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Scottish Parliament

Tuesday 27 November 2018

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

Time for Reflection

The Presiding Officer (Ken Macintosh): Good afternoon. Our first item of business is time for reflection, for which our leader is Angela Morgan, former chief executive of Includem.

Angela Morgan (Former Chief Executive, Includem): Presiding Officer and members of the Scottish Parliament, it is an honour to address you today.

Two weeks after I had stopped being chief executive of Includem, I attended my first British Council committee meeting. As the round of introductions swept towards me, I realised with mounting anxiety that the best that I could do was to introduce myself as the former occupant of a role that I had previously held, which felt, at the very least, peculiar. So tied up in knots was I that, when it came to my turn, I blurted out, "I have no idea how to describe myself," which made an impression, but not the one that I might have hoped for.

The experience made me reflect on how a title tops an iceberg of implicit assumptions regarding personal and professional qualities and skills. Obviously, the reality confirms or confounds those assumptions, but even a past title of chief executive opens doors to possibilities.

By stark contrast, the young people who are referred to Includem as offenders, or ex-offenders, have a tip-of-an-iceberg title that has a very different effect on their possibilities. The implicit assumptions—often held by the young people themselves, as well as by others—are of failure, risk and difference.

Through developing relationships with those young people, Includem helps them to begin to shape a different narrative. They come to understand what underpins the behaviours that are destructive to themselves and others, and develop hope and the confidence to see themselves differently, which prevents wasted lives and reduces harm to our communities. I think of young people who discovered their talents and can now title themselves rapper, footballer or knitter. However, by contrast to the positive legacy that the title ex-chief executive confers, the title of ex-offender still closes doors and often reinforces the experiences and behaviours that led to the offending in the first place.

As we approach the final month of Scotland's year of young people, we need to ensure that its legacy is fully inclusive of those young people, and I commend to you two of the driving principles of my former organisation in achieving that: Includem likes young people, and Includem never gives up on young people.

Ex-chief executive and ex-young offender—what unites us? As people behind the titles, we both want a role to play, a place to stay and someone to love.

Topical Question Time

14:03

Brexit (United Kingdom Coastal Waters)

1. Dr Alasdair Allan (Western Isles) (SNP): To ask the Scottish Government what its response is to the Prime Minister's reported position that the proposed Brexit deal ensures that the United Kingdom will be an independent coastal state with full control over its waters. (S5T-01362)

The Cabinet Secretary for the Rural Economy (Fergus Ewing): The withdrawal agreement that has been reached by the UK Government risks being very damaging to Scotland's seafood interests, with an explicit linkage of trade and access to UK waters in direct contradiction to what was promised by the UK Government in its white paper on fisheries. Because of the UK Government's actions, we will have no ability to take part in fisheries negotiations during the transition period and we risk having access to Scottish waters and quota traded away by the UK Government on a permanent basis to secure a trade deal with the European Union in the long term.

Under the deal, Scottish seafood exporters to the EU also face the risk of significant and devastating new trade barriers. In relation to the salmon industry alone, it is estimated that an extra—[*Interruption.*] I will say that again because of the interruptions from Conservative members to my left. In relation to the salmon industry alone, it is estimated that an extra 45,000 export health certificates per annum will need to be issued, which will be a significant cost to businesses and public authorities.

Based on that, I cannot share the Prime Minister's reported view that the UK will be an independent coastal state with full control over its waters. What I can conclude is that, in the Prime Minister's eyes, Scottish seafood interests appear to be expendable.

Dr Allan: Given the concerning information in the cabinet secretary's answer, will he comment further? Given that Scotland is, as he said, a net exporter of seafood, unlike the rest of the UK, and that the vast majority of the UK fisheries and aquaculture sector is Scottish, what role has the Scottish Government had in negotiations on those vital sectors?

Fergus Ewing: The UK Government has not involved us in any way whatsoever, despite the fact that the Scottish Government and I have taken part in the negotiations in Brussels for the past two years. Unlike some members of the Conservative Party in the Cabinet, we have

respected confidentiality in those negotiations. Despite asking to be fully involved in the negotiations, we have played no part—we have been prevented from doing so—in the negotiations, which appear to have led to such a disappointing and, frankly, potentially damaging outcome.

Dr Allan: The cabinet secretary has talked about the withdrawal agreement and what we know about the links between access to waters and access to the trade of fish and seafood exports. Is he aware of the value of fresh seafood, including langoustines, scallops and other species, some of which are caught and landed in and around the waters of my constituency? Will the cabinet secretary explain in more detail the issues that the industry will face if it loses tariff-free and barrier-free trade with the EU, and how we might take steps to prevent disruption to that lucrative export trade?

Fergus Ewing: The shellfish sector faces particular concerns. It faces the possible imposition of tariff and non-tariff barriers. Given that shellfish, which are prized in Europe and throughout the world, are perishable, a delay of even a few hours can be fatal and can render fresh produce valueless. The imposition of new export certification requirements in a market that hitherto has been frictionless is also of grave concern.

What can we do to ameliorate the situation? Our own preference is to remain in the EU, to remain in the single market and to remain in the customs union. That is what we can do to solve the threat of the particular problems that I have mentioned.

Given that we are always constructive, we have also proposed an alternative scenario in our "Scotland's Place in Europe" document, in which we would continue to seek frictionless trade, while coming out of the common fisheries policy.

Peter Chapman (North East Scotland) (Con): Quite frankly, everybody needs to calm down a bit. Nothing has been traded away on fishing, no red lines have been crossed on fishing and the Prime Minister has been very clear that nothing will be traded away. President Macron would like French fishermen to continue to fish in our waters—shock horror; he was always going to say that. We have never said that no EU boats will ever be able to fish in our waters again, but if they do so, it will be under our control and under our rules. Will the cabinet secretary confirm that my understanding is correct in that the Scottish National Party's position on fishing is to rejoin the CFP at the earliest opportunity?

Fergus Ewing: That is not correct, and I disagree with everything that Mr Chapman has said. I have never seen the Conservative Party as

divided as it is now, with the member of Parliament for Moray castigating the plan that Mr Chapman thinks is the bee's knees. Mr Chapman seems to be unaware of what has happened over the past couple of weeks. Hitherto, the UK Government has said that fisheries and trade must not be linked, but now they are umbilically linked, which means that, if the EU does not get the deal that it wants, the fishing and aquaculture industries will find themselves out of the customs union and facing tariffs and non-tariff barriers.

Moreover, following the agreement of the political declaration on 25 November, the European Council released a statement in which it signalled its intention to

“demonstrate particular vigilance ... to protect fishing enterprises”

and to seek to

“build on, inter alia, existing reciprocal access and quota shares.”

That implies that the European Council's position is to seek even more access to our waters than it has at the moment. The fact that Mr Chapman refuses to recognise the existence of those developments over the past few weeks is further proof positive of the total disarray that his party is in on the matter.

Rhoda Grant (Highlands and Islands) (Lab): I would like to take the cabinet secretary back to the transition agreement, under which access to UK waters and the quotas for those waters will be set by the EU in consultation with the UK, but the EU will not be bound by any obligation to get consent from the UK. Given that the cabinet secretary has relationships with colleagues in the EU, has he had any discussions with them about how they will exercise those powers in the interim transition period? What safeguards can he offer our fishing communities?

Fergus Ewing: My officials have regular negotiations and discussions with colleagues precisely to get the best possible deal year on year at the fisheries negotiations. Although those negotiations culminate in December, most of the work is done prior to December, with EU countries and with Norway and the Faroes, as the member well knows.

It is abundantly clear to everybody—apart from, it seems, the Tories—that the EU countries that have a fishing interest are determined to protect their interests. My job is to champion the interests of the fishing sector, including the farmed fish or aquaculture sector, which has been dragged into the process at the last moment by the UK Government, without any discussion taking place with the Scottish Government or the aquaculture sector. There is really only a Scottish aquaculture sector—as far as I am aware, there is no

significant interest in aquaculture south of the border. Aquaculture has been thrown to the lions by the UK Government without so much as a by-your-leave. We will seek to get the best possible outcome for Scottish fishermen, despite the complete shambles of the Brexit boorach that has been perpetrated by the Conservatives.

Patrick Harvie (Glasgow) (Green): It should have been perfectly obvious all the way along that a link would be made between access to waters and access to markets. It is equally clear that, if we want to have a sustainable approach to fisheries and a healthy marine environment, that cannot be done without international co-operation. Some form of common policy on fisheries is inevitable. Is it not the case that the situation that we find ourselves in on fisheries is simply one more example of the fundamental dishonesty of the leave campaigners, who tried to pretend that we could return to some sort of isolationist approach on the issue, and that neither Scottish nor British jingoism changes any of that?

Fergus Ewing: I agree with much of what Mr Harvie said, which is not necessarily a daily occurrence. He is right to say that the problems that have arisen were perfectly foreseeable. Indeed, over the past two years, I have asked Mrs Leadsom, Mr Gove and Mr Eustice to give an unequivocal assurance that they would not trade away permanent access to our waters as any part of a Brexit deal. They never provided that assurance, and it is now abundantly clear why. In reaching an agreement to agree on fishing, the UK Government has postponed that decision for purely political reasons, because it knows fine well that it will not be able to deliver on the promises that were made by the leave campaign. In short, the Brexiteers overpromised, and now they are ready to underdeliver.

Neonatal Abstinence Syndrome

2. **Alex Cole-Hamilton (Edinburgh Western) (LD):** To ask the Scottish Government what action it is taking to reduce the incidence of neonatal abstinence syndrome. (S5T-01355)

The Cabinet Secretary for Health and Sport (Jeane Freeman): Our new combined alcohol and drugs strategy will focus on how services can adapt to meet the needs of those who are most in need, recognising that high-risk factors such as alcohol and drug use impact on health outcomes at birth, in infancy and across the life course. In addition, our maternity services are being reshaped under “The best start: five-year plan for maternity and neonatal care” to ensure that all vulnerable women, including those with substance use issues, receive continuity of midwifery care from specialist midwives who will co-ordinate the team care for the women and their babies.

Alex Cole-Hamilton: A Liberal Democrat freedom of information request revealed the very sad statistic that 200 babies a year are born with neonatal abstinence syndrome. To put it simply, a baby is being born addicted to substances every other day. It is the worst possible start in life, yet the draft strategy contains nothing on the condition. Can the cabinet secretary confirm that the new strategy, which I believe will be published this week, will address that? Does she accept that her Government's 23 per cent cut to alcohol and drug partnership services has made the situation far worse?

Jeane Freeman: Mr Cole-Hamilton knows that it would be inappropriate for me to comment in advance of the publication of the strategy tomorrow on the detail of what is in it. What I can say is that the strategy—quite rightly—treats this as a core health matter and a public health matter, and that it is focused on the individual and not on any other issues. I understand that Mr Cole-Hamilton took from his meeting with Mr Fitzpatrick in August reassurance in relation to what would be included in the strategy, so I am sure that the points that he has made will have been taken account of.

The twin approach of the new combined alcohol and drugs strategy and our work in reshaping maternity services recognises the importance of dealing with the issues in the manner that I have outlined. I also refer to the mental health work that my colleague Ms Haughey is taking forward, which was in our programme for government. Recognition of perinatal mental health, which is really important and is connected to these matters, is central to that work as well.

Alex Cole-Hamilton: It is clear that being born addicted to drugs is one of the worst possible starts in life that one can experience, yet we still do not routinely capture adverse childhood experiences as prescribed by Sir Harry Burns in his review of national health service targets. When will the cabinet secretary act on that recommendation and ensure that we routinely capture ACEs so that we can direct support to these vulnerable children from the very beginning?

Jeane Freeman: I am grateful to Mr Cole-Hamilton for that further question. He is, of course, absolutely right. Being born with neonatal abstinence syndrome is indeed one of the worst starts in life. I should have said at the outset that I am grateful to him for raising the matter, and for the manner in which he has done so. He is right about the recommendation from Sir Harry Burns. I am working with my colleagues to identify exactly how we can take that forward, and I am happy to commit to ensuring that Mr Cole-Hamilton is advised of that as soon as possible.

Tom Arthur (Renfrewshire South) (SNP): Will the cabinet secretary set out how much the Scottish Government has invested over the past decade to tackle drug and alcohol misuse, on top of the financial commitments that have already been made this year?

Jeane Freeman: Since 2008, the Scottish Government has invested over £746 million to tackle problem alcohol and drug use. That includes £53.8 million that has been allocated in the current financial year. The majority of that funding has gone towards supporting local prevention, treatment and recovery services. In addition, we have allocated a further £20 million this year and for each of the remaining years of the current session of Parliament to improve the provision and quality of the services.

Brian Whittle (South Scotland) (Con): What is the Scottish Government doing to ensure that adequate numbers of trained staff are available to help expectant mothers to recognise the dangers of alcohol during pregnancy?

Jeane Freeman: I am grateful to Mr Whittle for his question, because it gives me the opportunity to remind him that I recently announced a further increase—for the eighth year in a row—in the number of student nurse and midwifery places in Scotland to ensure that we have the right staff numbers in those areas.

I am sure that Mr Whittle will also recall our commitment to increase the number of health visitors and the training work that is under way in that regard. Health visitors are a very important resource, given their work with families and small children from immediately after birth and on into the early years.

Poverty (United Kingdom)

The Presiding Officer (Ken Macintosh): The next item of business is a statement by Aileen Campbell on the interim findings of the United Nations special rapporteur on extreme poverty and human rights, on United Kingdom poverty. The cabinet secretary will take questions at the end of her statement.

14:20

The Cabinet Secretary for Communities and Local Government (Aileen Campbell): Just over a week ago, the UN special rapporteur on extreme poverty and human rights, Professor Philip Alston, issued interim findings from his 12-day visit to the UK. He did not pull any punches in his devastating critique of the UK Government's deeply flawed approach to welfare reform and the damage that is being done to the wider social safety net.

Professor Alston's report is a damning indictment of the systematic failings of the UK Government, which has overseen the first sustained rises in poverty in recent years. Those sustained rises in poverty threaten to engulf almost four in every 10 children in Scotland by 2030—a prospect that Professor Alston described as

“not just a disgrace, but a social calamity and an economic disaster, all rolled into one.”

I agree with that assessment.

Professor Alston's message is clear: in a country as wealthy and prosperous as the United Kingdom, current levels of poverty and deprivation are already completely unacceptable, and the projected further increases would be an attack on the very fabric of our society.

The rapporteur set out very clearly that welfare changes have been a political choice rather than a necessity. As he pointed out, the UK Government could have made the choice to end austerity in its recent budget. He said:

“Resources were available to the Treasury at the last budget that could have transformed the situation of millions of people living in poverty, but the political choice was made to fund tax cuts for the wealthy instead.”

The Resolution Foundation has said that next year's proposed spending of £2.8 billion on tax cuts will disproportionately benefit higher earners. For £1.5 billion—almost half that cost—the UK Government could have ended the benefit freeze. In Scotland alone, the four-year benefit freeze has been the biggest reduction in welfare spending—it reduced spending by around £190 million in 2018-19, and it will have reduced spending by around £370 million by 2020-21—and is impacting on 930,000 children.

Professor Alston said:

“the Department for Work and Pensions is more concerned with making economic savings and sending messages about lifestyles than responding to the multiple needs of those living with a disability, job loss, housing insecurity, illness, and the demands of parenting.”

He also pointed out that the savings that were supposed to have been delivered have just been transferred to other public services.

The costs of austerity have fallen disproportionately on people in poverty, women, minority ethnic communities, children, lone parents and disabled people. Professor Alston spoke of the gendered nature of the cuts that have been imposed and their detrimental impact on children. He called for regressive policies, such as the benefit cap and the two-child limit—with its abhorrent rape clause—to be reversed. I hope that his remarks will add weight to the repeated calls of Scottish ministers and many others for exactly the same changes.

Professor Alston's findings add to the weight of evidence of fundamental flaws at the heart of universal credit. Those defects have been well aired in this Parliament so I will not repeat them all, but I want to pick up on one: the initial problem that people face, which is the in-built minimum five-week wait for payment of universal credit. The wait can be much longer for some people. Advance payments that are intended to bridge that gap are required to be paid back at a rate that substantially reduces household income. That is austerity by design: it pushes people into debt and rent arrears and towards emergency funding and food banks, just as they start receiving the benefit.

Again, the human cost is on people's health and wellbeing. No one should go hungry because they cannot afford to eat, no one should be anxious because they need to borrow money to put the heating on, and no one should worry about being made homeless because endless delays mean that their rent might not be paid.

Professor Alston's findings are the latest in a long line of reports that evidence the damage that universal credit is inflicting on people and the communities in which they live. When the UN rapporteur, the National Audit Office, the UK Work and Pensions Committee, devolved Governments and countless charities and other stakeholders keep telling us the same thing, we must listen.

I welcome the comment by the new Secretary of State for Work and Pensions that she wants to deliver

“a fair, compassionate and efficient benefits system.”—
[*Official Report, House of Commons*, 19 November 2018; Vol 649, c 567.]

However, warm words are not enough. Change is needed to end austerity and to make universal

credit fit for purpose. As the rapporteur pointed out, the choices are political choices that can be reversed easily. Amber Rudd must take heed and take the decision that her predecessors failed to take. She must stop universal credit now and fix the problems. To do otherwise and ignore the repeated warnings is to risk condemning a generation of children and their families to a lifetime of poverty that they will struggle to rise out of.

That is before we even start to consider the unknown impacts of Brexit. The rapporteur has highlighted that those on low incomes appear to be “an afterthought” and that no consideration has been given to what will happen to poverty levels following departure from the European Union. That is one of many impacts that the UK Government has given no consideration to.

We have called on the UK Government to publish an impact assessment that sets out the impacts of various Brexit scenarios on poverty. It is essential that the UK Government has a fully formed plan for the potential futures that it is considering. It must set out robust action to ensure that those on low incomes are fully protected against the negative impacts that will be delivered by any form of Brexit—in particular, the disaster of no deal.

I turn to Professor Alston’s findings regarding Scotland. As part of his visit, the rapporteur spent two days in Scotland, meeting ministers including the First Minister and me, key Scottish Government officials, organisations that represent a wide range of interests, and children and disabled people. I welcome the rapporteur’s recognition of the fundamentally different approach that Scotland has taken to poverty, social security and, of course, human rights.

