone in their experience. It seemed to them at times that, because they lived in a good area and were relatively comfortable, they were abandoned in terms of the care that should have been provided. That gave them the impression that there was very much a postcode lottery regarding aftercare and attention during the recovery period. Therefore, my constituent embarked on committed and tireless work to research stroke aftercare in order to dramatically improve aftercare not only for his wife but for everyone in Scotland. I commend him for the work that he has done.

The 39 per cent decrease in stroke deaths between 2006 and 2016 is to be applauded. I pay tribute to anybody who works in the sector—the physiotherapists, nurses, doctors and clinicians who make sure that individuals are looked after. The challenge that we now face is that around 124,000 individuals are living with the long-term effects of stroke and half of them have a resultant disability. In 2015, the mortality rate for such cerebrovascular diseases was over 40 per cent higher in the most deprived areas of Scotland than in the least deprived postcodes, and people in remote and rural areas, as well as the elderly, face issues with the accessibility of clinical care.

We know that stroke nurses provide wonderful opportunities; they are flexible and provide for health and wellbeing through a holistic approach. They also provide advice on many things including

financial issues. That is very welcome, but more needs to be done. There is an urgent need for further investment in high-quality aftercare, with more stroke nurses, support systems and pathways in place in communities such as my region of Mid Scotland and Fife and across the country. That would keep survivors active in order to improve their mobility and wellbeing and it would aid secondary prevention.

I welcome and acknowledge the work that has taken place to date, but there is still much that requires to be achieved for stroke victims and their families if we are truly to tackle the symptoms and to provide aftercare and support. Much more needs to be achieved by the Scottish Government and national health service boards in order to give reassurance to patients and families alike.

17:36

Maree Todd (Highlands and Islands) (SNP): I remind members that I am the co-convenor of the cross-party group on heart disease and stroke, and I am also a pharmacist, registered with the General Pharmaceutical Council.

I thank Alexander Stewart for securing the debate. The motion highlights the significance of stroke in Scotland as

“the third common cause of death and the most common cause of severe physical disability among adults”.

Because of the limited time, I will be very focused, and there are loads of things I will not have time to say.

The first and most obvious thing that I will say is that, as parliamentarians, we can both encourage people and create the conditions that make it easy to live healthier lives. If, as a population, we stop smoking, drink less alcohol, eat healthier food and exercise more, we will all be healthier in many ways and we will definitely suffer fewer strokes.

There are a number of conditions that increase the risk of stroke, two of them being hypertension—high blood pressure—and atrial fibrillation. Hypertension contributes to half of all strokes and members may remember that I held a debate raising awareness of that last month. Yesterday, the cross-party group launched an inquiry into atrial fibrillation in Scotland, which I am hoping that my colleague Colin Smyth will tell us more about in his contribution. Tackling such conditions, which significantly increase the risk of stroke, and improving lifestyle more generally will reduce the number of people who suffer strokes. That is the first thing that we need to do.

On the issue of acute care, I welcome the progress we have made in Scotland and I have confidence that we will move rapidly towards equity of access to the best quality of care across

the country, as we have done for post-myocardial infarction care. Stroke is the most common cause of disability in the United Kingdom, and more people surviving a stroke means more people living with the long-term effects of stroke, which in some cases means living with severe physical disability. Neuro-rehabilitation from therapists with expertise in acquired brain injury can have a huge impact and I hope that, in the future, more people will be able to access those specialist physiotherapists and speech and language therapists early in recovery.

I will finish by highlighting that June is aphasia awareness month, as approximately a third of people will suffer aphasia after a having stroke. It also gives me the opportunity to talk about some good friends of mine. Edwyn Collins is a Scottish musical legend, most famous for his worldwide hit “A Girl Like You”. In 2005, at the age of 45, he suffered two haemorrhagic strokes, which resulted in aphasia. I spoke to his wife Grace Maxwell last night when I was preparing for the debate, because I know that their story has inspired many people in similar situations.

