



OFFICIAL REPORT
AITHISG OIFIGEIL

Meeting of the Parliament

Thursday 6 June 2019

Session 5



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Pàrlamaid na h-Alba

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Scottish Parliament

Thursday 6 June 2019

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

Business Motion

The Presiding Officer (Ken Macintosh): The first item of business is consideration of business motion S5M-17582, in the name of Graeme Dey, on behalf of the Parliamentary Bureau, setting out a business programme.

Motion moved,

That the Parliament agrees to the following revision to the programme of business for Thursday 6 June 2019—

delete

2.30 pm Parliamentary Bureau Motions

2.30 pm Portfolio Questions

and insert

2.00 pm Parliamentary Bureau Motions

2.00 pm Portfolio Questions—[Maurice Golden]

The Presiding Officer: The question is, that motion S5M-17582 be agreed to. Are we agreed?

Members: Yes.

Richard Lyle (Uddingston and Bellshill) (SNP): Yes.

The Presiding Officer: Thank you, Mr Lyle. [Laughter.]

Motion agreed to.

The Presiding Officer: For members' information, I point out that business this afternoon will now start at 2pm, not 2.30pm.

General Question Time

Scottish Qualifications Authority (Meetings)

1. **James Dornan (Glasgow Cathcart) (SNP):** To ask the Scottish Government when it last met the SQA and what was discussed. (S5O-03348)

The Presiding Officer (Ken Macintosh): Cabinet secretary, Richard Lochhead. I am sorry—minister.

The Minister for Further Education, Higher Education and Science (Richard Lochhead): Thank you for the promotion, Presiding Officer.

The Deputy First Minister holds regular meetings with the chair and chief executive of the SQA. He last met them on Tuesday 16 April, when a range of matters were discussed. In addition, Scottish Government officials are in regular contact with SQA officials.

James Dornan: I thank the—still—minister for that response.

Given the Sultan of Brunei's deplorable views towards his gay subjects—including, unbelievably, his attempted introduction of death by stoning, until international pressure forced him to make a U-turn—does the minister agree that the SQA should reconsider its links with Brunei and reaffirm its role as an equalities champion for Stonewall?

Richard Lochhead: As I am sure we all agree, the new legal regime in Brunei, which so clearly oppresses the country's LGBTI community, is abhorrent and has no place in the modern world.

Although it is independent of ministers, as a public body the SQA has a duty to contribute to the advancement of equality. With that in mind, the SQA carries out due diligence for all its contracts, and has regard to Scottish Government policy and Foreign Office advice and guidelines.

The SQA approves all its centres, including international centres, to the same standard. Every centre that offers SQA qualifications must ensure that there are no discriminatory barriers, and that everyone who is eligible to take a qualification has an equal chance of benefiting. The standards include a requirement that a centre have in place a number of policies and procedures, including a candidate equal opportunities policy and a candidate complaints policy. I hope that that gives James Dornan reassurance on the Government's position and the SQA's position on such matters.

Liz Smith (Mid Scotland and Fife) (Con): Will the minister confirm that the organisation of this year's SQA diet of exams was highly successful, and that no major issues have been reported to the Scottish Government?

Richard Lochhead: As Liz Smith can imagine, we are in regular contact with the SQA on a wide range of issues. It has assured us that the 2019 exam diet, and all activity in connection with it, remains on track. Given some of the issues that it is dealing with just now, we have agreed contingency plans with the SQA and partners to ensure that there is no disruption to the qualifications and awarding system.

Glasgow City Council (Pest Control)

2. **Johann Lamont (Glasgow) (Lab):** To ask the Scottish Government what its response is to reports that Glasgow City Council has received more than 14,000 requests to deal with rats since 2016. (S5O-03349)

The Minister for Local Government, Housing and Planning (Kevin Stewart): I am aware of recent media reports about the number of rats that Glasgow City Council has dealt with since 2016. Under section 2 of the Prevention of Damage by Pests Act 1949, local authorities in Scotland are obliged to take such steps as are necessary to ensure that, as far as is practicable, their district is kept free from rats and mice.

Glasgow City Council discharges its statutory responsibility through its in-house pest control team, and by ensuring that there are adequate waste-collection services for households, which is a duty that is set out in the Waste (Scotland) Regulations 2012 and the Environmental Protection Act 1990.

Johann Lamont: Does the minister share my concern about the scale of the problem and the implications for the health and wellbeing of the citizens of Glasgow? No matter what the responsibilities of the council are, there is clearly a serious problem. When will the Scottish Government accept that its choice to make substantial cuts to Glasgow's budget is having a direct impact on the front-line services that we all rely on, and when will the minister take responsibility for ensuring that Glasgow gets the fair funding that it so evidently needs to keep our streets clean and our citizens healthy?

Kevin Stewart: I share Johann Lamont's concern about the increase in pests, wherever it happens. However, I do not share her view on local government funding. This Government has been extremely fair over the years in relation to the settlements that Glasgow and the 31 other local authorities have received.

Glasgow City Council is currently investing £6.5 million in a three-phase bin-replacement programme, which will involve replacing approximately 48,000 existing small dustbins with 80,000 larger-capacity wheeled bins, in order to stop bins overflowing, which can attract pests.