We have much to be proud of. We have established a new social security agency with dignity, fairness and respect at its heart; we have already delivered a valuable top-up to carers allowance; and we will commence the first enhanced best start grant payments before Christmas this year. We have launched fair start Scotland, which is a dignified approach to employability support that does not rule by the fear of crippling sanctions and is backed by up to £20 million each year on top of the levels of funding that the UK Government provides. Our Scottish welfare fund, which provides much-needed support for individuals in crisis, is backed by £38 million of investment each year. That funding is not provided across England. In 2018-19, we are spending over £125 million, which is £20 million more than last year, on welfare mitigation and supporting those on low incomes.

However, I would prefer to be investing that money in pulling people out of poverty. We can

only mitigate the worst of the cuts, because welfare spending in Scotland is expected to have reduced by £3.7 billion in 2020-21 as a result of UK Government welfare reforms since 2010. The fact that we have to spend any of our resources to protect against another Government’s policies is, as the rapporteur rightly said, “outrageous”. He also noted:

“mitigation comes at a price and is not sustainable.”

The price of mitigating that full cut for this year alone would be equivalent to three times our annual police budget or the entire annual budget of both NHS Greater Glasgow and Clyde and NHS Lothian.

As the special rapporteur has made clear, austerity and welfare cuts are not a necessity—they are a political choice. In Scotland, we are making a different choice. As a Parliament, we have united in saying that the current levels of child poverty are unacceptable and that we will take the radical action that is needed to change the fortunes of the 230,000 children in poverty today and the generations of children to come. That radical action starts with our first tackling child poverty delivery plan, which outlines the range of actions that we will take to lift children out of poverty, including working towards introducing a new income supplement, investing in intensive key worker support to help parents to enter and progress in the labour market, and our significant investment in early learning and childcare across Scotland.

Through those measures and the wide range of other actions that we are taking, we are using the powers of this Parliament to demonstrate to those at Westminster that there is another way forward that puts fairness, equality and human dignity at the centre of our approach. We are not doing that solely because it makes economic sense; we are doing it because it is the right thing to do. I ask that parties across the chamber unite in calling on Westminster to make the necessary changes or to devolve the powers to allow us to make the changes ourselves.

When Theresa May became the Prime Minister, she spoke of the urgent need to tackle the “burning injustices” of the UK as a top priority. The rapporteur’s report shows that it is high time that she started to deliver.

Michelle Ballantyne (South Scotland) (Con): Professor Alston notes that although Scotland has “the lowest poverty rates in the United Kingdom”—

in part, that is because it benefits from the highest amount per capita spent on public services—it also

“has the lowest life expectancy and the highest suicide rate in Great Britain.”

Health and mental health are devolved matters. Will the minister recognise that, when it comes to poverty, her Government has to take responsibility for its record in those areas, and to address the issues at source?

Aileen Campbell: Although I have responsibility for policies to do with tackling poverty, it is absolutely the commitment and the priority of the whole Government to do what it can, within the powers that we have, to improve everybody's life chances.

Of course we have public health challenges: they are articulated in the report. This Government is taking the actions that are necessary in order to ensure that people have enhanced wellbeing, and to reverse some of the challenges that we face.

However, the finger of blame points fairly and squarely at the UK Government for its systematic cuts to social security, its welfare reform and the continued politically and ideologically driven austerity that Professor Alston said "could easily be reversed" if the UK Government were to decide to do so.

The UK Government has a choice of two futures: it can continue to give tax benefits to the wealthiest people, or it can change tack and gift a better future to the people of Scotland and the UK. Thus far, it has singularly failed to do that. The politically and ideologically driven motivation for welfare reform will be very difficult for this Parliament to shift. In order to do so, we need to ensure that we have the powers here or, at least, to make sure that we press hard for the UK Government to change tack.

Michelle Ballantyne is shaking her head. She would do well to make the same passionate representations to her colleagues down at Westminster.

Elaine Smith (Central Scotland) (Lab): I thank the cabinet secretary for early sight of her statement.

It really is shocking that the UK has had such a damning UN poverty report that completely exposes the Tory approach to welfare as an ideologically driven political choice, in which austerity disproportionately impacts on women, children, minority ethnic communities, disabled people and people who live in poverty.

Is the cabinet secretary aware that Professor Philip Alston said in his press conference that universal credit is a system that could have been designed by "a group of misogynists"? As members will know, that system is driving normalisation of food banks, baby banks and toy banks, which are kinds of charity that should not be the norm in a rich country where families

should, instead, have increasing household incomes.

Although the report credits the Scottish Government for mitigating some of the effects of Tory welfare policy, it is not enough today to just attack the Tory Government. Will the cabinet secretary take immediate action to lift 30,000 children out of poverty by implementing the £5 child-benefit top-up, by rolling out North Lanarkshire Council's club 365 scheme across Scotland, as was recommended by the poverty and inequality commission, and by using its powers to reverse the abhorrent two-child limit? Scotland's children in need cannot wait any longer for radical action.

Aileen Campbell: Yes—I saw that Professor Alston had said damning things about the gendered nature of the UK Government's social security cuts and austerity measures. The rape clause and the two-child cap epitomise its gendered approach. Elaine Smith and I—indeed, members across all parties—agree that that needs to stop.

The way in which Elaine Smith articulated her question suggested that we are doing nothing, and are sitting idly by and just letting it happen. We are not: we are making concerted efforts in the here and now to protect the people of Scotland as best we can. Our actions include spending £125 million on mitigation to mop up to the UK Government's mess of failed policies. They include all that we have set out in the child poverty action plan, which is backed with £50 million to help children across the country. They include the £3.5 million that we are spending on dignified responses to food insecurity, and they include the work that Shirley-Anne Somerville is doing to establish the new social security agency, the work of which is based on dignity, fairness and respect.

That is not the totality of our work. We are progressing the income supplement to lift children out of poverty, as Elaine Smith described, following campaigns that led to that announcement. We will continue to work on a cross-party and reasonable basis to make that happen.

We are doing a lot of work in the here and now to mop up another Government's mess. If we had the powers to do so in this Parliament, we would surely do a lot more to help the people of Scotland.

Alison Johnstone (Lothian) (Green): Professor Alston said that the local preparations that he saw for the introduction of universal credit, which is a UK Government welfare reform,

"resembled the sort of activity one might expect for an impending natural disaster or health epidemic."

What we have seen is only the tip of the iceberg; the major challenge will arise when the bulk of people who are on existing benefits are transferred from next year.

What additional steps is the Scottish Government taking to help local authorities, the third sector and communities to prepare for the final managed migration stage of the roll-out, given the UK Government's refusal to halt the roll-out, despite ever-increasing evidence of the damage that universal credit's many flaws cause?

Aileen Campbell: The points that Alison Johnstone makes have been clearly heard by my colleague Shirley-Anne Somerville, who engages regularly with the UK Government. Amber Rudd has been pressed on those points to ensure that she listens to the recommendations.

We have regular engagement with local authorities and the Convention of Scottish Local Authorities across a range of ministerial portfolios to ensure that authorities feel that the necessary support is in place for them to cope with managed migration. We also continue to work with third sector organisations, which often have the agility to respond to the needs of people who face destitution or poverty. We will continue to work with COSLA, the third sector and others whenever we need to do that, so that they feel supported as they support people across the country.

Alex Cole-Hamilton (Edinburgh Western) (LD): I am grateful for early sight of the cabinet secretary's statement. On Brexit, Professor Alston said that

"anyone concerned with poverty in the UK has reason to be very deeply concerned."

Given that many people who rely on social security and the welfare state might have voted to leave on the understanding that the UK's doing so would increase the money that goes into the Exchequer, and given that nobody voted to become poorer, does the cabinet secretary agree with my party that those people should be offered the chance to revisit their decision in a people's vote?

Aileen Campbell: I agree with Alex Cole-Hamilton that nobody voted to exit the EU in the referendum in order to become poorer. Some of the promises that were made in that referendum campaign have been called into question.

I remind Alex Cole-Hamilton that the people of Scotland voted to stay in the EU. The First Minister has made it clear that she has never ruled out, and would not stand in the way of, a people's vote.

Given the impact of Brexit on the most vulnerable people across the country, we must continue to work hard and to do whatever we need

to do to plan and to support local authorities and the third sector in the way that Alison Johnstone asked us to, so that we are fully prepared for the impact of Brexit. The most vulnerable people will be hit hardest; people who do not have financial resilience or security stand to lose most.

The UK Government has a lot to consider, given the shambolic way in which it is progressing Brexit. It needs to think hard not only about Professor Alston's report but about the impact of Brexit, which will consign many more people to much more heartache in the years to come.

Angela Constance (Almond Valley) (SNP): Does the cabinet secretary agree with the UN rapporteur that it is

"patently unjust and contrary to British values that so many people are living in poverty"

in the UK and that

"British compassion"

has been

"outsourced"

and

"replaced by a punitive, mean-spirited, and ... callous approach"

to tackling poverty?

Aileen Campbell: Certainly, the values that this Government is focusing on are the values that are written into the Social Security (Scotland) Act 2018. Those values are dignity, fairness and respect—none of which can easily be found in much of what the UK Government has attempted to do through welfare reform, austerity and social security cuts. With the rapporteur himself describing the cuts as "draconian" and the sanctions as "cruel" and "inhuman", it seems that he agrees that there has been a departure from those key values of fairness, respect and dignity.

Oliver Mundell (Dumfriesshire) (Con): Does the cabinet secretary agree with the special rapporteur when he says, of devolved welfare powers,

"it is clear to me that there is still a real accountability gap which should be addressed. The absence of a legal remedy or a more robust reference to international standards in the Social Security (Scotland) Act is significant and should be addressed"?

What does she plan to do about that issue?

Aileen Campbell: The whole point and purpose of the 2018 act—the whole premise on which it has been created—is to have human rights firmly at its heart. With the social security charter, there is direct accountability to Parliament as well.

As I said in answer to Patrick Harvie last week, of course we will take on board what the rapporteur says, but certainly everything that we

do and will continue to do in our policies across the whole of Government has human rights at its heart, as written into the very foundations of the 2018 act.

We will take on board the rapporteur's comments, but Oliver Mundell should be looking a wee bit closer to home—to his own party—to see that human rights are certainly not part of the UK Government's approach.

Bruce Crawford (Stirling) (SNP): Is the cabinet secretary aware that today, despite the UK being the fifth richest country in the world, as many as 14 million people live in poverty, including as many as 4 million children? Is she also aware that under the Tories' watch, 600,000 more children have fallen into relative poverty? Does she agree with me that that is the biggest failure in public policy this century which, according to the UN, is a result of massive cuts to social security and misguided reforms to welfare payments?

It is noticeable that the Tories are not even prepared to stand up in the chamber today to defend their own Government. That shows us the shameful position of the UK Government.

Aileen Campbell: Bruce Crawford spoke about 600,000 more children falling into relative poverty as a result of the UK Government's policies. That is 600,000 reasons to do something different—to take a different path and to try to reverse the cuts that the UK Government has inflicted on so many.

It is a disgrace that UK Government policies are driving the first sustained rise in poverty levels in recent years. That is why this Government is taking a different approach and a different tack; that is why our tackling child poverty delivery plan lays the blame for rising child poverty levels firmly at the door of the UK Government; and that is why we will continue to take the actions that we need to take to reverse, as best we can, the cuts that the UK Government has made and to protect the most vulnerable, to lift children out of poverty, to take forward the policies that we know will work and to give children in this country a better future.

Mark Griffin (Central Scotland) (Lab): I am grateful that the cabinet secretary has said that the Government will use its powers to create a new benefit and that it is working towards a new income supplement. Given that thousands of children are being caught by the welfare reforms now, will the June report confirm not only the budget for and the value of the income supplement but its timeous introduction in the next financial year?

Aileen Campbell: We are working to develop the income supplement in a way that ensures that we have the maximum possible reach and that we support as many children as we can in order to lift children and families out of poverty. Certainly, we

will continue to keep the member informed of the progress that has been made. We are continuing to work with organisations such as the Child Poverty Action Group and Poverty Alliance Scotland to make sure that we get this right. It is complex work, but we are committed to its success. We know the impact that it will have on people and families across the country.

Ruth Maguire (Cunninghame South) (SNP): Does the cabinet secretary agree with the UN rapporteur's assessment of the UK Government policy that

"If you got a group of misogynists together in a room and said 'how can we make a system that works for men but not women?' they wouldn't have come up with too many other ideas than what's in place",

and does she agree with me that by embedding equalities and human rights assessments into decision making, the Scottish Government can and will do better for women?

Aileen Campbell: Absolutely. I agree with Ruth Maguire and with the UN rapporteur's assessment that UK Government policy is having a disproportionate impact on women across the UK. That is why, if we had these powers in Scotland, we would not have measures such as the two-child limit or the appalling rape clause that goes along with it. [*Interruption.*] I hear sedentary comments from the Labour benches. The Labour Party must stop weaponising the policy. We want to work together in order to make a difference to the lives of women across the country.

I underline that we are doing what we can with the powers that we have through the Social Security (Scotland) Act 2018 and measures such as the best start grant, which will improve the financial support that is available to low-income mothers—and not just on the birth of a first or second child; there will be no cap on the number of children. Human rights and equality will continue to be embedded in our policy approaches across the country, and not just in my portfolio. When we are able to help women across the country, we get better decisions.

Annie Wells (Glasgow) (Con): It is noted in Professor Alston's report that

"in Glasgow only 3% of local welfare fund applications were decided in a day"

compared with 99 per cent of such applications elsewhere. Will the cabinet secretary promise to review why there is such a disparity?

Aileen Campbell: I think that Glasgow City Council has a different assessment of that, but the Government will happily look into the issue to determine the truth and how we can make any necessary changes or improvements.

Bob Doris (Glasgow Maryhill and Springburn) (SNP): The UN special rapporteur slams successive UK Governments, stating that they have

“presided over the systematic dismantling of the social safety net”,

and adding that universal credit and welfare cuts have

“undermined the capacity of benefits to loosen the grip of poverty.”

Does the cabinet secretary share my concern that that dismantling, for instance by turning tax credits from an entitlement into a benefit, which is now subject to sanction, is pushing families further into in-work poverty?

Aileen Campbell: I know that the member’s committee has investigated that real and increasing problem. One of the main factors that influence levels of in-work poverty is social security, so the cuts that will reduce social security spend by £3.7 billion in 2020-21 alone will only serve to compound the already high levels of in-work poverty. In Scotland, two thirds of children who are in poverty come from homes in which an individual works and one third come from homes in which an adult works full time. That is unacceptable and it signals that families are working damn hard and never getting out of the bit. That is something that we need to turn around.

Other factors include hours and hourly pay, which are not keeping pace with the cost of living. There is no doubt that, if the powers over social security and employment were at least devolved to the Parliament, we would be able to take much more action to pull people out of poverty. With the powers that we do have, we are already making sure that people benefit from the living wage—Scotland has a disproportionately high number of people who are in receipt of the living wage. We are using the powers and the influence that we have to push the improvement forward.

Daniel Johnson (Edinburgh Southern) (Lab): The rapporteur is clear about the link between cuts to local government funding and poverty. What does the Scottish Government think about that, given that Scottish Government funding to local authorities has fallen by 7.1 per cent since 2013-14 but the funding to the Scottish Government has fallen by only 1.8 per cent? In addition, the rapporteur raised concerns about the “lack of awareness” of the Scottish welfare fund. What does the Scottish Government intend to do about that?

Aileen Campbell: We continue to treat local government fairly with the funding settlement that is agreed. Alongside that settlement, we are spending £125 million on mitigation and £3.5 million on dignified approaches to food and

security, and Shirley-Anne Somerville and her team are carrying out work on the social security agency. We continue to engage in partnership with local government to protect those who are most vulnerable.

When it comes to the Scottish welfare fund, we will do what we can. If there are ways in which we can make improvements, we will look into them. To date, 306,000 individual households have been helped through the fund and we will continue to do what we can to help even more.

Fulton MacGregor (Coatbridge and Chryston) (SNP): The UN special rapporteur said that he was shocked at the Scottish Government spending £125 million on welfare mitigation. As the MSP covering Coatbridge, it is not a shock to me, as referrals to the local food bank and cool school uniforms are going through the roof, people are suffering with universal credit and North Lanarkshire Council is implementing heavy cuts to key services. Does the cabinet secretary agree that the Scottish Government has to spend much more than that to mop up the damage of UK austerity? Has the Government done an analysis of those figures?

Aileen Campbell: The member is right to point out again that we are mopping up the mess and the consequences of decisions that have been made by another Government. As he has articulated, we will be spending a lot more to mitigate the worst impacts of UK austerity, for example through the council tax reduction scheme and increased funding to support employment programmes. We are actively considering and conducting analysis that brings that together. I will continue to work with the member and will let him know when we continue to make progress on that.

Violence against Women

The Presiding Officer (Ken Macintosh): The next item of business is a debate on motion S5M-14904, in the name of Christina McKelvie, on hear me too, 16 days of activism to end violence against women and girls.

14:50

The Minister for Older People and Equalities (Christina McKelvie): Violence against women and girls is one of the most devastating and fundamental violations of human rights. It has to stop, and meaningful action must be taken to stop it. The 16 days of action provide an opportunity for us to come together, give new momentum to our ambitions and review just how far we have come. The occasion is being marked all across Scotland, and I look forward to joining the many events over the next 16 days.

At the weekend, I was fortunate enough to attend an event that focused on the catalyst for the campaign. On 25 November 1960, sisters Patria, Minerva and Maria Teresa Mirabal, three political activists who actively opposed the cruelty and systematic violence of the Trujillo dictatorship in the Dominican Republic, were clubbed to death and dumped at the bottom of a cliff by Trujillo's secret police. The Mirabal sisters became symbols of the feminist resistance and, in 1980, in commemoration of their deaths, 25 November was declared international day for the elimination of violence against women in Latin America. The international day was formally recognised by the United Nations in 1999. Today, the campaign takes place annually to remember those who have been lost to gender-based violence and to commend the bravery and sacrifice of those activists who have striven to end violence against women and girls all over the world.

This debate takes place at a time when violence against women and girls is very much in the spotlight. We have all been moved by the stories told through the #MeToo movement, which has prompted thousands of women to disclose that they, too, have been victims of sexual harassment or assault. If #MeToo has achieved anything, it has given women the voice to stand up to everyday sexism, gender-based stereotypes, sexual harassment, glass ceilings—the list goes on. Behaviour that was once written off or tacitly ignored is finally being challenged and perpetrators are being held to account.