I encourage everyone in the chamber to watch the film “The Possibilities are Endless” to learn more about Edwyn’s recovery. Grace Maxwell is absolutely passionate about aphasia. She said that it silences people and isolates them. She also said that Edwyn had lived his whole life not caring about what folk said about him, so he has not been silenced by it.

I will finish on a hopeful note. Recovering from a stroke can be really hard work. One of the common myths that we hear about stroke is that all the recovery happens in the first six months to a year. I am sure that that is why the constituents whom Alexander Stewart talked about felt that they had to reduce rehab after that period. Grace Maxwell assures everyone that, 12 years on, Edwyn Collins is still getting better.

17:40

Alison Harris (Central Scotland) (Con): I thank my colleague Alexander Stewart for bringing the subject for debate this evening.

Every 45 minutes someone in Scotland has a stroke. About half of survivors are left with lasting disability. Survival rates continue to improve—the number of people who live after having had a stroke is growing. Therefore, more people than ever need long-term community-based support, which the NHS cannot provide.

Stroke is the biggest cause of disability, and its impact is on physical health and mental health, too, in that it leaves people at risk of anxiety, depression, social isolation and loneliness. In the early post-stroke stage, life cannot be just as it

was and people who are affected might need assistance to cope with the frustrations that an enforced new lifestyle can bring. Not being able to do simple or previously enjoyed tasks, a feeling of inadequacy, and dependence on others can all have undermining effects.

The shift by the Scottish Government and the NHS towards self-management within communities is welcome, but it must be matched by investment. Charities including Chest, Heart & Stroke Scotland are key to delivery of such support.

National statistics show a continuing long-term downward trend in Scotland's mortality rates from stroke, which is welcome and reflects the medical advances that have been made over the past generation; over the decade up to 2016, the mortality rate for stroke decreased by 39 per cent. The challenge now is that more people than ever—some 124,000 in Scotland—are living with the long-term effects of stroke, and half of them have a disability. Given our ageing population, the number will continue to increase.

There are 14,797 stroke survivors in the NHS Lanarkshire area. The NHS is able to treat acute incidents and keep people alive after a stroke, but many people live with the effects for the rest of their lives. The life-changing effects of having a stroke cannot be underestimated, and without ongoing support people are more likely to be readmitted to hospital and to visit their general practitioner more frequently.

When people return from hospital they often feel abandoned by the system and have little dedicated support. Third sector organisations such as Chest, Heart & Stroke Scotland pay an increasingly vital role in providing community support.

The Government's strategic shift is quite rightly away from acute care to community care, and towards people being able to live full lives at home. However, support systems or pathways need to be in place within communities in order to meet that aspiration.

In six health board areas—Highland, Grampian, Fife, Lothian, Dumfries and Galloway and Lanarkshire—Chest, Heart & Stroke Scotland works in partnership with the board to provide specialist stroke nurses. Several other health boards provide stroke nurses, but the scope of their services is more limited. The impact of a stroke on a person clearly goes far beyond the immediate physical implications and extends into every aspect of their life.

Around a quarter of people who have had a stroke are of working age. The third sector has a key role in providing the broader holistic support that people need, which can help them to return to

work, if they are able to do so, and can support their families.

Having a stroke causes a person to reassess their lifestyle. It is good to know that organisations such as the Stroke Association and Chest, Heart & Stroke Scotland are there to provide the vital information that people need when they are recovering from a stroke. The debate gives me the opportunity, on behalf of countless others, to thank those organisations for everything that they do to help victims of stroke.

17:45

Anas Sarwar (Glasgow) (Lab): I start by congratulating Alexander Stewart on having secured this important debate. I also thank all our fantastic NHS staff, who go above and beyond in caring for all those who have experienced a stroke or who are living with the consequences of having had a stroke, as well as in supporting families who have been struck by a loved one suffering a stroke and its consequences.