That programme could have been done under the city's previous Labour regime, but it has taken a Scottish National Party led council to sort out the problems.

NHS Tayside (Drug Deaths)

3. **Bill Bowman (North East Scotland) (Con):** To ask the Scottish Government when NHS Tayside's next annual report on drug deaths will be published. (S5O-03350)

The Minister for Public Health, Sport and Wellbeing (Joe FitzPatrick): I understand that the Tayside drug death review group plans to publish its annual drug death report this month. That will include information on all drug-related deaths that occurred in Tayside in 2018. National Records of Scotland is expected to publish its annual report on national drug death statistics in July.

Bill Bowman: ISD Scotland published data last week that shows that

"Over the past 20 years, there was a fourfold increase in the rate of drug-related general acute hospital stays".

That includes a critical increase in admissions by approximately 50 per cent across Tayside over the past decade, driven by the region's most deprived citizens.

Does the minister agree that that state of affairs is devastating for the people who are affected? Can he advise the chamber of what is being done to address deprivation levels, which are reaching breaking-point across national health service boards?

Joe FitzPatrick: The number of people who are suffering from drug-related harms and death represents an emergency in Scotland. That is why we have a new drugs strategy, which it is intended will look at the services that we provide within our current competencies.

However, it is also important to look at the options for reducing harm that are not currently devolved to this Parliament. I strongly urge the United Kingdom Government to accept the public health emergency that we are in and to support the proposals for a safe consumption space in Glasgow.

Mental Health Services (NHS Orkney)

4. **Liam McArthur (Orkney Islands) (LD):** To ask the Scottish Government what assessment it has made of the provision of mental health services in Orkney. (S5O-03351)

The Minister for Public Health, Sport and Wellbeing (Joe FitzPatrick): The Scottish Government wants everyone to be able to access

mental health services to get the help that they need, when they need it.

We are supporting health boards across Scotland to achieve that through £54 million of funding over the next four years for capacity building and improvement support; through an additional £250 million of investment in mental health through our programme for government; and through funding for an extra 800 mental health workers, which will rise to £35 million per year by 2021-22.

The Scottish Government expects NHS Orkney and its partners, including the health and social care partnership and NHS Grampian, which also provides specialist care, to ensure that there is appropriate provision of mental health services for residents on the islands.

Liam McArthur: In her review of Orkney's mental health provision in 2017, Professor Linda Gask classified the need for increased capacity in child and adolescent mental health services as "urgent". With an increase in referrals, the pressure on the local CAMHS team has only intensified since then. I am also aware of specific concerns in relation to the availability of support for people who are affected by eating disorders. Will the minister therefore undertake to work with the local NHS board to ensure that any existing gaps in CAMHS and the wider mental health team are filled as soon as possible?

Following my exchange with Clare Haughey last November, will ministers also review the issue of patient transfers to the Royal Cornhill hospital, which now requires staff—including CAMHS staff—to travel from Orkney, which impacts on scheduled appointments and puts additional pressure on an already stretched service?

Joe FitzPatrick: Long waiting times for CAMHS treatment and support are unacceptable, so I thank Liam McArthur for raising that particularly important point. We expect all health boards to deliver the standard of 90 per cent of patients being seen within 18 weeks of referral. The Scottish Government is working with NHS Orkney to agree its annual operational plans, including how it will deliver the standard.

The member mentioned transfers to the Royal Cornhill hospital. Of course, the service level agreement on that is a matter for the two health boards. NHS Grampian has confirmed to officials that it has adequate mental health nursing capacity for provision of services.

However, the Scottish Government expects health boards to meet their service level agreements and to ensure appropriate provision of mental health services for residents. I understand that NHS Orkney and NHS Grampian are reviewing the service level agreement, which will

be an opportunity to address the issue of patient transfers. The Minister for Mental Health has asked officials to look at the matter further. The minister is aware of the issues around Cornhill, and I am sure that she will be content to discuss the matter further with the member.

Falkirk Council (Housing)

5. Angus MacDonald (Falkirk East) (SNP): To ask the Scottish Government when it last met Falkirk Council to discuss its plans for 1,000 new social and affordable homes by 2024. (S50-03352)

The Minister for Local Government, Housing and Planning (Kevin Stewart): Scottish Government officials last met Falkirk Council to discuss its affordable housing programme on 15 May 2019. I am pleased to say that we remain on track to meet our ambitious 50,000 target. We are proud of our record on delivering affordable homes in communities across Scotland, with more than 82,000 delivered since 2007. During the current session of Parliament, £50 million is being made available to Falkirk through the affordable housing supply programme, and that investment has already supported the delivery of 295 homes over the first two years of the programme.

In relation to housing delivery, beyond the current programme, we are committed to continuing to promote increased supply across all tenures and to build on our more homes Scotland approach. We are working with stakeholders to develop a shared vision for our homes and communities for 2040 and a longer-term approach to housing delivery that will help to make that vision a reality.