Given its proximity to today's debate, it would be remiss of me not to mention the trial in Cork, which caused controversy in the Irish Parliament when Ruth Coppinger TD exhibited her outrage at the proposition that a woman's choice of underwear

could imply whether she did or did not wish to have sex that evening. Victim blaming is an insidious problem that we must continue to address in our society every day and in every way.

Let me be clear: in challenging such behaviour, this Government, this Parliament and this society have a responsibility to take action to end violence against women and girls. To achieve success, we must work together. Our equally safe strategy has a decisive focus on prevention, seeks to strengthen national and local collaboration in working to ensure effective interventions for victims and those at risk, and contains a clear ambition to strengthen the justice response to victims and perpetrators.

This time last year, we published a delivery plan of practical steps that will take us towards ending such violence for good. The delivery plan sets out 118 actions, and we intend to take those forward until 2021. We have already made progress in taking forward many of those actions, particularly in our approach to ensuring that our children have an understanding of important issues such as consent and healthy relationships. We are expanding the Rape Crisis Scotland sexual violence prevention programme to all 32 local authorities, and we are supporting Rape Crisis Scotland and Zero Tolerance in their equally safe at school project to develop a whole-school approach to tackling gender-based violence.

Earlier this year, I was thrilled to visit St John Ogilvie high school, in my constituency—I have visited it on many occasions—to find students giving an assembly on equally safe. Next week, I look forward to visiting Denny high school to see its work to embed equally safe principles throughout its institution. When I was in St John Ogilvie high school, one of the amazing young women activists who were delivering the project reminded me of a quote from Elizabeth Edwards:

"She stood in the storm, and when the wind did not blow her away, she adjusted her sails."

The voices of our young children are important, and our everyday heroes project made sure that we listened to children and young people during the development of our delivery plan. I look forward to meeting some of those exceptional young people next week at the everyday heroes parliamentary reception.

Our focus on education extends to our universities and colleges, and I take this moment to mention Emily Drouet. Emily was an ambitious, promising 18-year-old. In her first year at university, she took her own life because she was experiencing domestic abuse by her partner. That reminds us that no institution is immune to the scourge of gender-based violence. We are working with universities and colleges to support

them in using the learning from our equally safe project in a further and higher education project at the University of Strathclyde to ensure the safety of students from gendered violence and to embed better understanding of those issues in their curriculums.

Elaine Smith (Central Scotland) (Lab): Does the minister think that more education is needed around the Government's position that prostitution and pornography are also on the spectrum of violence against women?

Christina McKelvie: I agree with Elaine Smith on that point. Last week, as part of the 16 days, I opened the Inside Outside exhibition at the University of West Scotland. It is in Kilmarnock this week, and I urge members to get along to see the experiences of the women and victims involved. We will always look at the aspects of gender-based violence that relate to prostitution, and I would be happy to hear about those from Elaine Smith, who has campaigned for many years on that issue.

I will pause a moment to pay tribute to Fiona Drouet, Emily's mother, who is in the public gallery today. Fiona has campaigned with the National Union of Students for universities to tackle these issues on campus and provide better support for students. Her contribution to that project has been, and continues to be, phenomenal. It is humbling to see how Fiona and her husband have managed to turn such a personal tragedy into a driving force for change. My ministerial colleagues and my officials, and probably every member across the Parliament, would like to express the fact that we have been inspired by their personal campaign and continue to be inspired by it. *[Applause.]*

It is important that we raise awareness of and embed understanding of gender-based violence, but the bigger challenge is in delivering a societal shift whereby women no longer occupy a subordinate position to men. We need to make progress in advancing women's equality in a range of spaces: economic, civic, social and cultural. The work of the First Minister's national advisory council on women and girls is important in that regard, and I look forward to seeing its first report early next year.

We also need to act here and now to ensure that those who experience violence and abuse get the help and support that they need. Specialist third sector services play a vital role in providing that support, which is why we are providing three years' funding for those organisations to enable them to plan for the future. I put on record my personal tribute to all the organisations that have persisted in ensuring that we get the right information in order to make the decisions that we make here in Parliament.

More than £12 million from the equality budget is being invested this year to support services and tackle the underlying issues that create the conditions for violence. Last month, in recognition of the significant demand that rape crisis centres face for their valuable support services, I was pleased to announce additional funding of £1.5 million over the next three years to help those centres to better meet that demand. There has been a significant amount of activity this year by the Government and its partners, but I recognise that more remains to be done, and we will continue to keep up the pace.

Over the coming year, we will run a number of campaigns, including a major national campaign on sexual harassment and sexism, to raise further awareness of the issues and to encourage a change in behaviour and attitudes. We will also work more closely with Zero Tolerance to organise a more in-depth event looking at the role that the media can play in tackling violence against women and girls. The media has an important role to play in shaping the wider attitudes in society. We have all seen the deeply unfortunate and sometimes misogynistic coverage of women in our media, but we have also seen some truly excellent coverage in which journalists have shone a spotlight on these issues. I am honoured to be speaking at tomorrow's write to end violence against women award ceremony, which celebrates the best of media reporting.

As I stated at the outset, the theme of this year's 16 days concerns ending gender-based violence in the world of work. I know that this Parliament has taken steps to tackle sexual harassment in this workplace, which is welcome. I am also pleased to inform the chamber that the Scottish Government is running its own internal campaign during the 16 days, which will involve a number of events to raise awareness and send a clear message that harassment and abuse are never acceptable. It will be a clear reminder that it falls to us all to take action in this area.

A lot has been achieved, but there is more to be done. We cannot rest until violence against women and girls is consigned to history. I will end with a quote from Emma Watson, the UN women goodwill ambassador. She says:

"How can we effect change in the world when only half of it is invited or feel welcome to participate in the conversation?"

I urge us all to actively participate in the conversation, today in this chamber, tomorrow and until we have ensured that every woman in Scotland lives free from violence.

15:01

Annie Wells (Glasgow) (Con): This is the third time that I have spoken in an annual debate that recognises the 16 days of activism against gender-based violence. Every year, I am reminded of the grave situations that many women are faced with, domestically and around the globe, simply because of their gender. The issue transcends borders and cultures. Today it will unite us in the chamber, as we condemn a global issue that has affected women and girls for far too long. For 16 days, from 25 November to 10 December, the campaign offers a unique opportunity to reflect on how far we have come and how far we have to go when it comes to eradicating gender-based violence.

In the global context, the statistics are extremely alarming. One in three women worldwide experiences gender-based violence. In 2012, almost half the women worldwide who were victims of intentional homicide were killed by a partner or family member, compared with just 6 per cent of male victims. Across the world, 71 per cent of all human trafficking victims are women and girls.

This year, the UN's UNiTE to end violence against women campaign focuses on the theme #HearMeToo, the purpose of which is to unite women's rights networks around the world to stand together in solidarity with survivor advocates and human rights defenders.

In line with that theme, it is right that I highlight the work that the United Kingdom is doing in the global context. Last autumn, the UK Government committed £12 million of funding to the UN trust fund to end violence against women. That support is expected to help about 750,000 women and girls over the next three years. Last week, the Department for International Development made the largest-ever single investment in ending female genital mutilation worldwide by 2030. That is a huge commitment from the UK Government, and one that puts violence against women and girls at the heart of international funding.

Of course, the UK is not immune to gender-based violence, and there is still a persistent problem to tackle at home. The Scottish Government's focus on violence in the workplace reminds us that it remains the case that many women are subjected to sexual harassment and assault in their everyday employment. I think that following the widespread sharing of sexual harassment stories in the wake of the Harvey Weinstein scandal last year, we were all shocked to learn the extent of the problem. A poll showed that half of British women and a fifth of men had been sexually harassed at work or at a place of study, and that of those people, 63 per cent of women and 79 of men had kept it to themselves.

Most shocking of all was that the poll also showed that one in 10 women had been sexually assaulted.

Although far too many women and girls are affected by gender-based violence, I believe that the events of the past year have instigated a major shift in attitude when it comes to open and frank debate. I am pleased to see that a national conversation is taking place, and that the issue is being given the attention that it deserves.

Even within the political environment alone, the impact of the #MeToo movement was huge. By way of sending out a strong message, we saw the swift response from the Scottish Parliament with the issuing of an anonymous survey to all staff and the setting up of culture of respect workshops.

Sexual harassment, bullying and intimidation can take place in any public or private space. I want to make sure that the conversation continues.

Kezia Dugdale (Lothian) (Lab): Does Annie Wells think that it is now easier than it was a year ago for someone to report that they have been subjected to sexual harassment? Does she think that insecurity of work is a problem? A woman's being likely to get fewer hours next week means that she is less likely to report, because all the power has landed in her boss's hands.

Annie Wells: I think that sexual harassment is easier to report now—the people whom I speak to are saying that. However, we still have a huge mountain to climb when it comes to power being in the bosses' hands. That is something that we can all work on and take forward. All members are employers in Parliament.

Earlier in the year, I met Fiona and Germain Drouet, the parents of Emily Drouet, who sadly took her own life after a campaign of abuse and violence by her boyfriend. I was proud to support the #EmilyTest campaign, which calls for increased funding for colleges and universities to support students who are affected by gender-based violence. I am also pleased to see that delivery in schools of the Rape Crisis Scotland sexual violence prevention programme will be extended to all 32 local authorities to increase understanding of consent and healthy relationships. Those are positive steps that show that momentum is building and things are changing.

However, it goes without saying that we still have a long way to go in other areas. More than 30,000 domestic abuse charges were dealt with by Scottish prosecutors in 2017-18, and more than 2,000 rapes or attempted rapes were recorded by Police Scotland last year alone. Between 2011 and 2014, nearly 200 women and girls in Scotland were subjected to forced marriage. Increased

reporting will, of course, have an impact on statistics, but those statistics are no less shocking.

I would like to focus on a couple of areas before I close. FGM is still far too prevalent a practice in the UK, with about 170,000 women and girls having undergone the procedure in this country. We have seen more action being taken south of the border, so with that in mind, I ask the cabinet secretary to give us an update, in closing, on how the Government is progressing its programme for government commitment to introduce an FGM bill that will propose protection orders for women and girls who are at risk, and introduce statutory reporting guidance for professionals.

We have also seen renewed discussion about how victims of rape and sexual assault experience Scotland's justice system, with frequent delays, poor communication and a feeling of disengagement from the process being cited as commonly occurring issues. Will the cabinet secretary outline what action is being taken by the Government to reform the system in order to help victims?

To finish, I again express my sincere support for the global campaign. Millions of women and girls here in the UK and all round the world find themselves in horrific situations, many of which are too difficult to comprehend. This will never be an easy subject to talk about, but I know that we will need to address it for many years to come because so many barriers—not just violence—face women.

The 16 days of activism is a great platform and starting point from which to highlight the issues, but I hope to see many more debates throughout the parliamentary year that focus on the problems that blight women and girls.

15:09

Rhoda Grant (Highlands and Islands) (Lab):

The debate has become an annual occurrence to mark the 16 days of activism against violence against women. I agree with Annie Wells that we need to have many more such debates throughout the year to work on the issue and to make sure that we eradicate violence against women.

In such debates, we often congratulate ourselves on the work that Parliament has done—from the first committee bill, which was piloted by Maureen Macmillan, that gave greater protection to victims, to the latest bill that legislated to make coercive control an offence. Sadly, we also debate what still needs to be done—which shows us that although we have come a long way, we still have a long way to go.

Violence against women is not a problem with women. It is a problem with a minority of men, yet

they seem to be able to define our society's norms. Sexually motivated crime is rising. Although some of the reporting that we see is historical, the trend is upward, which shows that there is, on the part of some men, a growing sense of entitlement to the right to sex without consent.

Sadly, many of our young people are getting much of their sex education from the internet, which leads to their having that sense. Hard-core pornography influences how young people see sexual relationships and leads to a sense of entitlement and to sexual violence. In order to counteract that, we have to ensure that children have access to high-quality sex education that includes education on respect and consent. I also welcome the extension to all schools of Rape Crisis Scotland's prevention programme.

However, the matter is not only for our schools to tackle; it is also for our parents and, indeed, for our society as a whole to tackle. We need to make hard-core pornography less accessible. In this age of technology, that should not be difficult. Search engine companies and internet service providers must introduce protection, but so far they have faced no pressure to act. Will the Government explore how it can bring its influence to bear on such companies in order to make them act?

Secondly, I will speak about commercial sexual exploitation, which was touched on by my colleague, Elaine Smith. From phone chatlines to prostitution, such exploitation has been recognised as being a form of violence against women since our very first strategy, but little has been done to discourage it. Indeed, austerity has driven women into commercial sexual exploitation; cuts have had a greater impact on women, and universal credit, the two-child cap and the rape clause all mean that women are struggling to feed their families. The choice is stark—lose your children or sell sex. That is simply wrong.

As mentioned by others, Philip Alston, the United Nations' rapporteur on extreme poverty and human rights, described our welfare system as something that could have been compiled by

“a group of misogynists in a room”.

Therefore, I appeal to the Scottish Government to use its powers to repeal the two-child cap and, with it, the rape clause, because the inequality in our welfare system breeds inequality in our society.

We cannot have an equal society when women are a commodity to be bought and sold. That situation encourages trafficking and slavery. Although it is a crime to buy sex from a person who has been trafficked, we have yet to see anyone being prosecuted for that crime. Prostitution damages health and it damages

society: those who are forced into or resort to prostitution never leave unscathed. Many women and men in prostitution have been victims of child sex abuse or have been in care. People who have already been badly let down are then used as commodities rather than being supported. That is simply wrong: it must be tackled, and we must learn today what the Government is doing to make Scotland a place where buying sex is no longer acceptable.

Much of the focus on violence against women has been on domestic abuse. We have some of the best legislation in the world on that, but we need to go further. My casework tells me that abusers will stop at nothing to assert their control. An obvious target is children. Too often, we read in the newspapers about children being murdered by a person's abusive partner, simply as a means of attacking the mother. Few of us can believe that anyone would go to those lengths, but it happens, and far too often.

However, the use of access arrangements as a route to coercive control and abuse is more common. Our family courts appear to have little understanding of domestic abuse, and they force abused partners to take part in mediation and grant access to abusive partners. No abuser should have the right to see their children, but repeatedly women are forced to send their children to an abusive partner and to live in fear of what will happen to the children while they are with that partner. If they refuse, they are threatened with loss of their access and, in some cases, their liberty. How cruel is that?

The abusive partner often changes arrangements in order to exercise their control, and uses access to find out information about their victim, thereby creating conflict and stress for the children. They also find out where their children live and can use that information to perpetrate further abuse.

If a parent is abusive, their parental rights need to be removed until such time as they can prove to their ex-partner and the courts that they are no longer a threat. The Government is considering that, but we need legislation urgently because children are being damaged now.

The children of an abusive relationship are damaged by that relationship; it affects their mental health and their self-esteem. Their becoming the vehicle for that abuse makes their situation so much worse: we need to protect them from abuse and to create safe homes for them to grow up in. We hear of the impact that adverse childhood experiences have on children and how they damage their life chances. Domestic abuse is an adverse childhood experience, so the state must protect children from it.

I hope that we will reach the day when this annual debate is all about celebrating the end of violence against women. Until then, we need to use the debate to raise awareness of concerns and to prevail upon the Government to act.

15:16

John Finnie (Highlands and Islands) (Green):

I thank the various organisations that have provided briefings for today's debate. I am delighted that all parties support the Scottish Government's motion, as there should be consensus on the issue. As other members have said, the debate has become an annual event so there is a danger that we all say the same thing and share the same frustrations. Of course, to many people, it is an issue not just for 16 days but for every day.

However, I will try to provide some positive news. I noted from Twitter yesterday that

"Scotland's prosecutors have begun training in preparation for new domestic abuse legislation which is due to come into force"

next year. That is a very positive step. My colleague Rhoda Grant talked about the aspects of psychological abuse and coercive and controlling behaviour that are included in domestic abuse, and it is vital that there is specialist training on that.

The Solicitor General has talked about domestic abuse being unacceptable, saying:

"it goes to the heart and fabric of our society; it corrodes the fundamental values of respect and equality between genders".

The big issue is that great inequality exists, and we are talking about gender-based violence and historical, systemic and inherent inequality.

Members have touched on the shocking statistic that was published yesterday by the UN on the number of women around the world who are killed each day by a partner or family member—the average is 137 women. Many will know that it is not that long since people considered that domestic violence was something that took place behind closed doors—that it was a private matter. Other members have alluded to the question of victim blaming, which is another pernicious issue for the victims of domestic abuse.

Judicial training is vital. In previous debates, I have mentioned—I make no apologies for mentioning it again, although I will spare individuals the mentioning of any names—the fact that High Court judges are not beyond making inappropriate comments and perpetuating stereotypes. I would like judicial training to be compulsory, rather than just—

Bob Doris (Glasgow Maryhill and Springburn) (SNP): Will the member give way?

John Finnie: Absolutely.

Bob Doris: The member makes a powerful and important point. As a result of my constituency case load and experience, I would welcome the extension of such training to sheriffs, who make quite delicate decisions in child custody hearings and about contact and access.

John Finnie: Bob Doris makes an extremely valid point. Indeed, a lot of decisions are made in a civil rather than a criminal context. It is absolutely vital that the power dynamic is understood by those who make the decisions.

The UN said yesterday that violence against women and girls is a “mark of shame” on our society. In retweeting that, White Ribbon Scotland said that it was

“a failure by men to recognize the inherent equality and dignity of women—and that it is tied to the broader issues of power and control in societies.”

That is evident.

On another positive note, I commend the Scottish Government’s update report on its equally safe strategy; I also commend a lot of the initiatives that are in it. The Government will launch

“a major campaign on sexual harassment and sexism”

in early 2019, which is very positive.

Issues are sometimes presented to the authorities that seem fairly innocuous. I was dealing with a case in which a constituent was being harassed on social media. Initially, the response from the police was, “Well, it’s just one of those things”. Fortunately, the matter is now being taken very seriously and is being considered in the sheriff court. Understanding the different routes that people use to perpetrate violence is important.

The role of the media is also mentioned in the equally safe strategy. We all face the same dilemma: by highlighting bad practice, are we promote it? However, we need to highlight bad practice.

Support for Close the Gap—which I thank for its briefing—from the Scottish Government and the Convention of Scottish Local Authorities is very important. A lot of women might consider their workplace a safe environment, but the reality is that it is a place where they are harassed. Statistics show that three quarters of victims have been targeted at their work. It is important that we provide the wherewithal for people to provide support.