I repeat what Alison Harris said at the end of her speech: I thank third sector organisations, which do a tremendous job, not just in advocating in Parliament on what our policy priorities should be and for advising and briefing us for our speeches, as they do for debates such as this, but for their delivery of care, which so many organisations provide in partnership with the NHS and local authorities.

One such organisation is Chest Heart & Stroke Scotland, which has supported this debate. I also put on record our thanks to the Stroke Association. Many members will have visited the Stroke Association's reception just a few weeks ago to take part in its purple month, wearing all things purple in order to help to increase the knowledge of stroke and to highlight the risks of high blood pressure. I look forward to welcoming the Stroke Association at its stand here after recess, which will give members an opportunity to check their blood pressure in order to reduce their risk of stroke. I cannot see why any of us would ever have high blood pressure, but somehow it seems to affect us.

I will pick up on a couple of issues that Alexander Stewart raised in his speech, focusing particularly on community care, on our ageing population and on the reduction in the mortality rate from stroke. That means that people are living longer lives, but they are longer and more complicated lives as they live with the consequences of stroke. Indeed, 50 per cent of people with disabilities have had a stroke, and that brings challenges. In total, 124,000 people are living with the consequences of a stroke. That places challenges on community care and on after

support, particularly after-support nursing care. It presents challenges relating to other health risks—impacts on physical health and on mental health, including anxiety, depression, social isolation and loneliness.

Some people face challenges around self-management. It is important that we focus on self-management and that we emphasise community care, but that needs to be backed up with investment. There is a postcode lottery in respect of the support and care that people receive in their local authority areas, or in integration joint board or health board areas. We should view the challenges of integrated health and social care also as an opportunity when it comes to what kind of support we can give to communities.

It is also worth noting that, although the mortality rate is falling, the incidence of stroke is predicted to increase by 44 per cent by 2035, according to research that has been done by King's College. That is a challenge that we need to face head on.

Health inequalities, which have been mentioned briefly, are another key challenge. It is a sad reality that stroke mortality among people from the most deprived backgrounds is 42.3 per cent higher than it is among people from least deprived backgrounds. That gives us real challenges in respect of how we support people—especially in our most deprived communities—to access care when they have a stroke, and to access interventions to limit the risk of their having a stroke in the first place.

We have workforce challenges, too, around care from specialist follow-up nurses. People have access to differing amounts of support depending on which health board area they live in. There are consultant vacancies in specialties involving support for cardiology, and there are specific challenges with thrombectomy. There are only three specialists in that field in Scotland; there are 80 in England and Wales. Unfortunately there is no access to thrombectomy outside Edinburgh and Glasgow. The question how we support people in other areas is crucial.

I end by encouraging all members, please, to come and get their blood pressure checked after the recess.

17:49

Alexander Burnett (Aberdeenshire West)
(Con): I congratulate my colleague Alexander Stewart on bringing the motion to Parliament.

Everyone in the chamber will know someone who has been affected by a stroke. As strokes take an unimaginable toll not only on the patient but on their wider family, it is right that we put pressure on the Scottish Government today in

order to get the best outcomes for everyone involved.

Unfortunately, we need look no further than the NHS chief executives' responses to the Scottish stroke care audit report to see that many of Scotland's NHS boards are underequipped. NHS Ayrshire and Arran cites

"a shortage of stroke consultants";

NHS Borders cites too small a staff pool; and NHS Dumfries and Galloway cites a lack of "senior doctors". So it goes on: NHS Fife, again, mentions a shortage of acutely trained staff and NHS Grampian a "reduction in Consultant numbers", while NHS Lanarkshire says that it struggles to meet new demands.

It is clear that, although the Scottish Government has warm words for stroke patients, it is unable to back them up with results. We face the massive health inequalities that my colleague rightly highlights in his motion. The mortality rates for stroke victims in the most deprived areas is 42 per cent higher than those in the least. In no other illness will you see such a dramatic differentiation in survival.