Angus MacDonald: I join the minister in welcoming Falkirk Council's ambitious plans. However, at a recent briefing from the council, I was informed that, according to the affordable housing supply programme benchmark, the council receives between £57,000 and £59,000 per unit, but registered social landlords in the Falkirk Council area receive up to £72,000 per unit for most areas and £74,000 for rural areas. Can the minister advise why there is unequal treatment of local authority housing services in relation to grants, tax and other forms of subsidy, when compared to the treatment of RSLs? Will he commit to reviewing the situation with a view to there being a fairer outcome, not just for local authorities but for tenants and, in particular, council tenants?

Kevin Stewart: Our grant subsidy benchmarks are in line with the recommendations of a working group on which the Convention of Scottish Local Authorities and the Association of Local Authority Chief Housing Officers were represented. Benchmarks are not fixed grant amounts: that is

important, because it means that there is flexibility to approve additional subsidy if that is required to enable higher-cost projects to proceed. If a project is found to be deliverable and provides value for money, we will support it.

Beyond that, as I have said before in the chamber, if an authority is looking to build more specialist housing, including wheelchair accessible housing and homes with more bedrooms, we will look to be very flexible indeed with subsidy levels.

David Stewart (Highlands and Islands) (Lab): When the minister next meets Falkirk Council to talk about affordable housing, will he raise the issue of sprinklers? He will know that the Government has adopted my member's bill to ensure that, by 2021, sprinklers are fitted in all new housing, which will ensure the safety of tenants and avoid another Grenfell tower disaster.

Kevin Stewart: I am always happy to hear suggestions from David Stewart. He and I have worked co-operatively to ensure that his vision for sprinklers becomes a reality in our social housing in the near future. I am always happy to ensure that local authorities know about our future plans when it comes to building and fire safety, and David Stewart can be assured that that will continue to be on the agenda when I meet every local authority.

Scottish Ambulance Service (Investment)

6. Peter Chapman (North East Scotland) (Con): To ask the Scottish Government what plans it has to invest in the Scottish Ambulance Service. (S5O-03353)

The Cabinet Secretary for Health and Sport (Jeane Freeman): The Scottish Ambulance Service will receive baseline funding of £259.9 million in this financial year, which is an increase of £9.2 million on the previous year's amount.

To support the Scottish Ambulance Service strategy for patient treatment to be delivered out of hospital where it is safe to do so, investment totalling around £24.6 million has been made since 2016-17.

Peter Chapman: Last year's figures showed that Aberdeenshire areas such as Turriff and the Mearns suffer some of the worst response times, with averages of 18 and 15 minutes respectively—well outwith the target of eight minutes. A recent report by Unison said that Scottish Ambulance Service staff are being overworked and patients are being put at risk by Scottish Government underfunding. Does the cabinet secretary agree that that is unacceptable? How does she propose to improve emergency response times in rural areas of north-east Scotland?

Jeane Freeman: I do not accept the central premise that our Scottish Ambulance Service is underfunded. I am sure that Mr Chapman has familiarised himself with the strategy, which now has significant external evidence from across the United Kingdom to show that it remains a valid model and that implementation is on track.

In the next year, the Scottish Ambulance Service will concentrate on the further development of its clinical response model, including improvements to lower-acuity calls, development of its workforce, continued investment in fleet, equipment and new technology and quality improvement work. All of that is designed to improve response times, particularly in relation to lower-acuity calls.

On the recent Unison survey, we take such matters very seriously, as does the Scottish Ambulance Service. The Ambulance Service is involved, with Unison, in the demand and capacity implementation group, which is looking at precisely the issues that Mr Chapman addresses. We will continue to take those matters seriously and to make progress with our Ambulance Service.

Gillian Martin (Aberdeenshire East) (SNP): Firefighters in two areas of my constituency, Turriff and Maud, participated in the trial scheme that was launched in 2015, which saw specially trained firefighters deployed to administer vital cardiopulmonary resuscitation or to use a defibrillator to try to save people who were experiencing cardiac arrest. I have spoken to firefighters in Turriff who participated in the trial, and they are very keen to use their skills. Can the cabinet secretary advise Parliament if and when that approach will be rolled out?

Jeane Freeman: The primary aim of the out-of-hospital cardiac arrest co-response trials is to reduce response times to incidents, with the longer-term aim of improving patient outcomes. The trials involved 18 stations, which responded to 276 incidents. The Scottish Fire and Rescue Service made 83 potential life-saving interventions, with 28 positive results. Given those outcomes, I think that we can consider the trials to have been success. I am keen to see that work being rolled out.

However, there are on-going discussions and negotiations with the Fire Brigades Union and management in relation to the remodelling of the firefighter role. While those discussions are under way, the involvement of the Fire and Rescue Service in such work has been paused.

Broadband (Rural Areas)

7. Maureen Watt (Aberdeen South and North Kincardine) (SNP): To ask the Scottish

Government what steps it is taking to deliver superfast broadband to rural communities. (S5O-03354)

The Minister for Energy, Connectivity and the Islands (Paul Wheelhouse): The £400 million digital Scotland superfast broadband programme has already delivered truly transformative results across all Scotland's local authorities, providing fibre broadband access to more than 930,000 homes and businesses so far. Thinkbroadband figures show that more than 93 per cent of Scotland's premises can now access superfast broadband of 30 megabits per second and above. The equivalent figure for Aberdeenshire is 81.7 per cent.