Another member talked about the implications of the benefits system and the disproportionate impact of that system on women and girls.

The Justice Committee is looking at the Vulnerable Witnesses (Criminal Evidence) (Scotland) Bill and the barnahus approach, whereby people are not continually revictimised by having their statement taken. We heard today of a victim of a vile sexual crime who was interviewed on more than 20 occasions—that, in itself, is horrendous. We should look at creative ways in which we can extend the provisions in the bill to include victims of domestic violence, so that their statements are taken by commission. That would be a positive step.

I commend the work of Police Scotland, as I have done in previous years. In particular, I commend it for the work that it has done—based in Forfar rather than the central belt—in close collaboration with the Crown Office and Procurator Fiscal Service to investigate historical perpetrators who have been serial offenders against women. From the coverage of some of the court cases, people will know that tremendous work has been done to show that such offenders have had multiple victims and committed heinous crimes. That work is a very positive step.

Of course, education is the key. Everyone talks about education, and there is a way to go. There are issues around human trafficking and female genital mutilation.

I conclude by commending the campaign that is to be run to raise awareness of coercive control and domestic abuse to coincide with the implementation of the Domestic Violence (Scotland) Act 2018. That is one positive step, but we have a way to go.

15:22

Liam McArthur (Orkney Islands) (LD): I warmly welcome this afternoon’s debate and I confirm the Scottish Liberal Democrats’ strong support for the #HearMeToo campaign. I congratulate all those who are involved in the campaign to end violence against women and girls, and I thank them for the briefings that they and others have provided ahead of the debate.

As ever, there have been questions about why there is a focus on women and girls, not on men and boys. Although it is undoubtedly the case that men and boys are affected by violence, we need only have a cursory glance at the statistics to see the compelling argument about the gendered nature of violence.

Annie Wells set out a number of such statistics. Worldwide, one in two of the women who were murdered in 2012 were killed by their partner or a

family member. That is 10 times as high as the figure for men. Across the European Union, 45 to 55 per cent of women have experienced sexual harassment since the age of 15. In Scotland, 79 per cent of the domestic abuse incidents that were reported in 2014-15 had a female victim and a male perpetrator. Those statistics and the other figures that have been provided by a range of organisations paint the same picture and reinforce the same message.

The underlying principle on which the equally safe delivery plan is based is that women and girls are disproportionately affected by violence that stems from systemic gender inequality. Twelve months on, we now have the first report on the delivery plan. It confirms that progress has been made in a number of areas but that we have a way to go in other areas.

As a member of the Justice Committee, like John Finnie, I acknowledge what has been achieved through the recent Domestic Abuse (Scotland) Act 2018, which recognises, at last, the effect that coercive and controlling behaviour can have. Such abuse is every bit as damaging—and potentially even more long lasting—than physical violence. The act also recognises the collateral and sometimes direct impact on children who live in a household in which there is an abusive relationship.

As John Finnie reminded us, this morning the committee heard strong support for the principles of the Vulnerable Witnesses (Criminal Evidence) Scotland Bill, which is under consideration. However, we also heard real concerns that the bill as introduced perhaps falls short of what is needed, in relation to not just the protection of children and young people who are victims or witnesses in criminal trials, but how protection could be extended to other vulnerable witnesses, particularly in the area of domestic abuse.

I was struck by the evidence from a survey of young people that was carried out recently by Dr Claire Houghton and colleagues at the University of Edinburgh, which found that young survivors of abuse felt that the justice system

“needs to be safer, quicker and less traumatic”,

and that providers of services need to be

“trained to listen, believe and respond appropriately”.

That echoes the findings of the “Review of Victim Care in the Justice Sector in Scotland” by Dr Lesley Thomson QC, which was published last year. Dr Thomson concluded:

“Victims often speak of feelings of re-victimisation or secondary victimisation once they enter the criminal justice arena. In the course of this Review a victim of rape described the trial experience as worse than the crime itself. That is a deeply troubling view.”

That cannot be right, and it shows that, however far we have come, we still have a long way to go in meeting the needs of women and girls—and children more generally—in our justice system.

That leads me on to the final issue that I want to highlight—that of forensic medical services. On the delivery of such services, the “Equally Safe: Year One Update Report” states:

“The clear preference was for a multi-agency, co-ordinated approach to help deliver ... the highest quality of person centred care, treatment and support—delivered as close as possible to the point of need”.

It goes on to say:

“The Scottish Government will consult on proposals to clarify in legislation the responsibility for forensic medical examinations to ensure that access to healthcare, as well as a forensic medical examination for victims of rape and sexual assault, is a NHS priority and consistently provided for throughout Scotland.”

On the back of the report on national standards in December 2017, it was clear that Orkney and Shetland fell well short of that aspiration. Too often, victims of rape and sexual assault were required to get on a plane and head south for such examinations. Unsurprisingly, evidence shows that, under such circumstances, women and girls have been reluctant to come forward with allegations. I pay tribute to the work of Rape Crisis Orkney in particular for highlighting those concerns and to the former Cabinet Secretary for Justice for taking them seriously and pressing for improvements; I pay tribute, too, to NHS Orkney for responding positively.

Progress is being made, but we need to build capacity to make forensic medical services sustainable. There is strong interest in doing that locally, but training will be key in securing that. I welcome last week’s commitment by Humza Yousaf that he would look at ways of providing training locally and that, if that is not possible, support will be provided for travel and accommodation costs to make sure that that training takes place. I hope that NHS Education for Scotland will now step up to the plate.

I am painfully conscious that the provision of such services will do nothing for children and young people who are affected by rape or sexual assault in our islands, for whom the experience is every bit as traumatic, if not more so. I will be happy to work with the Scottish Government to see what improvements can be made in that area.

There is plenty still to do. As John Finnie rightly reminded us, we are talking about 16 days of activism, but all of us should have a year-round commitment to the objectives behind the #HearMeToo campaign. In a week in which figures showed that 60,000 domestic abuse incidents had taken place in Scotland, any complacency should be dispelled. That provides the clearest possible

call for further collective action to end violence against women and girls in Scotland and, indeed, worldwide.

The Deputy Presiding Officer (Linda Fabiani): We move to the open debate. I ask for speeches of six minutes, please.

15:28

Rona Mackay (Strathkelvin and Bearsden) (SNP): Here we are again, debating the subject of how to protect women and girls against violence. I long for the day when we do not have to have a debate that calls for an end to gender-based violence, but yesterday I saw the shocking facts that we have heard about, which highlight precisely why we must take action. Every day throughout the world, 137 women are killed by their partner or a family member. That is very hard to process.

Violence against women is a fundamental violation of human rights, and it has no place in our society. This year's theme of 16 days of activism to end gender-based violence, #HearMeToo, follows on from prominent media campaigns such as #MeToo, which highlight the scale of sexual harassment in the workplace.

However, new research from the Advisory, Conciliation and Arbitration Service shows that only one in four workers in the UK agrees that international media coverage has helped to improve their workplace culture and that 60 per cent feel that better staff training is needed to reduce sexual harassment at work. As co-convenor of the cross-party group on men's violence against women and children and a member of the sexual harassment working group in Parliament, I know how much focus is being put on work to improve that totally unacceptable situation.

As we heard from the minister, the Scottish Government is investing significant sums to tackle it and has introduced legislation on violence against women to hold perpetrators to account. That funding is being used to increase court capacity in order to reduce delays, inconvenience and stress for victims and their families, as well as to widen access to advocacy, support services and legal advice. We must also explore the expansion of programmes that address the underlying causes of perpetrator behaviour, such as the Caledonian programme, which works with men who have been convicted of domestic abuse-related offences to help to reduce reoffending.

In February, the Parliament passed the Domestic Abuse (Scotland) Bill, and the resulting act created a specific offence of domestic abuse, which was previously dealt with under various existing laws. The act covers psychological and

emotional abuse and coercive and controlling behaviour as well as physical attacks. It also introduced a statutory domestic abuse aggravator to ensure that, when sentencing offenders, courts take into account domestic abuse and, crucially, the damage that it causes to children, which Rhoda Grant outlined.

It is vital that young survivors of abuse have a voice, and the everyday heroes campaign, which is funded by the Government and co-ordinated by Scottish Women's Aid, Barnardo's, the University of Edinburgh and the Scottish Youth Parliament, is enabling that.

I am in the early stages of a proposal to launch a member's bill to legislate for stalking protection orders, which was originally proposed by my colleague Mairi Gougeon. Such legislation would mean that the police could apply directly to the court for an order, rather than the onus being on victims, who often feel vulnerable and nervous about taking civil action to get a non-harassment order, possibly at their own expense.

The number of recorded offences of stalking increased from 605 in 2012-13 to 1,372 in 2016-17—it has doubled. Stalking can have a severe and long-lasting impact on victims, yet the reporting rate for stalking and harassment is low compared with the rates for other crimes. Women and girls experience a higher than average level of stalking and harassment. About one in 10 16 to 24-year-olds has experienced at least one type of stalking and harassment in the previous 12 months, but that increases to more than 12 per cent for 16 to 24-year-old women. More than a third of those who have experienced stalking and harassment in the previous 12 months have also experienced partner abuse in the same period.

I am pleased that the Scottish Government is tackling the scourge of violence against women and girls head on. Equally safe, Scotland's strategy to eradicate violence against women, which was introduced to prevent all forms of violence against women and girls, focuses on making primary prevention—stopping this violence in the first place—an increased priority.

We are also funding Close the Gap—I thank it for its briefing—which has developed an innovative and world-leading employer accreditation programme called equally safe at work, which it will pilot with seven local authorities from January to December next year. The pilot will support employers to improve their employment practice to address the barriers that women face at work. It will also enable employers to support employees who have experienced gender-based violence, including sexual harassment, and work towards creating an inclusive workplace culture that prevents violence against women. That is important because violence against women is a

workplace issue. Evidence shows that three quarters of women who experience domestic abuse are targeted at work, and perpetrators of domestic abuse and stalking often use workplace resources such as phones and emails to threaten, harass or abuse their current or former partner.

Gender inequality is at the root of sexual harassment and we must address toxic male-oriented workplace cultures, undervaluation of women's work and lack of quality part-time and flexible roles along with harmful attitudes and stereotypes before any progress can be made on preventing violence against women in or outside the workplace.

A Government-funded programme within Scottish Women's Aid has been running a pilot project for the past two years on how best to assist women who have experienced domestic abuse in their journey towards paid employment. The workplace must incorporate the needs of all women, including those who have survived violent relationships and want to rebuild their lives.

That so many women and girls are suffering violence and intimidation from men throughout the world is incredibly distressing and shocking. Women and girls must thrive as equal citizens socially, culturally, economically and politically. I want my granddaughters to work in a safe, happy environment and to be treated as equals at every level. We know that violence against women and girls is about the abuse of power perpetrated by cowardly inadequates. It is our duty to take whatever steps are needed to put an end to it.

15:35

Margaret Mitchell (Central Scotland) (Con): Sunday marked the start of 16 days of activism to end violence against women, which includes the #HearMeToo campaign. The initiative dates back to 1979, when the United Nations Convention on the Elimination of all Forms of Discrimination Against Women was adopted by the UN General Assembly.

Since 1981, women's rights activists have observed 25 November as the day for the elimination of gender-based violence, to honour three sisters and political activists from the Dominican Republic who were brutally murdered in 1960.

In 1991, the white ribbon campaign, which is a global movement of men and boys who are working to end male violence against women and girls, was formed by a group of pro-feminist men in London, Ontario, in response to the École Polytechnique massacre of female students in 1989. Wearing a white ribbon is a personal pledge never to commit, condone or remain silent about violence against women. For the past three years,

men in the Scottish Parliament—indeed all people here—have been urged to wear the white ribbon to mark 25 November.

On 7 February 2000, the UN General Assembly adopted a resolution designating 25 November as the international day for the elimination of violence against women, and invited Governments, international organisations and non-governmental organisations to join together and organise activities on that day annually, to raise public awareness of the issue.

Despite that, violence against women and girls remains a pervasive problem worldwide. In global terms, there is still a long way to go if we are to tackle gender-based violence, given that 49 countries currently have no laws that protect women from domestic violence and 37 countries still exempt rape perpetrators from prosecution if they are married to or eventually marry the victim.

According to new data that the United Nations Office on Drugs and Crime has released, an average of 137 women across the world are killed by a partner or family member every day. In its report, "Gender-related killing of women and girls", the UNODC said:

"Intimate partner violence continues to take a disproportionately heavy toll on women",

and reported that more than half the 87,000 women who were killed in 2017 died at the hands of people who were closest to them.

The national campaigning organisation Zero Tolerance says:

"Oppression exists in various guises and many forms of violence ... remain poorly understood".

Education is key to prevention. There is much more still to be done in schools to make girls and boys aware that certain attitudes and behaviours towards women are unacceptable.

The National Union of Students Scotland conducted research and found that one in five students suffers sexual violence or harassment in their first week at university and that 14 per cent of women students had experienced serious sexual violence, the majority of which had been carried out by fellow students. Only 4 per cent had reported the violence to their institution.

In that context, I commend the University of the West of Scotland for its standing safe campaign, which was launched in 2016 and seeks to highlight and address sexual violence on university and higher education campuses. The campaign aims to engage students in reflecting on and changing the harmful attitudes that underpin gender violence. A crucial aspect of the campaign is that it suggests practical measures, such as safe bystander intervention training and a toolkit to ensure that students know how to access support.

Gender-based violence and violence against women can take many forms. I want to highlight one of those forms: human trafficking. The 2017 BBC Scotland documentary, “Humans for Sale”, showed the extent of trafficking of women and girls to be sex slaves, and the extent of sham marriages as a way of facilitating abuse of and control over women and girls who have been trafficked. Trafficking is a crime that is often exerted by organised crime groups and which regularly crosses borders. The fact that it exists not just interstate but intrastate is less well understood.

In 21st century Scotland, it is a horrendous fact that vulnerable young girls are being groomed and then controlled for the purpose of prostitution. As the 2017 documentary revealed, that was particularly evident in the Govanhill area of Glasgow. A group of Govanhill men recently appeared at Glasgow sheriff court to face human trafficking charges. Quite simply, if it can happen there, it can happen anywhere in Scotland.

James Dornan (Glasgow Cathcart) (SNP): Will the member take an intervention?

Margaret Mitchell: Do I have time to do so, Presiding Officer?

The Deputy Presiding Officer: If you wish to take an intervention, there is some spare time.

James Dornan: Does Margaret Mitchell accept that the police have said over the past couple of weeks that there was no evidence of such child prostitution in Govanhill?

Margaret Mitchell: As far as I am aware, charges are still being pursued, but I am happy to defer to James Dornan if he knows something different.

If today's debate does nothing else, I hope that it will raise awareness of the fact that I mentioned and encourage members of the public to be vigilant and to report their concerns about any such possible activity, secure in the knowledge that that information will be taken seriously and acted on.

15:41

Bob Doris (Glasgow Maryhill and Springburn) (SNP): As we know, the 16 days of activism against gender-based violence campaign from 25 November, which is the international day for the elimination of violence against women, to 10 December, which is human rights day, is a time to galvanise action to end violence against women and girls around the world. That global reach is vital, and Scotland's international reputation for developing a range of policies and supports for those who have experienced gender-based violence, or are at risk of it, is strong and positive.

However, much more needs to be done. To move towards truly eliminating such violence always necessitates analysing what actions have worked well and what more needs to be done, and always asking: what next? We have heard much about that in the debate.

Culture change across our communities is required to ensure that there is any prospect of a zero-tolerance approach to acceptance of gender-based violence. That needs to happen across every community in Scotland. Speeches in the chamber show a national resolve on such issues, and national legislation and actions that are delivered locally can be of significant help and assistance to those who have suffered gender-based violence. However, gender-based violence still occurs every day in the communities that we serve. Fine words and legislation can show leadership and national resolve, but they will not change the lived experience of too many women in the communities that we represent. Working on the ground with credibility is required to break a culture and cycle of gender-based violence.

I made similar comments in the sister debate to this one that was held around the same time last year. In such debates, we commend local organisations that do exceptional jobs. Therefore, I commended the Women's Centre Glasgow in Maryhill, which empowers many women and families who need help, support and assistance through the classes and support that it offers. I also mentioned Glasgow Kelvin College, which became the first accredited college in Scotland for White Ribbon Scotland. It recently picked up a green gown award for work that it has done in communities on tackling gender-based violence.

I cannot recall whether I mentioned MsMissMrs, which is a social enterprise that was founded in 2013 to re-empower women and girls through self-development programmes and a wellbeing hub. Just before I started this speech, I was looking at the *Official Report* of last year's debate, but I did not get the time to finish what I said. I have visited those organisations, and they all do exceptional jobs.

I am conscious that that is about female self-empowerment. What men are doing to play their part in tackling that culture change in society has to be part of any #MeToo or #HearMeToo campaign. That is why, when I made a similar speech last year, I said:

“I will organise, shape and support a number of events in the communities that I represent at which men can speak up in support of ending gender-based violence against women and girls.”—[*Official Report*, 28 November 2017; c 56.]

At that point, I had no idea what I was going to do. I thought, “Oh, crikey—I had better do something. Actually, we should all do something.”

Ultimately, I worked with the Women's Centre Glasgow, Glasgow Kelvin College, the amazing Davy Thompson from White Ribbon Scotland and the Association of British Bookmakers Scotland. I pay tribute to Donald Morrison from the ABBS for bringing together the 15 bookies in my constituency—all the William Hill and Ladbrokes bookies—and getting them to appoint a store champion, who is trained at Glasgow Kelvin College under White Ribbon Scotland's tutelage and supported by the Women's Centre Glasgow, to get customers to sign the White Ribbon Scotland pledge

"never to commit, condone or remain silent about ... violence against women."

I do not take any credit—I came up with an idea, but other people had to make it happen. That is what happens with MSPs. The credit must go to the store champions who, with sincerity, credibility, passion and enthusiasm, got 750 men to sign that pledge during the week of action. I know that the minister is involved in a similar initiative, and I wish her well.

Davy Thompson could roll out that approach across Scotland, if the resources and the capacity were available to make that happen. That would not change the world, but we could all take that small step.