I am not sure that we fix such a systemic problem by cutting £30 million to health boards such as Grampian. They are underfunded, underequipped and understaffed; a decade of this Government has meant a decade of failure. Given that our health boards are already at breaking point, when will the Government listen or even reflect on these matters? I am all too aware of the disparity in health outcomes in my constituency due to a lack of access to clinical and long-term care. Many constituents have been in touch about the lack of long-term care in remote areas; indeed, it is a widespread problem outside the central belt, but it is a problem that, unfortunately, the Government only ignores.

A most obvious and important example of that is thrombectomy. Although this complex procedure should be available widely, it is not even available outside Glasgow or Edinburgh. The Government's workforce planning needs to be more imaginative. Clearly, we have a lack of radiologists available to carry out the procedure, but most of the required skills are transferable and cardiologists, for example, could be used instead. We need to be much more flexible in our response to the demands of the future.

For those lucky enough to survive a stroke, a lack of physiotherapy, speech therapy and psychological support awaits. The integration of health and social care presents an opportunity to improve that situation, but it will work only if health and social care work in effective local teams and involve third sector expertise as an equal partner in providing front-line support to stroke survivors.

Finally, other countries measure the availability and effectiveness of long-term rehabilitation, but Scotland does not. Why not?

17:53

Colin Smyth (South Scotland) (Lab): I, too, thank Alexander Stewart for lodging what is an excellent and very comprehensive motion, which provides members with the opportunity to raise awareness of the devastating impact that suffering a stroke has on the lives of far too many of our constituents, the importance of ensuring that they have the appropriate care to recover and the need for us to avoid complacency when it comes to the prevention of strokes.

As the motion highlights, 14,000 people in Scotland suffer a stroke every year. In my home region of Dumfries and Galloway, 4,000 people alone are living with the long-term and often debilitating consequences of strokes while in neighbouring Ayrshire and Arran the figure is more than 10,000. With more people living with a stroke and needing long-term community-based care, there is a need for the Scottish Government to properly fund that support, whether it is provided through local authorities, the NHS or third sector organisations such as Chest Heart & Stroke Scotland. That support includes specialist stroke nurses, who in health board areas such as Dumfries and Galloway are funded through a partnership between Chest Heart & Stroke Scotland and the health board. However, not all health boards support that service, which results in a postcode lottery of care.

Support is also provided by volunteers such as Christina Rafferty in Dumfries, who for the past three years has volunteered with Chest Heart & Stroke Scotland as a core communication and outreach volunteer. Christina works on a weekly basis with a stroke survivor in Dumfries who has difficulty with movement, speech, eating and drinking but who, with Christina's support, is determined to write again. That story and the invaluable work of volunteers such as Christina highlight just how debilitating a stroke can be and show why doing what we can to prevent strokes is so important.

As members will know, the most common and well-known causes of strokes are hypertension—or high blood pressure, as it is better known—smoking, obesity, high cholesterol, diabetes and excessive alcohol intake. The benefits of a healthy diet and regular exercise in reducing the risk of suffering a stroke cannot be overstated. However, a leading cause of strokes is atrial fibrillation, which increases a person's risk of having a stroke by around five times. Atrial fibrillation is one of the most common forms of abnormal heart rhythms, and 92,000 people in Scotland are currently

diagnosed with that condition. However, with one in four people over the age of 65 developing atrial fibrillation, the actual number of people who live with it is likely to be higher. Not only are sufferers of AF more likely to have a stroke; AF-related strokes are more severe than non-AF-related strokes, and the total care costs in the first year of a stroke are three times higher.

In many cases, the underlying cause of AF is largely unknown. Although some people with AF display symptoms such as palpitations, tiredness, shortness of breath and dizziness, the symptoms can often be very mild, and many people do not display any symptoms. Despite that, determining whether someone could have AF is relatively simple. If a person is at rest, their normal heart rate should be 60 to 100 beats per minute. With atrial fibrillation, the heart rate can often be considerably higher than 100 beats per minute, and each individual beat is erratic. If a person has their pulse checked and assessed, that can give a general practitioner a good indication of whether they could have AF.