Our £600 million reaching 100 per cent programme will deliver resilient and future-proofed broadband infrastructure that will ensure that every home and business in Scotland can access superfast broadband services, regardless of remoteness or rurality.

Maureen Watt: Openreach is responsible for delivering broadband in Old Portlethen in my constituency. Unfortunately, due to long lines, the community is experiencing frustrating speeds and will have to either wait until 2021 for the R100 programme to deliver superfast broadband, or engage in the community fibre partnership. What support can the Scottish Government give in order to ensure that a faster and more cost-effective solution can be found for communities that are affected by long lines?

Paul Wheelhouse: I recognise the challenge that Maureen Watt has set before the Government. As she is aware, the matter is reserved, but we are trying to use our resources to tackle the issue. We recognise that it is a source of great frustration for the people who are affected.

We are deploying R100—I appreciate Ms Watt's point that people are concerned about how long they are waiting for that. There is also gainshare funding through the deployment of the digital Scotland superfast broadband programme, which has continued through 2018-19 and will continue for the rest of 2019, extending coverage as far as possible. For communities that are still struggling with poor connectivity, there are interim solutions such as the UK Government's better broadband subsidy and rural gigabit voucher schemes. They might not deliver services at 30Mbps or better, but they might provide an interim solution while R100 is being deployed.

First Minister's Question Time

12:00

Education (Multilevel Teaching)

1. Ruth Davidson (Edinburgh Central) (Con):

I am sure that, today, we all want to recognise the bravery of, and the sacrifice that was made by, the service personnel who, 75 years ago this morning, took part in the D-day landings. We all owe them a debt that we can never repay. [*Applause.*]

In recent weeks, we have heard a lot about the difficulties that teachers face due to staff shortages and subject choice restrictions. We now learn that, in many schools, teachers are having to teach different qualification levels of the same subject in the same class at the same time. That means that pupils of different ages, all thrown in together, are studying different topics for different exams. Last week, the education secretary said that he had

"never heard anybody argue that, educationally, there is something wrong with it."—[*Official Report, Education and Skills Committee, 29 May 2019; c 27.*]

Does he stand by that statement?

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

I am deputising for the First Minister today because she is in Normandy for the 75th anniversary commemoration of the D-day landings. The First Minister is honouring those who fought fascism, defended democracy and gave their lives for our freedom. As we look around our world today, we must all remember the debt that we owe the D-day generation. Now, as then, we must stand together against those in our society who would choose the road of fascism. [*Applause.*]

In relation to the point of substance on education that Ruth Davidson raised with me, multilevel teaching has been a feature of the education system in Scotland for many years. It was a feature of the education system when I was going through it, all those years ago. Clearly, there is an active debate on the issues around subject choices, but I stand by my remarks that multilevel teaching is delivered effectively in our schools by teachers who are trained to deliver professionalism of that quality and standard.

Ruth Davidson: I am not sure how the education secretary could have missed the largest teaching union, the Educational Institute of Scotland, saying that there has been an "explosion" in the number of combined classes, which is putting teachers under "increasing pressure". How did he miss the National Association of Schoolmasters Union of Women

Teachers saying that the issue is causing “intolerable” workload and stress or the Association for Science Education saying that teaching a combined class is like

“spinning two plates at one time”?—[*Official Report, Education and Skills Committee*, 8 May 2019; c 35.]

I am not sure how he missed principal teacher Iain Aitken telling the Parliament that “It’s a disgrace” that “schools actually have” national 4, national 5, highers and advanced highers “in the same classroom”, or Marjorie Kerr, the president of the Scottish Association of Geography Teachers, saying that the qualifications are

“not aligned to be taught in that way”

and that

“national 5 pupils ... are definitely disadvantaged if they end up in a class in which the higher is also being taught because the courses do not match up.”—[*Official Report, Education and Skills Committee*, 8 May 2019; c 34.]

Now that the education secretary has heard the arguments against combined classes, does he recognise that all those people have a point?

John Swinney: Of course, I recognise that there is a debate to be had. There is a debate to be had about every topic in education—education is a part of our society that is actively the subject of debate. I am interested in making sure that our education system delivers the best outcomes possible for the young people of Scotland, and the evidence is substantial that the education system is doing exactly that.

We see young people now achieving more in our schools; we see attainment at level 6 rising, equipping young people with the qualifications that they require; and we see young people leaving school to the highest level of positive destinations on record. I recognise that there is a debate to be had, but I also want to make sure that we do not lose sight of the phenomenal achievements of young people in our education system today.

Ruth Davidson: The education secretary has said that there is no evidence of the “explosion” in multilevel teaching that the EIS talks about. Indeed, he says, it has been a factor in Scottish education for ever. Well, we have the evidence, because we sent freedom of information requests to all 32 local authorities, asking them how many combined classes there are in their schools. Of the 238 schools that we have got information back on, 112 have classes in which three qualification levels are being taught in the same classroom, and in a further 11 schools four levels are being taught together, such as in Inverclyde academy, where maths is being taught at national 4, national 5, higher and advanced higher all in the same classroom. We will give the education secretary all the evidence that he asks for, but the question is, will he act on it?