I will have to set my challenge for what I will do by this time next year. First, however, I want to mention the Women's Support Project of Glasgow. I apologise for not having spoken to the organisation before mentioning it. It

"is a feminist voluntary organisation"

that

"works to raise awareness of the extent, causes and effect of male violence against women, and for improved services for those affected by violence."

The organisation came on to my radar in preparation for this debate because Maryhill Burgh halls, which is in my constituency, is hosting an event on 12 December on the history of the Glasgow system. That was a shameful time in our city, which saw the collusion of the church, local authorities, police and medical professions to enforce the social repression of women.

The Glasgow system was set up in response to the city's growing concern about prostitution, sexually transmitted diseases and the so-called moral health of society. In effect, young women were locked up for being, for example, single mums, socialists, mill girls and actresses. Some of those young women had sold sex for money, but none of them had committed crimes. They had no recourse to justice and no right of appeal. That flawed, corrupt system ran until 1958 in my constituency, at Lochburn house. It ended only

when the young women rioted to demand better rights for themselves.

The event that I mentioned will tell that story in much more detail than I have time for this afternoon. The Women's Support Project will seek views about having a commemoration space, with a plaque to remember the women who were incarcerated—not just at Lochburn house, but at Lock hospital and Duke Street prison.

The Deputy Presiding Officer: You must close, please.

Bob Doris: That was in 1958! My commitment following this debate is to champion how men can do more in the year ahead and not only remember brave women from the current #MeToo movement, but remember what they have done historically.

15:48

Claudia Beamish (South Scotland) (Lab): I am sad and relieved in equal measure to speak in this debate in support of #HearMeToo and 16 days of activism to end violence against women and girls. As we have heard, this year's campaign focuses on the theme

"End Gender-based Violence in the World of Work".

I am sad because that is still a major challenge. Although "relieved" might seem an odd word to use, I do so because I am relieved that we are collectively working together, far beyond this chamber, to find solutions to gender-based violence.

As a new joint co-convener of the cross-party group in the Scottish Parliament on men's violence against women and children, along with John Finnie and Rona Mackay, I am very conscious of the responsibilities and the opportunities that that brings to help shape the future and to raise awareness about the continued social, economic and political inequalities that women face every day.

At the last cross-party group meeting, we were joined by the Cabinet Secretary for Education and Skills, John Swinney. We listened to the very wise words of young women speaking about their experiences and the solutions to the issues. I was heartened by the cabinet secretary's commitment to work with us and to have a further discussion on the issues. One issue that was raised was the absence of policies at board level in some higher and further education institutions, which shows a need to catch up. The cabinet secretary's offer of further discussion will be taken up.

Today, I will highlight issues for women in rural areas who experience domestic violence. I hear about challenges for women who live in more

geographically isolated places. When I discussed the issue with Women's Aid South Lanarkshire and East Renfrewshire, it was clear that there are additional rural challenges, which we must all work together to address.

The pressures of rural living can leave abused partners with even more challenges beyond the obvious and painful issues that they all face. Ensuring anonymity in a small community is an issue, as is the lack of support networks and general amenities, along with the logistical challenges of poor transport links and slow and unreliable internet connections, which bring further isolation.

This year's focus on the world of work is pertinent for women who live in rural areas, as they are often limited by the work that is available in their community, which can mean that they are on low incomes. They might face difficulties in looking for work because of poor internet connections, and they often do not have access to regular and reliable transport to get them to a job. That all conspires to restrict their ability to establish an independent life.

In my region, the charity Healthy Valleys has established the Lanarkshire domestic abuse response project, which provides a range of support and services such as complementary therapies to improve the wellbeing of domestic abuse survivors. Like many charities across Scotland, the project helps women to regain control after an abusive relationship. Part of that control comes from increasing a woman's independent ability to cope emotionally and financially—I stress that word.

I identify myself with Rhoda Grant's comments on the shocking use of children in the context of relationships in which domestic violence occurs. I also echo the call from the Chartered Institute of Housing Scotland, in its briefing, for a detailed outline in each council's local housing strategy of how it will support those who are leaving an abusive relationship. That is necessary because, without the right support, those who are affected by domestic abuse might find themselves homeless. The potential loss of one's home is a significant consideration when contemplating leaving an abusive partner, and the correct strategies must be in place to support that.

Scottish Labour has developed the paws clause, which would support women who were leaving abusive relationships to have their pets looked after or to take their pets with them. That might seem like a small thing but, when the loss of a pet is one more thing that someone has to face, it can be a big challenge. The Dogs Trust has a service that fosters pets for six months, but the ideal would be for women to keep their pets with them in a refuge and in temporary accommodation.

I am proud to be part of a Parliament that passed legislation to recognise as a criminal offence coercive and controlling psychological abuse, as well as physical abuse. However, as others have said, Scotland's chief statistician announced today that Police Scotland recorded that 60,000 women were affected by domestic abuse in 2017-18. We must face the fact that we have much further to go to address gender-based violence. We must stop this scourge altogether, and part of that involves ensuring that we have an equal society.

The Deputy Presiding Officer: I was a wee bit lax with the first speakers in the open debate and I let them go on a wee bit too long. I will have to be a bit stricter from now on. Members will have up to six minutes, please.

15:54

Sandra White (Glasgow Kelvin) (SNP): Many years ago, I volunteered with Women's Aid in Renfrewshire, and when I spoke to the women—it is still the same today—they would say things like, "I am worthless," and, "He told me it was my fault." I told them that it is never the woman's fault. We must get that message across: it is never the woman's fault.

I cannot get my head round why so much violence is perpetrated by men against women and girls of any age. The campaign that we are debating today—the 16 days of activism to end violence against women and girls—is now 27 years old. It was started in 1991 by the Women's Global Leadership Institute, and it is now 27 years old. Like Claudia Beamish, I am sad that I have to talk about this because it is still going on 27 years later, and the figures that have been quoted by John Finnie and Rona Mackay show that the level of violence is escalating. Although the media has something to do with that, there are obviously other things going on.

If someone is constantly on the end of an abusive relationship, they feel worthless. There is something very wrong with a society in which men think that they can still perpetrate this violence, which is why it is important that we have such debates to highlight the issues, that we debate the issues in this Parliament and that these debates are publicised. I ask the media to please put this out in the newspapers and in other forms of media to let people throughout the world who are suffering this terrible violence know that we, in this Parliament and in others, care for them, are speaking up for them and are introducing legislation to protect them.

The issue goes further than this Parliament. Margaret Mitchell is on the Commonwealth Parliamentary Association, and we discussed the

issue when I was a member of the CPA. The issue goes right across the Commonwealth countries. We must put across the message that we will not tolerate violence against women.

I want to talk, in particular, about the strategy that is mentioned in the motion—the Scottish Government’s equally safe strategy—which aims “to prevent and eradicate all forms of violence against women and girls”.

I welcome the publication of the first progress report on the equally safe strategy, which shows significant activity and progress, as other members have mentioned. The minister mentioned a total of 118 action points, and those 118 action points fall under four important priority areas:

“ensuring that Scottish society embraces equality and mutual respect, and rejects violence; that women and girls thrive as equal citizens; that interventions are early, effective and maximise the safety of women, children and young people; and that men desist from violence and perpetrators receive a robust and effective response.”

I agree with John Finnie and Bob Doris with regard to the justice system. When my constituents come to me for help, there is sometimes a real barrier there. When we talk to people in the justice system—when we phone up procurators fiscal and so on—although we accept that they are dealing with the law, they have to remember that they are dealing with real people. They have to understand that. I am glad that they are going through training on that, but I think that the training has to go even wider.

Another issue that I want to raise, which the minister also raised, is the everyday heroes event at lunchtime on Thursday, which I am hosting. I look forward to welcoming the minister to that event, which Rona Mackay mentioned as well. The event celebrates the contribution of everyday heroes to the equally safe campaign, bringing together children and young people from across Scotland and the team behind the project.

The everyday heroes programme was designed and co-ordinated by the equally safe participation partnership of young adult experts from the University of Edinburgh’s IMPACT project, Barnardo’s Scotland—which I work closely with, as do other members—Scottish Women’s Aid, Rape Crisis Scotland and the Scottish Youth Parliament. It is absolutely fantastic that the programme was funded by the Scottish Government, and I thank all the people who were involved in it. A hundred and twenty-five children and young people took part in the sessions, along with 17 organisations, and 439 young people took part in the survey. That is a huge number of people across all 32 local authorities. The issues that were discussed included improving services to protect young abuse survivors; tackling gender

inequality and societal attitudes; improving education responses; and ensuring that people who are directly affected participate and are listened to, as has been mentioned.

I welcome everyone to committee room 1 on Thursday, between half past 1 and quarter past 2, for what will be a very worthwhile event. It will show the amount of work that the Scottish Government is doing to involve the wider community.

If the debate highlights the very real abuse, in all its forms, that women and girls throughout the world are subjected to, it will have been a positive step, and I welcome it.

16:00

Maurice Corry (West Scotland) (Con): I am pleased to speak in this debate on such a critical issue. Violence against women and girls is inexcusable and should never be condoned. It cannot have a place in our society or in any corner of communities worldwide. We know that any woman can be the target of violence, regardless of her wealth, her status in society or the culture that she is immersed in.

The weapons of intimidation and manipulation are often the subtle beginnings of emotional and physical abuse, which can then take the form of violence such as sexual exploitation, domestic abuse, harassment and FGM. The abuse can often result in overwhelming feelings of stigma and shame for women and girls. That cannot be allowed to continue.

Over the past year, we have seen an outpouring of cases centring around sexual harassment and violence against women. Those cases have brought to the fore the dizzying extent of the problem and the underlying attitudes that fuel it. Along with my colleagues, I fully welcome the increasing visibility of the awareness campaigns: they have kick-started a momentum that we must utilise.

The 16 days of activism against gender-based violence campaign does not simply raise awareness; it propels us to action and to necessary change. Prevention is the cure and the key in our policies, in our workplaces, in our schools and in our communities as a whole. Preventative measures must be in place to radically alter the imbalance between men and women and the consequences it has for women’s safety.

Violence against women and girls is not a problem just for war-torn countries or nations where there are human rights violations, although in those instances it is often too easy for us to ignore the problem and subconsciously decide

that the geographical distance means we do not have to care as much. Along with the UK, Scotland should assert itself as an active leader in helping countries where women and girls face particularly extreme forms of violence. If we look, violence against women and girls is also a daily occurrence here, and it is happening right on our doorstep. In order to fully support victims and survivors of sexual abuse—not just in Scotland but worldwide—we need to try harder to make sure it cannot happen in the first place.

Although there is clearly a worldwide issue with gender-based violence, we also see its presence and its worrying consequences in Scotland. Domestic violence, which most often occurs in the victim's home, is becoming an increasing problem. Forced marriages that take place in Scotland, which are often arranged for young teenage girls, are another issue that we cannot afford to ignore. The number of recorded rape crimes was over 2,000 last year, and, as my colleague Annie Wells highlighted, the true scale of FGM instances is thought to be much larger than we realised.

We see the steps that the UK Government has taken to tackle head on the problem of FGM, such as by imposing more legislation and providing greater support for victims, including lifelong anonymity. I hope that the Scottish Government will take those plans into consideration and follow them through to see what Scotland can contribute to ending this terrible and degrading form of violence.

Workplace harassment acts as a particular barrier to women. It is especially dangerous that inequalities can continue due to fear of losing a job or women being wrongly held accountable for the crime. Often, reporting the harassment can be a laborious and frustrating process. Harassment has a damaging effect on working women and our workplaces must be safe spaces to work in, free from a male-orientated culture that encourages gender inequality and harmful barriers for women.

The commitments that have been made so far by the Scottish and UK Governments have been encouraging, to say the least. Ensuring that there is adequate training for employers and employees will tackle the stereotypes that often exist under the radar in our workplaces. Sexual violence prevention programmes will help to inform our understanding of accountability and respect. Encouraging ample support for women and girls will undoubtedly impact their protection and create opportunities in their schools, homes and workplaces.

What can we do? We can offer our support to both the Scottish and UK Governments in their efforts to end violence against women and girls not just in our own countries but in nations overseas. Furthermore, we must ensure that the

police force in Scotland receives the appropriate training to deal with that type of violence. I asked the previous Cabinet Secretary for Justice to implement that measure, particularly in relation to domestic abuse.

As recently as 23 November, it was announced that the Foreign Office has boosted funding to prevent sexual violence in conflicts. The extra support will be used to boost the number of expert deployments by the preventing sexual violence in conflict initiative's team of experts, supporting efforts in places such as Syria, Burma and Nigeria. The team of experts will support governments—

John Finnie: In the spirit of consensus, I let two or three previous comments pass. Would the member care to reflect on whether the UK Government's willingness to return women to those countries is indicative of showing support for women generally?

Maurice Corry: One has to be careful in prejudging anything here. Each case must be looked at individually; one cannot make a general statement on how cases are dealt with. Each has its own particularities to answer for.

I hope that we can further our commitment and see the delivery of promises made to actively tackle violence against women and girls both here in Scotland and internationally. In my role as the male champion for women, representing this Parliament's Commonwealth Parliamentary Association, I commend the motion to the chamber.

16:06

James Dornan (Glasgow Cathcart) (SNP): "Quick girls, pop your coat and shoes on and get tucked up in bed," insists a young mother. "But mam, it is not cold. Why do I need to wear shoes in bed?" replies a weary child. The mother sighs, prepared to tell another lie to her three young daughters: "Because it is to get cold during the night," is the meek reply.

That conversation sounds like a snippet from a Victorian novel, but sadly it is the very real story of a Scottish woman in Glasgow—a woman who had to put her daughters to bed in their jackets and shoes, because more often than not their father would return from the pub ready to beat his downtrodden wife, who would in turn have to grab her beautiful girls in the night and flee from the terror.

As a man, I am often asked why I speak so often in debates about violence against women and the answer is simple. It is because it is men who are the problem. It is a crime facing women, but it is one that is committed by men.

Often when I share my thoughts on gender-based violence, I get a flurry of replies from men who state that women can be abusive too. I am not disagreeing. It would also be correct to say that violence can occur in same-sex relationships. However, we have already heard the statistics. In 2016-17, for example, 80 per cent of the gender-based crimes recorded were against women. If things are to improve, it will not be through women changing their behaviour, but through men changing theirs.

I want to take a moment to remind any man listening to my speech that the following is not acceptable. It is not okay ever to lay your hand on a woman for any reason. There is nothing which permits that—nothing. There is no reason on earth why we should allow a man to force himself on a woman sexually. What a woman is wearing is never an invitation to touch her in any way, shape or form. If you are told “no” it always means no.

Verbal and mental abuse is now a crime. That is one of the great achievements of the Scottish Government. Controlling a woman through her emotions, children or finances is also a crime and will not be tolerated. When a woman walks out of your life, allow her to do so with dignity—stalking and controlling behaviour will also not be accepted, and once again, it is a crime.

I was delighted to hear the minister mention my constituents the Drouets—I like to think that I have become close to Fiona and Germain—and the tragic story of their beautiful and much-loved daughter Emily. They have been the driving force for many of us through this period. It has been sad, but very powerful to see how strong they are and how determined to make something good from such a horrible tragedy.

There are other stories. Yesterday, I attended the annual general meeting of Women Against Violent Environments—WAVES—in Castlemilk, a magnificent group of women who have suffered from the curse of domestic violence. From that meeting came the following harrowing story of one of the brave women who have used the services of both WAVES and the Daisy Project.

This woman has come forward to share her story anonymously with the chamber and the people of Scotland, to ensure that women never have to go through what she faced. For the sake of anonymity, I shall call her Lady. Lady was in care for most of her life and, at the age of 16, met a man who was 13 years her senior. As many who are in care often do, Lady began a relationship with the man and was subsequently removed from care by social workers. That saw her plunged into the murky world of his alcohol and drug addiction. He started to abuse her physically, mentally and sexually. He beat her and raped her, and she was passed around his friends to be used in a sexual

manner. With no money and nowhere to go, Lady remained in the relationship for three years.

She started a job in Glasgow and met a man—her boss—who would reward her good work in her employment with drinks. Lady’s former partner would often come to her work and threaten her, until he was arrested. The relationship started to go downhill when both she and her partner were sacked, as the relationship was seen as inappropriate by their employers. Her partner took to alcohol and that is when the beatings began, and not only from himself—he would allow his teenage son to beat her, too.

Lady escaped to a homeless unit and restarted her life, but, because her partner had controlled her money, life and relationships, she felt like, and was treated like, a non-person. Starting from scratch, she again started a new relationship and had a son who was severely ill. That partner also abused her, as did subsequent partners. What struck me was that the father of her son, who was merciless in his abuse and spent time in jail because of it, was in later years awarded visitation of his son, which not only deeply traumatised Lady but had a deeply damaging effect on her child. Lady insists that the visitation was just a new way to torture her; when he grew tired of it, he grew tired of her son and the visits stopped, leaving her son feeling abandoned.

In a subsequent relationship, this brave woman was arrested on a domestic abuse charge, even though she was, as witnesses testified, the victim. She was told: “We have to take you both—that is the law.” I hope that things have changed to ensure that no officer would ever behave like that again.

In supporting the motion, I support the brave women who have said, enough is enough. The woman in my story is now working with other survivors and, thanks to the support that she has received and her internal strength, she is thriving. I asked her if she had a message for the perpetrators in her story and she simply said, “I would say to them, thank you for allowing me to see that I am better and stronger than you thought I could be.” It is for women like her and the many others that I am grateful for the opportunity to speak in the debate.

16:12

Kezia Dugdale (Lothian) (Lab): I commend James Dornan for an excellent speech: it was raw and honest and difficult to listen to in parts. It is one of many occasions when he has spoken with real leadership on this issue, and I encourage him to continue to do so.

I thank all the organisations who have provided briefings for today, for their tireless work week in,

week out, fighting for gender equality, knowing that that is the route to the eradication of violence against women and girls.

The theme of this year's 16 days of action is women in the workplace, with a particular focus on sexual harassment. To be honest, I find that utterly depressing. We have fought so hard for so long to improve women's access to employment, through access to education and skills, childcare, financial independence, maternity and paternity leave, equal pay and so on. Women's participation in the labour market has increased as a consequence, although they are still more likely to work part-time and to get a lower wage than their male counterparts.