AF is not usually life threatening, but the strokes that it could cause may well be. That is why the cross-party group on heart disease and stroke, which I have the pleasure of co-convening with Maree Todd, launched an inquiry last night to consider what steps can be taken to improve the outcomes and experiences for people with AF and their families and carers. The inquiry will look into the diagnosis, treatment and care of people in Scotland who live with that condition.

The first stage of the inquiry was the publication of two surveys last night—one for people who live with the condition and one for clinicians or those who work for an organisation with an interest in AF services in Scotland. I urge anyone who falls into either category to complete a survey—the surveys can be found on the British Heart Foundation website—and I hope that MSPs and anyone who is watching the debate will promote the surveys in their communities.

The consultation period for the inquiry will run until 15 September, and the final report is due to be published in January 2018. I assure members that we will make Parliament very much aware of the outcome of the inquiry.

I thank the British Heart Foundation and the Stroke Association for their work on that inquiry, and Chest Heart & Stroke Scotland and all our fantastic health and social care staff for the work that they do in supporting people who are impacted by conditions such as AF and strokes. We all have a duty to support that work and, better still, to do what we can to reduce the number of strokes in the first place.

17:57

The Minister for Public Health and Sport (Aileen Campbell): Like others, I welcome this debate. I congratulate Alexander Stewart on securing it and on his articulation of Lynda's story, which highlighted the real need to have a person-centred approach to care and identified improvements that are still required.

I am pleased to know from Maree Todd's contribution that Edwyn Collins is recovering well. I thank him for his and his family's efforts in raising awareness of stroke and the incredibly devastating impact that it can have.

Stroke has been a clinical priority for the NHS for some years, and there has been a 39 per cent decrease in mortality from strokes in the past 10 years. That indicates that our strategy for stroke is delivering real benefits. Tackling stroke and its effects should be seen in our overarching aims for public health, which are concerned with prevention, early intervention and supported self-management. That work is integral to the national clinical strategy, which is our high-level vision for how health and social care services will develop over the next 10 to 15 years, and which will be implemented through our health and social care delivery plan.

We are taking action to prevent long-term conditions, including stroke, by addressing the risk factors, which Colin Smyth and other members have identified: smoking, high blood pressure, poor diet, lack of exercise and alcohol consumption above recommended limits. Our heart disease and stroke groups are actively working on ways to improve detection and management of atrial fibrillation and are developing standards and pathways to improve preventative measures. Maree Todd and Colin Smyth mentioned the inquiry by the cross-party group on heart disease and stroke, which is looking at atrial fibrillation, and I am happy to accept any invitation to contribute to that work.

We are improving people's experience and their clinical outcomes by driving improvement across the stroke care pathway, from acute response to post-hospital support, for anyone who has a stroke. As the motion states, there is well-established evidence that demonstrates the benefits of organised specialist care in improving outcomes after stroke. Our provision is built on that evidence, and we have made a commitment to continuous improvement. The debate about the patient experience that others have mentioned is crucial in that endeavour. It is vital that we acknowledge that although improvements have been made, we always need to do more.

NHS health boards are charged with delivering the level of stroke services that is required in their

area, which is informed by local and individual need. We support that through the Scottish stroke care improvement programme, which brings together the people and the information that are needed to drive improvement. The Scottish stroke care audit lets us see where our efforts are achieving the Scottish stroke care standards and where further improvement is required. The stroke improvement team visits all health boards at least annually. It works with the clinical teams and service managers to review stroke care, assess performance, highlight achievements and good practice, and implement local action plans. Together, they seek the improvement in stroke care that we all want.

We have also developed the stroke care bundle, which involves what the clinical evidence tells us are the four core elements that are associated with better patient outcomes. All patients should be admitted to a stroke unit within one day, and they should receive swallowing screening the same day and a brain scan and aspirin within one day. Almost 80 per cent of people in Scotland who were admitted to hospital with a diagnosis of stroke were in a stroke unit within one day. There has also been an increase in the delivery of the bundle, but we remain committed to improving our performance.