John Swinney: This is where we get into some of the interesting fault lines and contradictions in the Conservatives’ position. I believe fundamentally in empowering the schools of Scotland to decide exactly how the curriculum should be delivered. That is what I believe in. [Interruption.]

The Presiding Officer (Ken Macintosh): Order, please.

John Swinney: That is what this Parliament supported when it supported curriculum for excellence—a flexible curriculum to put power back into our teaching profession to enable it to deliver on behalf of the people of Scotland. What we are now seeing in our schools, as I have said already, is rising attainment by our young people, an improvement in the destinations that are available for young people, a rising number of teachers being available to teach in our classrooms—a record level since 2010—and rising resources being put into schools, including £750 million from this Government that is being put directly into the hands of schools and local authorities to close the poverty-related attainment gap. That is the investment that we are seeing in Scottish education, and that is why it is delivering results for the young people of Scotland.

Ruth Davidson: I am sure that the schools of Scotland are delighted to hear that they have been empowered by the education secretary into staff shortages and subject choice restrictions. However, the point is this: a week ago, the education secretary told Parliament that he had never heard anybody say that there was anything wrong with combined classes and that there was no data to suggest that the problem was widespread. I have come here today and given him the arguments from the experts and the data. After 12 years of Government, is it not time that we had ministers in charge who were prepared to face up to the challenges in our schools instead of denying that they exist, or is it the case that defending their failed record matters more to this Government than educating our young people across the country?

John Swinney: I engage with the education system more than anybody else in this chamber, every day. Yesterday, while Ruth Davidson was cooking up the latest moanfest to bring to Parliament, I was at the Scottish education awards, listening to case after case from the length and breadth of the country on literacy, numeracy, attainment, achievement and the long service of our teachers. I spent my day listening to all those fabulous examples while Ruth Davidson was cooking up her moanfest to bring to Parliament today.

Crucially, what matters is not the litany of complaints that Ruth Davidson brings to

Parliament but what is being achieved—
[*Interruption.*]

The Presiding Officer: Order, please.

John Swinney: What matters is what is being achieved by the young people of Scotland: attainment is rising, they are gaining more highers and the number of positive destinations is improving year on year. That is what Scottish education is determined to deliver, that is what it is delivering and that is what I am happy to celebrate. I am not going to take any moanfest from Ruth Davidson on the subject.

Income Supplement

2. Richard Leonard (Central Scotland) (Lab):

Today is a day for reflection on the sacrifice and the courage of those who liberated France and so liberated Europe. We owe them a huge and enduring debt.

Presiding Officer,

“The Scottish Government urgently needs to consider how they can progress”

the income supplement

“quicker or, if this is not feasible, what interim measures could help.”

The commission

“strongly fees that many families need additional money in their pockets now.”

Those were the stark warnings of the Government’s own Poverty and Inequality Commission in response to the Scottish budget. If the Government’s own Poverty and Inequality Commission says that the poorest families in Scotland need

“money in their pockets now”,

what makes the Deputy First Minister think that they can afford to wait?

The Deputy First Minister and Cabinet Secretary for Education and Skills (John Swinney): I acknowledge the seriousness of the issues that Richard Leonard raises. We have made it abundantly clear—it has been made clear weekly at First Minister’s question time—that poverty levels in Scotland are too high and that the Government is determined to do all that it can to tackle the issue. On the income supplement, the Government has made it clear that it will report to Parliament before the conclusion of the parliamentary year at the end of this month.

Of course, the Government is taking forward a whole range of different interventions to address the issue, some of which I will set out. The interventions include: the implementation of free school meals, which more than 130,000 primary 1 to P3 children are benefiting from; the £750 million

attainment Scotland fund; the investment that we make in the council tax reduction scheme; the work and the investment that are in place to mitigate the effects of the welfare reforms that are being imposed on the people of this country by the United Kingdom Government; and the best start grant, which has been applied and has already delivered significant and meaningful results and impacts for individuals across the country.

Yes, there is more work to be done, but I assure Richard Leonard and members in the chamber that the Government is determined to do all that it possibly can to support individuals who live a life in poverty and to help them to work their way out of that life, with active support from the Scottish Government

Richard Leonard: Is the Deputy First Minister seriously arguing that the Poverty and Inequality Commission does not know about the initiatives that he has just listed? The commission is making a point about the income supplement.

It is not only a question of welfare. Only this week, Douglas Hamilton, who is the chair of the Poverty and Inequality Commission, said of the Government’s commitment to inclusive growth:

“despite a high level of commitment to make this new economic agenda work, very little has changed ... As a result, it appears to be more of a concept than an approach that results in real change in people’s lives.”

When will we get deeds, and not just words?

John Swinney: I have just gone through with Richard Leonard a number of areas in which we have undertaken deeds to tackle the issue. The Government is taking a whole series of policy initiatives that are making an impact, and which led to the very positive endorsement of the Scottish Government’s work from the United Nations special rapporteur, who reported recently on the strength of the response of the devolved Administrations to the crisis that individuals face as a consequence of welfare reform.