Now that women are a major part of the country's workforce, they have to contend with misogyny, harassment and even assault in their workplaces. #MeToo transcends workplaces across the globe, from Hollywood to Holyrood. Nowhere has been immune, including our own place of work. I do not think that it has been a particularly proud year for us here as employers. Although we took the lead and conducted a brave survey of all staff, the results were stark. The officials in the Parliament, and indeed the Presiding Officer himself, deserve credit for the leadership that they demonstrated and continue to show. However, our response to the #MeToo campaign comes in two parts: promoting a culture of respect and creating a safe reporting environment. I am very proud of the work that the Parliament is doing to create a culture of respect, but there is a distance to go on creating a safe reporting environment.

If we were truly honest with ourselves, I suspect that we would admit that a woman who has been sexually harassed in this place would be less likely to come forward now than she would have been a year ago. In fairness, I think that she might be more likely to do so anonymously, but given that policies here, and the world over, require victims to share their identity for a full procedure to kick in, I think that fewer women would do that now, knowing the consequences for and the experiences of others. The personal and professional risks are still far too high. It is better to stay quiet and keep your head down, as women have done for decades and centuries.

In one high-profile example in the Parliament, the victim and the perpetrator spent a period of time away from this building during the investigation. One is back at work; the other has left for alternative employment. Of course, it is the woman who is no longer here. That represents a failure of the procedures. When a victim feels that they can no longer work in a building with several hundred employees for fear of seeing someone in a lift or finding themselves alone with them in a

corridor, we still have a long way to go, despite the heroic efforts of the officials involved, who I know want nothing more than a safe, inclusive environment for all staff.

I do not think that we will make proper progress with workplace harassment until someone develops an anonymous reporting mechanism that incorporates the appropriate safeguards. I would like to see a model where women can anonymously report incidents and perpetrators, knowing that they will be contacted again only if, say, four or five other women report similar behaviour by the same man. A procedure would then allow them to pursue it collectively and formally on a class-action basis, giving them strength in numbers. The idea is similar to the Callisto model that is being pioneered on university campuses across the United States. It is bold and controversial, but what we currently do continues to let women down more often than not.

If we are failing women here in the national Parliament of Scotland, what is it like in normal work places across Scotland? We are kidding ourselves if we consider this a normal workplace. There are women across Scotland just now having to live with their boss's banter to make sure that they can get a fair share of shifts next week; expecting a squeeze at the Christmas party because that is just what happens; being ordered to wear a short skirt in their bar job because that is what the customers like and they have to do it or be marked down as difficult; and spending an hour's wage on a taxi home because there are no buses and it is not considered safe to walk home in their own town.

I wish that we were not having this debate. I wish that the theme of this year's 16 days of action was sexual and reproductive health, so that we could talk about how that is holding women back across the globe, from the HIV epidemic in Africa to the lack of abortion rights for women in Northern Ireland and the trouble that poor women in Scotland have accessing reliable contraception. There is a lot to talk about. We should be talking about the challenges of women everywhere to exercise choice and power over their own bodies, yet still we are left talking about the actions of some men, because they just cannot help themselves.

I would like the Scottish Government to use some of its social advertising budget on a national campaign against sexual harassment, but I want it to be bold. Instead of portraying powerful men exercising power over supposedly weak women, it should focus on the weaknesses of men who act this way and the weak men who stand by them. There should be a real focus on men as bystanders who know that their mates' actions are not okay but who do not want to be the ones to

speak up and speak out, which is something that they demand of women, without a hint of irony. I put that idea to the minister's predecessor, and I hope that the minister will consider it today.

In conclusion, there can be no end to violence without full gender equality, which is why the pursuit of that is, and must remain, central to all our work.

16:18

Clare Adamson (Motherwell and Wishaw) (SNP): Like many other members, I am sad that we are having to discuss this issue in Parliament. In following so many powerful speeches that have addressed various subjects, it is difficult to find what I could add to what has been said. I will therefore put on my education hat, as convener of the Education and Skills Committee, and consider issues in relation to our colleges and universities.

I did not know that the Drouet family were going to be here today: I commend them on their tenacity and humanity. It is testament to their love for Emily that they have worked tirelessly to improve the situation for students in our colleges and campuses. I cannot help but feel that if the general population shared that humanity, we might not have to discuss such issues in the future. I hope that that day will come.

I thank NUS Scotland for providing a briefing for today's debate. After I read it, I had a little look at what is happening elsewhere in the world. I chose to look at the situation in the United States, probably because I was listening to a story on the radio about racial discrimination in colleges in the US.

The NUS research results are quite harrowing. One in four female students reported having experienced unwanted sexual behaviour during their studies, and one in five had experienced sexual harassment during the first week of term. The research showed that 14 per cent of women students had experienced sexual violence.

In the US, one in five women has reported unwanted sexual behaviour. Most women experienced such behaviour during the early stages of university, and 15 per cent of those reported serious assault. The US also has evidence to show that people in the lesbian, gay, bisexual, transgender and intersex community are more adversely affected, and it is suspected that underreporting means that only one in five offences is reported in colleges and universities.

NUS Scotland has been working on the matter and is looking to develop a clear code of conduct and to see a zero-tolerance approach being taken. It is also asking for training for staff on dealing with and recognising such behaviour.

NUS Scotland's campaigning and partnership work with the Scottish Government has been noted. "Equally Safe in Higher Education Toolkit" was funded by the Scottish Government and published in 2018. It provides a framework for universities to work in partnership to evaluate and improve their policies and practices in working towards eradicating gender-based violence. The Government has announced a further £396,000 of funding to create such a toolkit for further education and to support the implementation of the strategy.

When I was thinking about Emily Drouet earlier, I reflected on my experiences at university. I am thankful that I did not live in the same climate as Emily, with multimedia, mobile phones and Twitter, Facebook and other social media. It was a different time. In 1988, Tracy Chapman released her debut album with a pertinent song called "Behind the Wall", which is a desperate and hopeless story of a jaded neighbour who hears domestic violence but says

"It won't do no good to call
The police
Always come late
If they come at all."

That was challenging at the time because it was not something that people expected from a song, despite the fact that Tracy Chapman is a political folk activist. It challenged all sorts of behaviour, including the attitude of the police, the attitude of the neighbours, the attitude of society and people keeping things behind closed doors. It was very moving.

That was 30 years ago, so I was thinking about whether things have moved on. I think that they have, to an extent. The equally safe strategy has done a lot to prevent and eradicate violence against women and girls.

Violent and abusive behaviour that is directed against women and girls just because of their gender is predominantly carried out by men, and often stems from systemic and deep-rooted women's inequality, as was mentioned by Kezia Dugdale. That includes domestic abuse, rape, sexual assault and commercial exploitation. Sometimes society does not recognise all those things.

We have also talked about financial abuse, coercive control, and human trafficking. Maurice Corry talked about rape as a weapon: I know that Kezia Dugdale has visited Srebrenica, in that context. The Holodomor is an example of starvation being used as a weapon and as violence against women and children in the Ukraine.

We have to recognise all those things and to keep working together. It is not enough just to hear

what is going on in the next room. Even though the campaign is #HearMeToo, we have to hear and take action.

16:24

Alison Harris (Central Scotland) (Con):

Today, we have heard members speak about the 16 days campaign, which takes place between the international day for the elimination of violence against women on 25 November and human rights day on 10 December, all three of which are in the spirit of reducing and eliminating violence against women and girls.

Over the past 20 years, the campaign has been responsible for more than 5,000 projects in 180 countries. Each project has contributed to supporting some of the millions of survivors of gender-based violence all over the world.

The motion's title refers to the UN's #HearMeToo campaign, but I will focus on the 16 days campaign that is referred to in the body of the motion.

Each year, the 16 days of activism campaign focuses on a particular theme. Recently, it has been the theme of ending gender-based violence in education among pupils, parents and teachers. This year, the theme is the workplace. Gender-based violence in the world of work can take several forms, including the action or threat of physical or verbal violence, psychological or financial bullying, and sexual harassment or sexist comments. It is considered to be gender-based if it is directed against someone because of their gender, or if it disproportionately affects a particular gender.

The International Labor Rights Forum has said that

"gender-based violence ... creates a significant hurdle for women ... to realize their collective bargaining power and ... ability to have a voice and seek equal treatment".

Gender-based violence can also cause severe mental effects that can mean that victims do not want to come into work, or might lack the confidence to push forward in their career.

In some parts of the world, serious physical gender-based violence happens in the workplace all too frequently. In the garment-making industries in several Asian countries employers have been witnessed hiring thugs to intimidate or conduct violence against women who join a union or speak up about their working conditions.

Thankfully, here in Scotland, we do not face such intensity of gender-based violence. However, other forms can be very damaging: rightly, they have been put under the spotlight in the past couple of years. It is fair to say that the most common forms of gender-based violence in the

workplace here are verbal abuse, sexist remarks and sexual harassment. Sexual harassment can happen in all kinds of workplaces and at any level, as has been shown in recent high-profile cases from Hollywood to Holyrood—as Kezia Dugdale said in her speech.

Gender-based violence is usually experienced by women and perpetrated by men, but it can be the other way around and can also involve people of the same gender. It can be difficult to know what to do about it, especially if a person's job or prospects are being threatened. They might worry that they will not be taken seriously or that speaking out could have negative consequences.

Steps have been taken here in the Scottish Parliament and throughout the UK to address the culture that has allowed such incidents to occur. Those steps include zero-tolerance policies and safe and secure channels for victims to come forward.

Recently, domestic abuse has come to be considered by campaigners as an aspect of workplace gender-based violence; the effects of the abuse flow into the work environment and affect the victim's ability to perform their job and to interact with colleagues.

In the US in 2017, about 97 per cent of employed domestic violence victims experienced problems at work because of abuse at home.

This year, the Scottish Parliament passed the Domestic Abuse (Scotland) Act 2018, which contains measures to create a new offence: behaviour that causes psychological or emotional damage, such as coercive and controlling behaviour, is a punishable offence. That is a step forward in criminalising and reducing gender-based violence.

However, we should continue to think what more we could do. Many people argue that bystander culture has played a significant role in allowing many workplace incidents to happen. That comes down to people's attitudes. If we intervene at the earliest stage of people's development and provide them with a well-rounded education, that can have positive effects on their attitudes to other people later in life, when they enter the world of work.

In responding to a Scottish Government consultation recently, the National Day Nurseries Association said this:

"Early identification and intervention is essential to eliminating violence and its negative consequences in women and children's lives.

It is vital that services that come into daily contact with women, children and young people are able to identify those at risk and offer an appropriate, safe and consistent response."

I agree. Childcare providers and teachers are in a unique position to influence every child at a critical stage of their development. They can identify when things are not right at home, and they can help children to understand what is right or wrong, and to understand topics including gender stereotypes and violence. They can develop children's attitudes and have a positive effect on how children treat other people when they get older. It is therefore crucial that the best support is available to children at that early stage.

I welcome this year's 16 days of activism campaign to reduce gender-based violence in the workplace. I back the steps that are being taken around the UK to challenge the climate in which we live and work, in order to ensure that such incidents are not allowed to happen and will no longer be tolerated.

16:30

Angela Constance (Almond Valley) (SNP): Although aspects of this debate are often depressing, as Kezia Dugdale said, it is nonetheless always a privilege to participate in what has become an annual debate in this Parliament on the global 16 days of activism to end gender-based violence. However, ending violence against women and girls at home and abroad is not just a campaign for Christmas; it is a systematic and sustained effort all year round, given that no institution, environment or space is immune, as the minister said.

That is why Scotland's equally safe strategy, which is our ambition, and our equally safe delivery plan, which is what we do, are so important. Equally safe is important because of its breadth and depth. It rightly recognises that, to end gender-based violence, we need to tackle the root causes of the imbalance of power between men and women and the wider impact of inequality across society when only half the population is invited or included.

We must recognise that rape, sexual assault, murder and all forms of domestic violence are ultimately driven by beliefs; they are not driven by emotions. Men do not lose control, snap or become provoked. The root cause is insidious, accepted misogyny, sexist remarks and the objectification of women.

To challenge behaviours, we need to challenge beliefs. I was encouraged when the Cabinet Secretary for Justice rather eloquently said:

"We must guard against a pervasive misogyny which, unchecked, impacts on the wider health, wellbeing and safety of our communities—breeding a culture where this type of harm is tolerated, sometimes even condoned—and as a result is allowed to continue."

I look forward to the cabinet secretary's deliberations on how we reform and strengthen our criminal law to combat misogyny, particularly with regard to how he will take forward the Parliament's work on hate crime. Throughout this afternoon, we have heard about how misogyny can seep into public policy and even our own Parliament.

It was a pivotal, watershed moment when the Parliament passed the Domestic Abuse (Scotland) Act 2018, creating the specific offence of domestic abuse, which covers psychological and emotional maltreatment and coercive and controlling behaviour, as well as physical attacks. As a former prison-based social worker, my view is that that was absolutely crucial, because having an accurate picture of the nature of a crime and having the offence and conviction recorded accurately are crucial to challenging and changing the behaviour of perpetrators.

As a feminist, I am committed to the rehabilitation of offenders, who, largely, are male. Therefore, the expansion of the Caledonian programme is good, as detailed in the equality minister's progress report.

The work that I did with men, some of whom were very dangerous or disturbed, has never left me, whether that was work on parole reports or risk assessments that limited the freedoms and choices of those men with regard to their futures.

What also has never left me is that some of the most disturbed and dangerous men whom I worked with had experiences—indeed, they had childhoods—that would make us weep. That is never an excuse; individuals will always be responsible for their behaviour and choices. My job as a prison-based social worker was often to get offenders to accept and understand that their history was not their destiny. That brings into sharp focus the need for the work that is now being done on adverse childhood experiences, and the equally safe strategy places an increased priority on prevention—on preventing the violence from occurring in the first place.

I pay tribute to Rape Crisis and its sexual violence reduction programme, which is taking place in schools, for the work being done to increase understanding of consent and healthy relationships. Like others, I very much look forward to meeting those from our everyday heroes project this Thursday afternoon.

In my view, one of the biggest gains from this Parliament is the consensus that has been built up over the years around the analysis, the strategy and the action that we need to take to end violence against women and girls in all its forms. That does not mean that we have agreed—or will agree—on everything or that we should ever be

complacent, even for a moment. We need to diligently shed a light on the good, the bad and the indifferent. Our work has led to strong foundations, and we should continue that work together to end violence against women and girls and to make Scotland a safer place for everyone.

The Deputy Presiding Officer (Christine Grahame): I call Rhoda Grant to close the debate for Labour.

16:36

Rhoda Grant: This has been a really interesting debate. Everyone has agreed that more must be done to combat violence against women by putting in place a growing list of actions.

Central to the debate has been equality—equality of power, equality of access to finance and equality of esteem. If we do not have that equality, we will never eradicate violence against women, so we need to work continually on things that will put that right.

A lot of the debate has been about sexual harassment. The #MeToo campaign was mentioned by many members, which is not surprising. Kezia Dugdale gave voice to how we all felt about the anonymous survey that was carried out in Parliament. We all expected better from this workplace; we should be leading and not allowing the behaviour that was highlighted in the survey to occur. I declare an interest, as I was one of the people on the sexual harassment working group. We tried to address some of the issues as part of the work of that group.

Kezia Dugdale talked about anonymous reporting that would trigger an investigation eventually, if a course of conduct—a behaviour—was highlighted. The responses to the questionnaire suggest that some individuals were constantly abusing their power, and we need to deal with that.

Annie Wells talked about the culture of respect workshops and about how we need to change the bystander culture in Parliament in order to encourage people to come forward and tackle abuse when they see it happening.

An imbalance in power and a male culture cause a lot of the problems, as Maurice Corry pointed out. However, that is not always the case: we would not say that this Parliament has a male culture, but such behaviour goes on under the radar and we do not pick it up.

Sexual harassment in the workplace equates to sexual exploitation, because it involves a trade of sex for career progression or, at the other end of the spectrum, for any kind of work. When someone's boss has control over their zero-hours contract, they are in a very difficult position if their

boss wants to abuse their power—ultimately, they might not be able to work. Violence against women relates to the power imbalance, making work and money tools for harassment and exploitation.

Alison Harris and Kezia Dugdale mentioned the fear of reporting and the impact on individuals who report. Perpetrators play on that fear, because they know that people will not report. We need to do something about that to ensure that that fear no longer exists and that we protect those who report harassment.

Several members talked about the justice system, including John Finnie, Sandra White and Angela Constance. We should give credit to Police Scotland: if its setting up did one thing, it was that it changed the police's attitude to domestic abuse. Since its inception, Police Scotland has taken action to deal with domestic abuse. There are still pockets within the police service that require improvement, but checks and balances have been put in place that make it much easier to report domestic abuse. We are seeing the benefits of that in the increased level of reporting.

The judicial system has improved, too, but it has a lot further to go. We must look at our laws to see whether we can make further improvements to help people through that system by assisting them with the making of statements, the court process and the like.

Liam McArthur mentioned forensic medical examinations. It was unacceptable that people from Orkney and Shetland had to go off island to receive such examinations, sometimes—in fact, most of the time—in the clothes that they were wearing when they were attacked. We must make sure that people have the same access to justice, regardless of where in Scotland they live. Claudia Beamish talked about the additional issues that women in rural areas face with access not just to justice but to escape routes, transport and finance.

It was moving to listen to Angela Constance talk about her experience as a prison social worker and the work that she did with people who had perpetrated such abuse. Work to address that behaviour through things such as the Caledonian programme is important, but we must address it much earlier on. We must ingrain in our young boys and girls that such behaviour is unacceptable. The media must also send that message, and I welcome the work that is being done through the media to stop the imbalance in reporting. Often, the reporting of what happens in our society is very sexist.

I am sure that we all agree that the problem of violence against women is the problem of men's violence against women—that is why the cross-party group on the issue is called the cross-party

group on men's violence against women and children. It is good to hear that there are men who understand that it is their duty to change the idea that men find it acceptable to abuse women.

Mention has been made of the many organisations that do work in that area, including White Ribbon, Scottish Women's Aid, Rape Crisis Scotland, Zero Tolerance and the Women's Support Project. [*Interruption.*] I join others in congratulating those organisations, and I also congratulate individuals such as the woman who spoke to James Dornan, and Fiona and Germain Drouet, who, despite their own problems and issues, are working to stop other people suffering such abuse.

We must make progress on violence against women, because there is much to do. We need to build a society that supports and values women and treats them equally. I make a plea to the Scottish Government to use all its powers to protect women from the excesses of the UK welfare state, which ingrains that inequality.