Thrombolysis, which is the clot-dissolving treatment that is appropriate for some stroke patients, can increase the likelihood that people who have had a stroke will regain full independence. More people are being thrombolysed more consistently across the country as a result of service expansion, increased use of telemedicine and increasing clinician confidence.

We are keen to identify new opportunities in stroke treatment. Thrombectomy—the removal of the clot from the brain—can offer additional opportunities to reduce the effects of a stroke. The evidence on delivery of that intervention has been building. We are now considering how further thrombectomy for stroke might be enhanced in Scotland. I know that the expert advisory group that is under the auspices of the national advisory committee for stroke recently held an initial meeting to plan for robust consideration of the use of thrombectomy for stroke across the country. We will look at the issues that Anas Sarwar and others have raised about accessibility.

As other members have done, I thank all who are involved in delivering stroke services across Scotland. In particular, I thank them for their contribution to planning thrombectomy. I look forward to seeing the group's conclusions, and I will make sure that members get sight of those.

Such advances in medical approaches mean that people are far more likely to go back to living

an independent life, and they are important in the context of the comments that members have made about the debilitating impact that stroke can have and the intensive care that is required when someone who has had a stroke goes home from hospital. It is important that we continue with those advances in preventative work.

Post-discharge stroke care, which is a key focus of the debate, has also been a key focus of the stroke improvement plan since the outset. We are working with NHS boards and the voluntary sector to help to ensure that people who have had a stroke get access to the care and support that they need to help them to return to independent living. That approach is based on putting patient goals at the centre of care planning.

The stroke improvement plan has been informed and is being delivered by our partners on our national advisory committee for stroke. I recognise the contribution of the Stroke Association and Chest Heart & Stroke Scotland in enabling the experience and voice of patients and carers to inform our work.

Specialist nurses are often part of the range of professionals who help people who have had a stroke to manage their condition. It is up to NHS boards to establish service models that meet the needs of their local population, and care and support can be offered in a multidisciplinary way. A majority of health boards fund stroke nurses who follow up patients post-discharge. Such nurses are employed directly and through joint funding arrangements, in partnership with Chest Heart & Stroke Scotland. The number of clinical specialist nurses increased between 2009 and 2016, but we acknowledge that there is always a need to endeavour to do more.

Allied health professionals, too, play a vital role in caring for those who are affected by stroke. Today, the cabinet secretary launched the active and independent living programme, which will look at how best we can provide people with the support that they need to remain in work and how best to help people to live safely and healthily in their own homes for as long as possible. The vision and the six overarching ambitions for the programme will underpin all future local and national allied health professional activity. The active and independent living programme is supported by funding of £3 million over three years.

Through work with stakeholders, the stroke improvement programme has produced robust practice models of care that can be used by everyone who is involved in the patient pathway, which will improve communication and streamline the patient's journey. Following that work, it is clear that there has been a significant

improvement in the care that is delivered to patients.

A number of members talked about inequalities. They were right to do so, because vulnerable people are the most at risk. Although some have said that there is no improvement, the cerebral vascular disease mortality rate fell in all deprivation quintiles in the 10 years to 2015. However, we must focus on doing what we can to reduce the inequality that too many of our communities face.

Members' business debates are often consensual, and it is always right and appropriate for members to challenge the Government about its work. However, I hope that Alexander Burnett takes the message about tackling inequalities to his Government, which has often exacerbated inequality. I hope that he is as robust with his Government colleagues in Westminster as he has been with us this evening—as he is entitled to be.

Stroke care is an example of our commitment to a Scotland that has high-quality services with a focus on prevention, early intervention and supported self-management. We remain committed to achieving that and ensuring that people who have had a stroke have access to the best possible care as quickly as possible and to rehabilitation that is based on their personal goals.

I again thank Alexander Stewart for bringing the debate to the Parliament and for articulating Lynda's story. I hope that we can work together across the parties in the Parliament to make the improvements that I think everyone wants to see.

Meeting closed at 18:06.

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