The steps that the Government is taking through the fair work agenda, the investment that we are making in early learning and childcare, the investment that has been undertaken through the best start grants and our taking forward of the devolved social security powers are all concrete deeds that the Government is undertaking to address the issues of poverty that individuals face.

We are determined to do more, but we have to recognise that we are doing so under a whole series of pressures that arise out of welfare reform and the decisions of the United Kingdom Government, which are deeply damaging to the lives of individuals in Scotland.

Richard Leonard: The Deputy First Minister used the word “crisis”. While the Government has

been delaying the income supplement, child poverty in Scotland has continued to rise. While the Government has been offering up concepts, out in the real world more people are queuing up at food banks.

Only yesterday, a Child Poverty Action Group report, produced by the Institute for Public Policy Research, concluded that the greatest reduction in child poverty relative to the cost of any single option would be achieved by addressing the two-child cap.

When will the Government at long last think about its moral responsibility? When will it finally use its powers to protect families in Scotland from the two-child cap? Does John Swinney still think that families should be left to suffer, in order to stop

“letting the Westminster Government off the hook”?

John Swinney: What an appalling accusation to throw across the chamber of this Parliament. *[Interruption.]*

Richard Leonard puts to me the moral question. The moral question is whether this Parliament should be dictated to by a Tory Government that Richard Leonard is quite happy to keep in office, thereby inflicting misery on the people of Scotland as a consequence of his unwillingness for this Parliament to take responsibility for these actions.

Richard Leonard needs look no closer than the man who is sitting on his right—Iain Gray—who sat on the Smith commission and refused point blank to devolve responsibility to the Scottish Parliament in order to give us the powers to tackle these issues. *[Interruption.]* Richard Leonard has no right to trade moral responsibility with me across this chamber—*[Interruption.]* He has crossed the road and is walking on the other side, doing nothing to take into the hands of this Parliament powers that could transform lives. He is happy to leave the Tories in charge; I most definitely am not.

The Presiding Officer: I appreciate that this is an emotive subject, but I recommend that members do not shout across the chamber.

There are five constituency questions.

Arjo Wiggins Fine Papers Ltd (Stoneywood Mill)

Mark McDonald (Aberdeen Donside) (Ind): The Deputy First Minister will be aware that the administrators for Stoneywood mill have ended their discussions with the preferred bidder and the sale is no longer being taken forward.

Although that is, understandably, a major disappointment, a management buyout has emerged as a potential means of securing the

future of the business and the workforce. I plan to meet management tomorrow. I understand that the Minister for Business, Fair Work and Skills is meeting management today, and I am advised that Scottish Enterprise is offering on-going support.

Will the Deputy First Minister say whether the support that the Scottish Government can and will provide extends to financial support? Will the Scottish Government consider making a statement in the Parliament that sets out the support that has been provided to date and the steps that will be taken to help to secure the future of a profitable business and a skilled and dedicated workforce?

John Swinney: Mr McDonald’s final point is the most significant one: Stoneywood mill is a profitable site and there is a skilled workforce there. In the Government’s view, it is perfectly possible for a viable business proposition to be made. That is why the business minister was at Stoneywood this morning for discussions, and it is why Scottish Enterprise is deeply engaged in all the issues.

I give Mr McDonald and the Parliament the assurance that the Government is doing everything that it can do, with our agencies, to ensure that all possible support can be made available. We have to operate within the normal rules and context, with which Mr McDonald will be familiar, but I assure him that absolutely everything that can be done to safeguard the future of the plant will be done.

It has been a disappointment that the discussions with the preferred bidder have concluded. However, there are active discussions about a management buyout and the business minister will be happy to update the Parliament, in due course, on the steps that are being taken to resolve the situation and give certainty to the workforce of the paper mill at Stoneywood.

Out-of-hours Dental Service (St John’s Hospital)

Neil Findlay (Lothian) (Lab): I have been passed a consultation document, which is not publicly available, on the future provision of the out-of-hours dental service at St John’s hospital. Three of the five options propose the partial or full closure of the service, with a move to Edinburgh. That would leave West Lothian with no emergency dental service at our hospital.

That follows the out-of-hours closures of the children’s ward and the recent threat to the out-of-hours general practitioner service. Why are we constantly having to fight proposals to remove services from St John’s hospital? Are not the proposals yet more evidence that workforce

planning in the national health service is shambolic and is failing staff and patients?

John Swinney: I point out to Mr Findlay that the children's ward that he mentioned among the issues that he raised has reopened. The situation involves consideration of a range of options. If any of those were to be adopted, that would constitute a major service change, and there will be full and active involvement in consultation for all members of the public and of Parliament.

I make clear to Mr Findlay that the Scottish Government believes that there is a very strong need for a wide range of services to be provided at St John's hospital. It is critical that the sizeable population in the West Lothian area is supported by those services. Such issues will be uppermost in the Cabinet Secretary for Health and Sport's consideration in the period to come.