The Deputy Presiding Officer: I remind all members to have their mobile phones switched to silent; I do not want to hear jingles. Do not start pointing at people, Mr Lyle; it does not become you—you could be guilty next time.

16:43

Liam Kerr (North East Scotland) (Con): I greatly appreciate the opportunity to close the debate for the Scottish Conservatives, partly because it is right that we visibly and unitedly welcome the global 16 days of activism against gender-based violence and this year's theme of ending gender-based violence in the world of work. It is imperative that we publicly commend the many activists and organisations in Scotland and across the world that provide front-line support for survivors and help to raise awareness.

I also welcome the opportunity to close the debate on behalf of the Conservatives because it has been an extremely moving and powerful debate, in which we have had strong contributions from members across the chamber. Rhoda Grant highlighted the fact that, although we are right to reflect on how far we have come, we must be fully aware of how far we still have to go when it comes to eradicating gender-based violence. Maurice Corry gave us a pithy summary of what this is about when he said that violence against women and girls is inexcusable and should never be condoned. It cannot have a place in our society, nor in any community worldwide.

Is it not shocking that it should be necessary to have a specific day of activism to end violence against women and girls? However, as we have heard, sadly it is necessary. Throughout the

debate we have heard some absolutely shocking statistics, which bear repeating. There were 60,000 incidents of domestic violence in Scotland in 2017-18. In the world, 137 women a day are killed by their partner or a family member. Some 71 per cent of human trafficking victims are women or girls, and 37 countries worldwide still exempt rape perpetrators from prosecution if they are married to or eventually marry the victim.

Various members mentioned the horror of female genital mutilation. Maurice Corry cited research that suggests that as many as 170,000 girls in the UK have undergone female genital mutilation, although I read earlier that Julie Bindel thinks that the number is much higher. As UN Women has said, at least 200 million women and girls who are alive today have undergone this mutilation, and the majority of girls were cut before they were even five.

In 2015, the UK Government introduced in England and Wales and Northern Ireland female genital mutilation protection orders, a mandatory reporting duty, lifelong anonymity and a criminal offence of failing to protect one's own daughter. On Friday 23 November, the UK announced that it would make the largest single investment ever to end FGM worldwide by 2030—an extra £50 million. We must see action on the matter now from the Scottish Government as well. The SNP's programme for government for 2018-19 rightly included a commitment to introduce a female genital mutilation bill. Perhaps the cabinet secretary will update the Parliament on that in his closing speech.

The Parliament is clear that there is still a persistent problem with domestic abuse. James Dornan spoke particularly powerfully and compellingly about that. Much of what he said was very difficult, but it is absolutely right for it to be heard. Statistics today show that domestic violence is on the rise for the second year in a row. Last year, the police dealt with over 163 domestic violence calls each day, but only 44 per cent of those resulted in a crime or offence being recorded. In addition, picking up on a point that James Dornan made, I note that 82 per cent of incidents had a female victim and a male accused.

Rona Mackay was absolutely right to highlight the efforts that this Parliament has made, including the Domestic Abuse (Scotland) Act 2018. I was pleased to hear Sandra White reference the Solicitor General for Scotland, Alison Di Rollo QC, who said just this morning that lawyers and judges need to be given specialist training on how to implement and use the new laws on domestic abuse. However, as we have heard, there is so much more to be done.

On that note, John Finnie flagged up the link between victim blaming and domestic abuse.

Unlike in England, where there was reform about a decade ago, we in Scotland still have a defence of provocation such that, if a man murders his wife for her infidelity, he can plead that defence, and assuming that the reaction was sufficiently proximate, the crime will be reduced to culpable homicide. That is not gendered in law, but I respectfully suggest that it is frequently a gendered issue, and a number of commentators are suggesting that the area needs to be looked at for reform. Again, I would appreciate it if the cabinet secretary could give his views on that in his closing speech.

Many members offered some solutions. Maurice Corry said that the 16 days of activism against gender-based violence exist not simply to raise awareness but to propel us to action and to necessary change. Many members suggested that prevention is key—in our policies, our workplaces, our schools and our communities. That is fundamental. Margaret Mitchell mentioned Zero Tolerance's view that education is key to prevention and that there is more to do to make both girls and boys aware that certain attitudes and behaviours towards women are unacceptable.

Presiding Officer, I think that I have only six minutes. Is that correct?

The Deputy Presiding Officer: Yes.

Liam Kerr: In conclusion, then, I am pleased to join Parliament in welcoming the 16 days of activism against gender-based violence. The motion is right to flag that we must stand together with

“the many activists and organisations, both in Scotland and across the world”

to raise awareness,

“challenge the underlying attitudes and inequalities that perpetuate violence against women and girls”

and above all send

“a clear message that violence against women and girls is never acceptable”.

It is not, it never has been and it must never be. We all have a responsibility to challenge harassment and abuse and to do all that we can to build a Scotland where everyone can live equally safely.

16:50

The Cabinet Secretary for Justice (Humza Yousaf): Today's debate has been incredibly powerful and we have heard incredibly insightful speeches. I thank all members who spoke: they have given me and the Government a lot to think about. I am also grateful for the very consensual way in which members of all parties are uniting to

address the important issue of tackling violence against women.

I thank the many individuals who have shared their life stories, or the stories of a loved one, to highlight the pervasiveness of violence against women in our society. I pay particular tribute to Fiona and Germain Drouet, who are in the gallery. They have told the story of their daughter Emily, and anyone who has read just snippets of some of the text messages that Emily received will be haunted by them. Her story is a stark reminder of how pervasive the problem is in our society.

The 16 days of activism are an opportunity to champion progress that has been made, to celebrate the accomplishments of the people who work tirelessly, day in and day out, on the issue, and to recommit ourselves to tackling the issue.

Only months ago, this Parliament voted unanimously to pass the Domestic Abuse (Scotland) Bill. I suspect that, for many of us who were in the chamber at the time, the stage 3 debate and vote on the bill will remain in our minds for a long time. I remember how emotional the occasion was for my predecessor Cabinet Secretary for Justice, and I think that we will all remember the reaction of the women in the gallery to the vote. It was a historic moment in the history of devolution.

The Domestic Abuse (Scotland) Act 2018 will strengthen the law in relation to domestic abuse by making coercive and controlling behaviour a criminal offence, to reflect the reality of domestic abuse. On that reality, some members mentioned the official statistics that have just been released. It is worth saying that four out of five victims of domestic abuse—by far the majority—are women and that, in 2016-17, 88 per cent of incidents took place in the home. The dwelling should be a place of sanctuary, and for most of us it is, but for the women who suffered domestic abuse it was a place of hell and the most unimaginable violence and abuse.

I want to ensure that we all work together, regardless of our Government portfolios and our interests in the Parliament, to send a clear message that domestic abuse simply will not be tolerated and will be dealt with under the law. The law is one of the important tools in our toolkit for fighting domestic abuse and violence against women; education is another, to which I will come.

A couple of members asked about progress in relation to the commencement and enforcement of the 2018 act. The act will be fully commenced by spring next year. The reason for that timescale is to enable the police and others to be trained in the new provisions, as many members know, and to give us time—I hope—to prepare a public

awareness campaign, in co-ordination with the many good organisations that lead on the issue.

Domestic abuse is only one form of violence against women, in a spectrum of behaviours. The theme of this year's campaign is ending gender-based violence in the world of work. Kezia Dugdale, in particular, made an extraordinarily powerful speech about the world of work and the challenges that we in this Parliament—and anyone who is listening to or watching the debate—must face up to in the workplace. We must not sit back and condone such behaviour or accept that things are the way that they have to be; they simply do not have to be that way.

Harassment is not a problem that is specific to any one institution; it is the responsibility of all society, and it is for individuals to take action. I pay tribute to James Dornan in particular for an excellent speech. As men, we have to face up to the fact that we—although not all of us by any stretch of the imagination; nobody is suggesting that—are the problem. Men and their behaviour, which toxic masculinity is part of, are the problem but, equally, we can be part of the solution. That is what the 16 days of activism campaign tries to reinforce, and it does that very well.

Any man who doubts how difficult it is to be a woman in our society in 2018 should talk to his sister, as I have done, or to his wife, partner, daughter or mother. He should talk to any woman in his life and ask her about the challenges—the sexism, the misogyny and the harassment—that she has had to deal with. I promise that the conversation will not be a short one; I am afraid that it will be long. There will be things that we men were probably never aware of. I was never aware of the fact that, every time my sister walks down the street in the dark, she holds her keys. I said that to a couple of my colleagues, who said, "Yes, we all do that." That is the kind of society that we live in. As men, we should be utterly ashamed of the fact that, because of our toxic masculinity and our actions, women feel the need to take such actions. They do not feel safe in their own homes and in their own society.

I am conscious of the time and am keen to try to address some of the issues and answer some of the questions that many members have raised.

Annie Wells and Liam Kerr in particular asked for an update on female genital mutilation. I will not go into everything that we have done but, on the potential legislative framework, a consultation opened on 4 October and it will close on 4 January. I am sure that Annie Wells and Liam Kerr and others will respond to that consultation. Once it is closed, we will, of course, update the Parliament on taking it forward. We are very committed to taking forward legislation and further action on that front.

I can confirm to John Finnie that, as part of the equally safe delivery plan, we work with key justice partners to provide training to sheriffs and other professionals who work in the justice system so that trauma-informed responses are embedded throughout. I have met enough victims of sexual offences, harassment and rape to understand that, from the moment that a terrible incident takes place right the way through the police investigation to the court trial—if the case ever gets to court, of course—the potential imprisonment of the offender and the release of the offender, there are undoubtedly gaps. The victims task force that I announced will look specifically at sexual offences and rape as part of its work.

I thank Liam McArthur for acknowledging my predecessor's work on forensic medical examinations and the work that we are committed to do. I will come back to him on specific questions about Orkney. We have a long way to go, but I commend the work of Dr Catherine Calderwood and the task force in that regard and the work that she is taking forward.

One or two members—I cannot remember specifically who—asked about protective orders or emergency banning orders. In our programme for government, we said that we would consult on them at the end of the year. We are hurtling towards the end of the year, and the plan is still to get that consultation out before Christmas.

Angela Constance asked about the Government's plans in relation to misogyny. I am sure that she has seen our consultation on hate crime. There is a section in that that asks for the views of people and organisations on that issue specifically. I will listen to what people have to say about how to tackle misogyny. We may look at tackling it outwith the hate crime framework—it might be more sensible to do that—but I will reserve judgment on that. I am due to meet Engender and a number of other organisations very shortly to discuss that issue with them, and I am keeping an open mind on that.

I touch on Kezia Dugdale's point about a public awareness-raising campaign. She has given me, and the Government, a lot of food for thought to reflect on. We plan to do a campaign in spring 2019, so I will perhaps come back to her in order to hear her thoughts in a bit more detail.

Perhaps I will use the campaign as a way to engage with the cross-party group and ask for its help in informing what the campaign should look like. We will, of course, consult the usual stakeholders, including Rape Crisis Scotland, Scottish Women's Aid, Engender and Zero Tolerance—and many more, I am sure.

Liam Kerr asked about provocation as mitigation. The issue came to my attention only

recently. Like Liam Kerr, I was astounded by what I heard. I do not have an answer for him, other than that I will look at the issue. I will keep him updated. Whether that issue needs legal reform is worthy of examination.

This has been an excellent debate. I am aware that I am at the very end of my time, Presiding Officer. We will continue to do what we can not just in these 16 days of activism, but throughout our time in government, to make sure that violence against women becomes a thing of the past, and we will work collaboratively with members across the chamber to achieve that end.

Committee Announcement

The Presiding Officer (Ken Macintosh): The next item of business is an announcement from Edward Mountain, the convener of the Rural Economy and Connectivity Committee, on the committee's inquiry into salmon farming in Scotland.

17:01

Edward Mountain (Highlands and Islands) (Con): I refer members to my entry in the register of members' interests.

As convener of the Rural Economy and Connectivity Committee, I announce that our report into salmon farming in Scotland was published today. Our in-depth inquiry was launched earlier this year. We took evidence from a wide range of stakeholders, research bodies, environmental organisations, regulatory bodies and the industry.

The salmon farming industry offers significant economic and social value to Scotland, providing jobs and investment in rural areas. There is a desire in the industry to grow. However, if that is to happen, it is essential that the serious challenges that it faces, such as the control of sea lice, lowering fish mortality rates and reducing the sector's impact on the environment, are addressed as a priority.

Our report contains 65 recommendations on how that should be achieved. The committee's strong view is that maintaining the status quo in terms of regulation and enforcement is not acceptable. We need to raise the bar. All compliance policy must be robust and enforceable, with appropriate penalties for those operators who do not meet the standards.

The committee is clear that no expansion should be permitted at sites where high mortality or significant levels of sea lice are not addressed to the satisfaction of regulators.

In terms of the environmental impact, the committee noted the recent Scottish Environment Protection Agency research, which concluded that medicine from Scottish salmon farms

"is significantly impacting local marine environments".

The committee is therefore in no doubt that effective regulation of medicine used by the farmed salmon industry is a key requirement.

The committee makes several recommendations on the siting of salmon farms, which need to be read and considered with all the other recommendations in our holistic report.

We hope that the industry will welcome the report, and the initial indications are that it is being welcomed—as it is by other stakeholders—as a helpful and constructive document.

We look forward to receiving the Scottish Government's response to our recommendations and to a full debate on the report in the chamber in the new year.

Decision Time

17:03

The Presiding Officer (Ken Macintosh): There is only one question to be put today. The question is, that motion S5M-14904, in the name of Christina McKelvie, on hear me too, 16 days of activism to end violence against women and girls, be agreed to.

Motion agreed to,

That the Parliament welcomes the global 16 Days of Activism against Gender-based Violence and 2018's theme to "End Gender-based Violence in the World of Work"; commends the many activists and organisations, both in Scotland and across the world, that are providing frontline support for survivors, raising awareness of this important issue and working tirelessly to challenge the underlying attitudes and inequalities that perpetuate violence against women and girls; reaffirms its support for Equally Safe, Scotland's strategy to prevent and eradicate all forms of violence against women and girls; reflects on the advancements made and welcomes the publication of the first progress report for Equally Safe; continues its work to eliminate sexual harassment; notes that this is a societal issue and calls on communities everywhere to stand shoulder to shoulder in sending a clear message that violence against women and girls is never acceptable, and urges everyone in Scotland to continue to challenge harassment and abuse, hold perpetrators to account for their behaviour and work together to build a Scotland where everyone can live equally safe.

NHS Highland (Bullying)

The Deputy Presiding Officer (Linda Fabiani): The final item of business is a members' business debate on motion S5M-14643, in the name of Edward Mountain, on the investigation into bullying claims at NHS Highland. The debate will be concluded without any question being put.

Motion debated,

That the Parliament condemns bullying in any shape or form; welcomes the independent external investigation to examine the claims of bullying in the workplace at NHS Highland, which was announced by the Cabinet Secretary for Health and Sport on 2 November 2018, and notes the calls on the Scottish Government to ensure that the matter is resolved fully and promptly.

17:05

Edward Mountain (Highlands and Islands) (Con): I am saddened that we are having the debate—first, because we should not need it, and secondly, because the issue should have been dealt with in September when I first called on the First Minister to hold an independent inquiry. I thank members from opposing parties who signed the motion that is in my name—particularly David Stewart, Rhoda Grant, Monica Lennon, Liam McArthur, Alex Cole-Hamilton and John Finnie. No Scottish National Party MSP supported it, but I am confident that SNP members believe, as I do, that there should be zero tolerance of bullying.

I welcome those who have come from the Highlands to listen to the debate—they are up in the public gallery—and I thank them for all the work that they have done to bring the matter to the Parliament's attention. I also welcome those who are following the debate live on the BBC. There is huge interest in the matter.

When I was elected in 2016, it was apparent that there were significant issues in NHS Highland—not just waiting times and poor financial performance but something else. I could not quite put my finger on it, but something made me feel uncomfortable, to be frank.

The way in which an organisation treats those it works with paints a good picture of the way in which it treats those who work for it. In 2016, the deep division between patients in Caithness and Skye and NHS Highland warned me that something was seriously amiss. The protesters felt ignored and felt that NHS Highland had shown them unbelievable arrogance, which is perhaps why more than 1,000 of them took to the streets in Caithness on a wet and windy afternoon in October 2017.

My concern grew further when doctors and nurses across the Highlands started to inform me of issues and pass on correspondence from NHS

Highland. A trickle became a flood. The issues should have been addressed with senior management, but people felt unable to do that because of the response that they expected to receive. That attitude manifested itself at board level. The huge turnover of non-executive board members in the past five years should have been a flag to previous health secretaries, but it was not.

An even bigger, deafening klaxon should have sounded for the then health secretary when the non-executive board members passed a motion on 28 August 2017 that said:

"We feel the culture and leadership of the organisation is a risk to our stated values and objectives".

That came from NHS Highland's board. The motion was passed on to NHS Highland's chair, who subsequently denied that he knew about it, and to the Scottish Government. The result was a governance review, which condemned NHS Highland's executive management. I will quote from one paragraph of the review report, which John Brown produced—if members want to look it up, it is paragraph 4.30. It says:

"The Chair should consider externally facilitated support, such as mediation, to provide a safe and secure environment for Board members to meet with him and the Chief Executive to discuss recent concerns and for an agreed way forward to be found."

One has to ask—what exactly was going on in the boardroom that made it an unsafe and insecure environment? Perhaps exactly what was going on elsewhere in NHS Highland.

On Friday, there was a meeting to discuss bullying, organised by the GMB and the whistleblowers. We heard stories of what was going on. I want to quote one—just one of the 100 plus that have been reported. This is from a lady:

"Each time it got worse and worse, crying and begging my husband before a shift not to make me go in, and crying when I returned home. My bullying in the work place got so bad that it affected my mental health. It was so bad that it affected not only me in work but my home life and my life with my kids."

This is from a healthcare professional doing her job, and she is not the only one. I have heard about other harrowing cases from people who have contacted me directly. I have been so concerned that on one occasion, I contacted the office of the chief executive of NHS Scotland to seek help, as NHS Highland remained uncommunicative.

It does not stop there. There are patients across the Highlands who feel let down and unable to raise the issues they want to raise because of the unpleasant reaction that some have received when they have had the temerity to complain.

Everything that I have seen and heard has convinced me that there is a bullying culture in NHS Highland and it cannot be written off as gossip, as the chair of the board tried to do on 27 July this year. To me, it is evident at every level, from the boardroom to the floor of the wards. I see it in the way that NHS Highland works with its own staff, with its patients, and with those who dare to question service provision or management. On the latter point, I will just say: trust me, I know.

On Friday, the cabinet secretary announced an independent review into bullying in NHS Highland, which I welcome, but I am afraid that that is just the start. The review will need to look back to identify where the culture of bullying emanated from. John Sturrock will need to speak to staff, patients and board members, which will take time.

I hope that, during the course of this debate, the cabinet secretary can confirm who will be allowed to contribute to the review; that the review will look back at least 10 years; and that the review will cover what I would term the coercion of staff by the projection of authority, which I believe goes on the whole time.

When it comes to reporting, I hope that the cabinet secretary will confirm to me what “early 2019” means, because, sadly, time is a luxury we do not have. We have to address this issue that is festering and which I am told has been around for over 10 years. We need to do it for the sake of the staff, the patients and the victims in NHS Highland. Bullying has no place in any of our institutions and particularly not in NHS Highland.

17:12

Gail Ross (Caithness, Sutherland and Ross) (SNP): Bullying, discrimination, intimidation, victimisation, abuse and harassment: we teach our children from a young age that that behaviour is not acceptable in nursery or in school. It is not acceptable in college or university. It is not acceptable in the workplace. It should not be acceptable, full stop.

When the news broke in the press that four clinicians had come forward to say that scores of health workers had been or felt that they had been bullied at various NHS Highland establishments across the region, there was quite rightly condemnation of bullying.

I will not go into the detail of the allegations because, for me, that is something for the investigation to explore. I will say that any member of staff at NHS Highland who feels that they have been bullied, no matter what shape that bullying took, must feel supported to come forward.

I have met staff locally, I have met Government officials, and I have spoken to the cabinet

secretary about this. On 15 November, I asked the Government about an independent investigation. The answer from the cabinet secretary was as follows:

“The scale and scope of the allegations of bullying and the timespan of these in NHS Highland is such that I need to understand the issues that appear to have led to a culture where these concerns cannot be raised with or resolved satisfactorily by the Board. To ensure all the issues can be raised and heard by those involved I have commissioned an externally led independent review. This review will consider all the circumstances that have led to the allegations and make recommendations. My officials continue to hold discussions with NHS Highland staff and their representatives and we will finalise the scope of the investigation during the week beginning 19 November 2018 and look to announce who will lead the independent investigation as soon as possible thereafter.”—[*Written Answers*, 16 November 2018; S5W-19967.]

On 23 November, I asked who will be leading the review and what its scope will be. The cabinet secretary answered:

“I have asked John Sturrock QC to lead this independent review to explore the underlying issues and concerns that have led to allegations of bullying and harassment within NHS Highland. The review will include conversations with affected individuals, including current and former staff, their representatives, Board members and Health Board Management.

The scope of the review will be to:

- Create a safe space for individual and/or collective concerns to be raised and discussed confidentially with an independent and impartial third party.
- To understand what, if any cultural issues have led to any bullying, or harassment, and a culture where such allegations apparently cannot be raised and responded to locally.
- To identify proposals and recommendations for ways forward which help to ensure the culture within NHS Highland in the future is open and transparent and perceived by all concerned in this way.

The review will commence with initial meetings taking place before Christmas. A review report with proposals and recommendations for ways forward will be provided to the Scottish Government in early 2019.

Separate to this independent review, the Chief Executive of NHS Scotland Paul Gray has today written to NHS Highland to offer an increased level of support to help them recover their financial position and strengthen internal governance.

This will raise Highland to Stage 4 in the Board Escalation Framework. Additional support will take the form of a support team, led by a transformation director, who will assist the Board in planning and delivering the improvement initiatives necessary to restore the Board to financial balance.”—[*Written Answers*, 23 November 2018; S5W-20143.]

It is important to put that on the record. The Government is taking the matter seriously and it has answered calls for an independent investigation. The board is being given extra guidance and assistance.

I will end with two pleas. The first is a plea to NHS Highland to commit to listen and act on the evidence that is received. The second is a plea to all NHS Highland staff who are considering coming forward with any information about anyone: please feel safe and supported in doing so. You are the front line and the backbone of our NHS. We appreciate everything that you do and we need you to be healthy and happy so that we can be too.

17:17

David Stewart (Highlands and Islands) (Lab):

I congratulate Edward Mountain on securing the debate and on all his campaign work around bullying within NHS Highland. I also warmly welcome NHS Highland staff, past and present, to the gallery.

On Friday, along with Edward Mountain, I attended an important but emotionally challenging event that was organised by the GMB, doctors and whistleblowers on bullying. More than 60 people attended and more than 140 statements from victims have been taken.

One account of the bullying in particular struck me:

"You raise a bullying and harassment case and yet every step of the way you are on trial. Your character is attacked, you are then subjected to mockery and someone even writes that you are 'schizophrenic' in their statement ...

Every step of the way you are treated like you have done something wrong. You start to doubt yourself and even your own character. You are isolated ... you cannot talk to anyone about it, but you know everyone knows ...

Your manager tells you it is your fault and in fact it is you, and you could lose your job, your NMC licence and your liberty. Suddenly you are very afraid. What just happened here? ...

You go off sick, and you are. You are beside yourself, how could this happen? You go from being bullied and trying to report it to suddenly you are the problem. ... Your family don't know what to do. You are seeing the doctors every few days, you think about taking your own life. Your family and partner stay with you, they are scared to leave you alone. They don't talk about it, even now."

The staff I met before and after the event all worked for NHS Highland at some stage in their careers. I have also spoken to several former non-executives over the last year, as has Edward Mountain, and have received many phone calls and emails from concerned staff in administration, front-line nursing and general practices.

It seemed to me that there was an underlying toxic culture of bullying that was clearly having an effect on staff morale and emotional health. The wider issue is the possible effect that that has had on the credibility of NHS Highland and its ability to recruit and retain staff. It is also difficult to measure the effect on patients, but there will

surely have been an impact. For those reasons, I welcome the cabinet secretary's written answer on Friday, which, with perfect timing, coincided with the bullying conference that my colleagues and I attended.

Like Edward Mountain, I had been calling for an independent Queen's counsel-led review. I welcome that the terms of the review include current and former staff. Would the cabinet secretary confirm in her closing speech whether there will be any time limit for former staff in terms of when they left? What about patients? If they have witnessed or experienced bullying among NHS staff, will that be considered by the Sturrock review? Will the review findings be published in full? Will the Health and Sport Committee have a role in the proceedings?

I also ask the cabinet secretary about the role of the Advisory, Conciliation and Arbitration Service. I contacted them and the chief executive Anne Sharp said:

"We would be pleased to meet any or all of the representative bodies, ideally face to face. While the investigation is not within our remit, we can conciliate in any dispute and carry out work to improve employment relations."

I am also struck by history repeating itself. The freedom to speak up review led by Sir Robert Francis QC examined bullying in the NHS in England. Its recommendations stressed early support for whistleblowers, cultural change, prevention of isolation and containment, and legal protection for whistleblowers.

Members will know that provisions on the independent national whistleblowing officer for the NHS will be subject to the super-affirmative procedure in the spring of 2019, and will be considered by the Health and Sport Committee, of which I am a member. That is an important development, notwithstanding the recommendations of the Sturrock review. It will provide new principles, standards and procedures to protect and enhance the role of whistleblowers.

This has been a timely debate. Everyone has a right to be treated with dignity and respect at work. Bullying and harassment are unacceptable and are a violation of human and legal rights. Let us look to the new year and the conclusion of the review for a new dawn in which staff in NHS Highland start afresh in safety and security, as respected, dedicated professionals, free from the dark cloud of bullying.

17:22

John Finnie (Highlands and Islands) (Green):

As is the convention on such occasions, I thank my colleague Edward Mountain for securing the debate. The member will know full well that I have

not always agreed with his pronouncements on NHS Highland. That is certainly the case tonight; there has been conflation of matters. I will therefore restrict myself to the wording of the motion, which is important.

Who would not condemn

“bullying in any shape or form”?

I also condemn those who stood in silence and watched it happen, and the institutional arrangements that allowed it to happen. As the motion suggests, I welcome the independent review. I commend John Sturrock—Jock Sturrock, as he is often called. He is a man of the highest calibre, who has a history of understanding the meaning of words and listening, which is important.

The other word from the motion that I want to comment on is “promptly”. It is important that we see the matter being understood and resolved. That should take whatever time it takes. As Gail Ross, David Stewart and Ian Blackford—one of the MPs for the area—did, I attended the meeting on Friday. It was harrowing to hear some of the statements. I commend the people who have come forward. We were all given a large folder that contains a lot of harrowing information. I am sure that that information will be made available to Mr Sturrock.

The dignity that can be shown to people in the workplace is important. In a previous career, I was a Scottish Police Federation official, literally just across the road from the Parliament. We discussed the introduction of an equality and fairness programme. The police force is a challenging environment, given its structure of ranks, but it seems to have embraced the philosophy of equality and fairness. Key to that philosophy is dignity.

There can be all the processes in the world—I do not doubt that Mr Sturrock will unearth a great wealth of policies that are gathering dust on a shelf—but it is my experience, in particular from dealing with one particular case, that timescales in employment disputes often go right out the window.

When someone is too busy to deal with a person’s issue, that sends a clear message to them, as does someone being on holiday or having left the organisation. I want people to appreciate the value of exit interviews, for example. Members have spoken about the loss of staff; David Stewart talked about recruiting staff and retaining staff, which are important. We need to understand the systems that are already in place and those that should be in place in order that we can address concerns.

I was grateful for the cabinet secretary’s response to my colleague Gail Ross’s question; it was comprehensive. The timing was the timing—whenever it takes place, if someone says that they are going to create a safe space for people to come forward, I am very happy to commend that and the confidentiality that is ensured by the process. There is no doubt that Mr Sturrock is an independent and impartial third party.

I sought earlier in the process to make to NHS Highland a suggestion that went back to an incidence of bullying from my days in the then Northern Constabulary. I used health and safety legislation; as a health and safety rep, I called on the expertise of the Institute of Occupational Medicine to come in and examine the workplace. That suggestion was noted, but not taken up by NHS Highland. It is fair to record that there have been issues over a period.

I am keenest that what will come out of the review is a safe working environment with no big black cloud hanging over NHS Highland. The majority of people to whom I speak know nothing of bullying. What they know of is the quality of care—its very high standard. I do not want anything that we do or say to impact on that. NHS Highland is a caring organisation; people might imagine that that care extends to the wellbeing of its staff. I hope that that will be the case in the future.

I look forward to Mr Sturrock’s work, and I am sure that we will discuss this matter again.

17:26

Donald Cameron (Highlands and Islands (Con): I thank my colleague Edward Mountain for lodging the motion and for his dogged persistence in raising the profile of the issue and campaigning for the staff who are at the centre of the matter. I speak for many members across the chamber when I say that we all appreciate everything that our NHS staff do, but nobody should fear their place of work. The allegations that have surfaced, and those which continue to surface, are deeply alarming. The simple fact, according to one clinician, is that the number of victims in NHS Highland who have been caught up could reach 1,000. That fact alone is extremely concerning.

The issue requires political consensus, so I do not want to use this time to point fingers or to use it as a political football. I welcome the fact that an independent review has been announced by the cabinet secretary, despite the fact that it has taken some time to get to this point. In particular, I welcome the appointment of John Sturrock QC to lead it. I happen to know him fairly well. Many years ago, he was one of the people who trained me as an advocate, so I can attest to the fact that

he will bring a robust, rigorous and measured approach to the review. He also has a hugely impressive track record in mediation, so I am sure that his stewardship of the review will ensure that people who have brought the issue to light—and, indeed, those who have since come forward with their experiences—can rest assured that no stone will be left unturned.

It is critical that we do not turn the issue into a witch hunt, or seek to prejudge the review and the allegations that have been made—although it is clear from the number of complaints that there are serious questions to be answered. I share with others the concern that the initial response to the claims from the NHS Highland management appeared to lack awareness of the extent to which problems existed. At the end of October, NHS Highland stated that it was “unanimous as a board” that there was no “systemic culture of bullying”.

I find that last statement to be very difficult to reconcile with the facts that we now know. Since that statement, clinical and medical professionals have continued to come forward to tell their stories, which they had previously been too frightened to disclose. They deserve to be commended for their courage in speaking out. One of the worst stories that I read in the media was about a former employee who had contemplated suicide as a result of his experience. That story should haunt us all—the fact that someone felt so badly let down that he considered ending his life is a stark illustration of the human cost of the situation. I am pleased that NHS Highland’s chair, David Alston, has now welcomed the review.

It is clear that many questions need to be asked and answered, so I hope that the review will be as extensive as possible and that—as John Finnie said—it reports promptly, albeit with due regard to the evidence. I am sure that it will.

It is clear that we need to avoid rushing to prejudge the outcome of the review, but it is also obvious that there has been a serious breakdown in communication between the management of NHS Highland and the wider staff. It seems that many people have felt that they cannot disclose issues for fear of retribution. There is a deep, deep problem.

I sincerely hope that the review will go some way towards rectifying the situation, and that recommendations will be considered more broadly across the NHS in Scotland. If we do not care for NHS staff—if we do not care for our carers—we are in serious trouble. I hope that this day marks a turning point for health provision not only in the Highlands, but across Scotland.

17:35

The Cabinet Secretary for Health and Sport (Jeane Freeman): I am grateful for the opportunity to set out the Scottish Government’s position on the matter and to say what we have done.

As members across the chamber have said, we must condemn bullying and harassment in any shape or form. I share that sentiment with all the members who have spoken. The bottom line is that bullying and harassment are an abuse of power, and abuse of power is something that offends me personally and deeply. I was, therefore, concerned by the recent allegations that suggested that there is what amounts to a bullying culture in NHS Highland, and that is why I acted to ensure that the serious issues that were raised could be properly dealt with.

As the allegations emerged, way back in September, we offered the board assistance in listening properly to what those allegations might be. However, I was, of course, mindful that it was clear that there was a need for an independent review to be undertaken so that people could feel that the process and the conclusions that may be reached would have a degree of credibility.

I want the review to help me to understand why there are many staff who feel that they cannot raise concerns about an issue that is important to them and is therefore a valid one. That tells me that there is something that we need to tackle. If anyone in our health service feels bullied or harassed, we need to address that. It is clear that, although we have policies and procedures, some people still feel unable to speak up. Further, those who speak up feel that they are being closed down and that those policies and procedures are not working.

That is partly why, in addition to the independent review—I will take the time to answer questions that have been raised about it by members today—my ministerial colleagues and I have raised questions around such matters in every annual review that we undertake with every health board, particularly in relation to area partnership forums. We want to begin to understand what is happening because, even in boards where we do not face the situation that has arisen in NHS Highland—which is to say the majority of our boards—we might still have situations where staff feel that they are being bullied or harassed. According to the most recent survey, around 15 per cent of staff in our NHS feel that way, but the issues are not surfacing. We need to understand what is preventing that, and one way of doing so would be to harness the combination of bodies involved on the staff side—the trade unions, the Royal College of Nursing, the British Medical Association and others.

As members know, on 23 November, I announced that John Sturrock, a QC of some standing who is a highly respected mediator—Donald Cameron is absolutely correct in that regard—has agreed to conduct the independent review into the allegations of a bullying culture in NHS Highland. The review will explore the underlying issues and will include conversations with any affected individuals, including current and former staff, their representatives, board members, management and patients, if patients wish to come forward. My senior officials have had a number of conversations with key stakeholders, which has helped to shape some of the scope of the review that we agreed with Mr Sturrock.

Rhoda Grant (Highlands and Islands) (Lab): How safely can people divulge information to Mr Sturrock, who is carrying out the investigation? He has to have an understanding of what is happening, and if people are perpetrating that behaviour, it must be dealt with. How will those things interact, and what control will people have over where they report and what happens with the information that they give? If they are afraid to speak out, they might be willing to speak to Mr Sturrock, but might not want anything to be pursued, although such information might still come down the line.

Jeane Freeman: I am grateful for that important question. There are two sets of issues that we need to deal with. Mr Sturrock has already begun his work by contacting a number of individuals and making his presence known more publicly, so that he can come to understand all the issues and hear from all the people who want to come forward and speak to him, in a safe space where concerns can be raised and discussed confidentially, about their own personal experiences or incidents that they have witnessed. He can then begin to form his view of the overall prevailing culture, why matters are being raised in this way and why people feel that they are not able to pursue them. Alongside that, he will have to identify specific individual instances that will need to follow a different process, if the individual so wishes.

In any bullying culture, there are those who are bullied and those who bully. We need to address both. That is why—in answer to Mr Mountain's question about how early in 2019 we are talking about—I have said to Mr Sturrock that I am looking for at least interim recommendations in early 2019. However, until he begins his work, we cannot be absolutely certain exactly how long the review will take in total. We need to see how many individuals he should be listening to and taking account of, especially if we are talking about the past as well as the present. I need to know that, but still have some pace around the review. Therefore, if Mr Sturrock has interim

recommendations, we will have them in early 2019.

My response to Mr Stewart's question is that the recommendations will be public and I would expect the Health and Sport Committee to want to discuss them and to discover from me what I intend to do about them. Ms Grant asked about how individual cases might be addressed, should the individuals want to pursue them. Until Mr Sturrock has begun his work, we will not know that.

I am conscious of the time, Presiding Officer, but I will just cover a few other areas that members asked about. Mr Stewart mentioned ACAS, and Mr Swinney mentioned—not Mr Swinney; I mean Mr Finnie. I am sorry to have done that to Mr Finnie. If he wants to be responsible for education, I am sure that Mr Swinney will share it with him. Mr Finnie asked about other areas of expertise, and it is for Mr Sturrock to determine where he might want to source other expertise from to inform the work that he is doing. The Government will continue to support him in that.

As I am conscious of the time, I conclude by reaffirming that I take the matter very seriously indeed. I will be looking for interim recommendations—that partly answers Mr Cameron's point about the lessons that we can learn from the situation for the health service as a whole. Abuse of power, in any form, by any individual, in any organisation, is utterly unacceptable. Above all, our health service is compassionate, caring and highly professional. In NHS Highland as well as elsewhere, our staff deserve to be treated in the manner in which we expect them to treat their patients.

Meeting closed at 17:39.

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