Family Contact Centres (Disabled Access)

Bob Doris (Glasgow Maryhill and Springburn) (SNP): Around a year ago, a court granted one of my constituents supervised contact with his disabled son at a family contact centre in Glasgow. However, an issue with disabled access to toilet facilities has meant that contact has not taken place since the order was granted. I am unclear about the situation, but it may be that no such centre in the greater Glasgow area has appropriate facilities that comply with legislation on disabled access. Does the Deputy First Minister agree that it is wrong that such centres appear not to be subject to minimum standards such as those on disabled access? Indeed, I understand that there is little regulation regarding such centres more generally. Will the Deputy First Minister seek to remedy those matters, so that parents—and, perhaps more importantly, children—can have appropriate contact and parental alienation can be reduced?

The Deputy First Minister and Cabinet Secretary for Education and Skills (John Swinney): All public facilities should have appropriate access for all disabled people. If Mr Doris provides me with details of the situation, I will ensure that they are investigated by the appropriate minister. We will work to ensure that all possible remedies are put in place. Individuals' disabilities should present no barriers to their being able to pursue their legitimate activities. I will ensure that such issues are looked at very carefully.

The Buteman (Closure)

John Finnie (Highlands and Islands) (Green): The Deputy First Minister will have heard the sad news that publication of *The Buteman* is to cease this month, 165 years after it commenced. The newspaper's journalism jobs left the Isle of Bute

some time ago, but the need for local news has not. Will the Deputy First Minister advise how the Scottish Government can support local journalism, particularly in our island communities?

The Deputy First Minister and Cabinet Secretary for Education and Skills (John Swinney): I was very sorry to hear the news about *The Buteman*, which, as Mr Finnie has said, has had a long and distinguished history and is part of the firmament of local newspapers that faithfully report activities and initiatives the length and breadth of the country. Such matters obviously involve private companies, but the Scottish Government is happy to engage in wider work in that respect. Last weekend, the Cabinet Secretary for Culture, Tourism and External Affairs, Fiona Hyslop, was involved in discussions on the role of journalism in our society, and she made the point that we all rely on having a free and open press to ensure that there is proper reflection of local priorities and appropriate discussion of national, political and wider societal issues. The Government greatly supports the activities of local newspapers and is happy to provide—as it often does—lots of news for local newspapers to report on.

NHS Borders (Finances)

Rachael Hamilton (Ettrick, Roxburgh and Berwickshire) (Con): The Deputy First Minister will be aware that, this week, Scottish Borders Council is handing over an extra £3.2 million to the region's health and social care integration joint board, following continued concern about the state of the finances of NHS Borders. At a recent meeting, the integration joint board revealed that it needs to make savings of £11.7 million in the financial year 2019-20. All that comes in a week in which NHS Borders reported the worst average waiting time for child and adolescent mental health services in Scotland. On average, young people are having to wait 22 weeks for treatment, which is appalling. Will the Deputy First Minister commit to the Scottish Government's funding NHS Borders properly, as the current financial situation is clearly unsustainable?

The Deputy First Minister and Cabinet Secretary for Education and Skills (John Swinney): NHS Borders is funded through the financial arrangements that the Scottish Government has in place, which distribute the largest-ever national health service budget in history to the health boards of Scotland. Its appropriate share of that budget will have been driven by the formula that is applied in that respect.

Rachael Hamilton raises significant issues relating to mental health services for young people. She will know that the Government is

investing significantly in expanding mental health services at a variety of levels, whether it is through the expansion of the school counsellor network or the expansion of mental health services that are provided by the national health service. All those different interventions will be taken forward to strengthen mental health services.

Health and social care integration at local level is a joint endeavour of the health service and local authorities to serve communities. It is important that open discussions take place about the financial requirements of the joint service. The way in which Rachael Hamilton characterises money being handed over from one body to another does not get across the concept of partnership that lies at the heart of the integration of health and social care. She might know that one of the Conservative leadership candidates, Mr Rory Stewart, is looking actively at the failures in integrating health and social care south of the border, and he has reflected on some of the partnership work that has been taken forward in Scotland. Before Rachael Hamilton bandies about such language in the chamber, she should reflect on the importance of partnership at local level between the health service and local government.

Transport (Infrastructure Projects)

3. Patrick Harvie (Glasgow) (Green): I join the other political parties in commemorating the actions of those who took part in the D-day landings. As we see the forces of the far right reinvent themselves in the United Kingdom, the US and so many other countries—too often aided and abetted by people in mainstream politics and the media—we must remind ourselves that the fight against the far right is one for which every generation must be ready if we are to properly remember and respect the memory of those who did not return from the fight 75 years ago.

At the end of April, the First Minister declared a climate emergency, as did the Welsh Government. Now, barely a month later, the Welsh Government has announced the welcome decision to scrap plans to build a £1.4 billion motorway relief road. However, the Scottish Government is pressing ahead with spending £6 billion on dualling the A9 and A96. Since she made her announcement, the First Minister has repeatedly said that, when it comes to the policy changes that are needed, everything is under review. Does that include the next phases of those road projects?

The Deputy First Minister and Cabinet Secretary for Education and Skills (John Swinney): Patrick Harvie has reflected on the issues that we all face in relation to climate change, but the Government must take forward its agenda in a sustainable way. We have already

made changes to our policy framework that he is familiar with in relation to air departure tax.

The Government also has a duty to ensure that the country is equipped with the appropriate infrastructure to meet the needs of all our population. Anyone who is familiar with the A9 and the A96 will know that both those roads have serious and alarming safety records, given their current construction and the volume of traffic that uses them. Such issues need to be addressed, and the Government will do so as part of its programme.

However, my comments should be taken in the context of the Government's absolute obligation to meet the climate change targets that we have set out and to which we have committed. Roseanna Cunningham has lodged amendments to the Climate Change (Emissions Reduction Targets) (Scotland) Bill to ensure that we fulfil the commitments that we have given to Parliament and to the people of Scotland.

Patrick Harvie: The Deputy First Minister seems to disagree with the First Minister, who said that everything is under review. He cites the problem of the volume of traffic, but the current plans will do nothing to control the volume of traffic that uses the roads.

The Scottish Government has an opportunity to change direction by redirecting expenditure from road building to investment in a modern, affordable and efficient rail network. The single-track Highland main line, which runs parallel to the A9, has been described as an antiquated embarrassment. Dualling and electrifying that line could be done for a far lower cost than the cost of the Government's road-building scheme. It is more than 10 years since the Scottish Government promised significant investment to ensure that

“railway travel to the heart of the Highlands ... is competitive with roads.”

People in the Highlands have been waiting since 2008 to see improvement in journey times. How much longer will they have to wait?

John Swinney: Improvements are being undertaken on the Highland main line as we speak, and structural change has already been undertaken on the line to ensure that it can deliver shorter journey times. Through the ScotRail franchise, there has been investment in enhancing the rolling stock that is available for the Highland line, which has resulted in an expansion of capacity between Inverness and the central belt.

All those investments are taking place to improve the attractiveness of the rail network, but it is clear that we have wider obligations to ensure that, in every respect, we equip the country with the connectivity that is required. The massive

investment that has been put into digital connectivity is hugely beneficial to communities in the Highlands and Islands. We are delivering those advantages as part of a balanced package, but I stress that that must be done in the context of fulfilling the climate change targets that the Government will enshrine in law in the weeks that lie ahead.

National Testing (Five-year-olds)

4. Willie Rennie (North East Fife) (LD): Seventy-five years on, I know that many thousands of people woke up this morning and thought of those in their families who served and sacrificed so that we may live freely today.

The Education and Skills Committee said that John Swinney was confused; teachers said that they had no real value; parents in his own constituency boycotted them; the teachers' union wanted them to be scrapped; and Parliament instructed him to stop. I am talking about national tests for five-year-olds. On Tuesday, however, John Swinney claimed that the tests had been implemented without any difficulty whatsoever. On the very same day in London, Donald Trump claimed that he saw only cheering crowds. John Swinney and Donald Trump are two peas in a pod—they are both in denial. Is it not the truth that the national testing saga is symbolic of John Swinney's performance as education secretary?

The Deputy First Minister and Cabinet Secretary for Education and Skills (John Swinney): That ridiculous question is symbolic of Willie Rennie's leadership of the Scottish Liberal Democrats. I do not think that it serves decent discourse in this Parliament for Willie Rennie to characterise his questions in that way. He can say what he likes to me—it is water off a duck's back—but I do not think that it helps his credibility one iota.

On the question of primary 1 assessments, I said that the assessments had been implemented without any difficulty because, in the first year of the implementation of a complex information technology project—I remind Parliament that the public sector sometimes has difficulties with IT projects—650,000 assessments were undertaken the length and breadth of our country in 3,500 schools in Scotland. That is the evidence that I marshal to back up my statement that the assessments were undertaken without any practical difficulty.

I believe primary 1 assessments to be valuable—I will say more about this in a statement to Parliament on Tuesday, which Willie Rennie will know that I am to make—because I want to make sure that teachers have access to resources that will inform their judgment about the progression of young people through the education system. It

does not serve young people well for any issues to do with their educational capacity not to be identified at the earliest possible opportunity. I thought that the Parliament believed in early intervention. Primary 1 standardised assessments are about early intervention, and that is why they are valuable to young people around Scotland.

Willie Rennie: John Swinney is ignoring the evidence again; he is not listening. Instead of bulldozing ahead, he needs to listen and scrap the tests.

There is a long list. The pupil equity fund is underspent by £50 million. Audit Scotland says that colleges have big financial problems. Recruitment for nursery education is way behind. Six out of 10 teachers work more than an extra day every week, and more than half of all teachers experience mental health issues because of their job.

John Swinney was brought in as a big-shot troubleshooter for the First Minister's guiding mission. Does he really think that he has met the expectations that the First Minister had when she appointed him to that job?

John Swinney: Yes.

The Presiding Officer: Thank you. I was just about to encourage some brevity, so that we can get through the remaining questions.

Voluntary Organisations (European Union Funding)

Jackie Baillie (Dumbarton) (Lab): The Deputy First Minister will be aware that millions of pounds of European funding could be withheld from voluntary organisations and local authorities across Scotland. Given that that could lead to employability projects closing, job losses and cuts to services for vulnerable people, why did the Government not heed the warnings more than a year ago? It is the Government's responsibility to administer the scheme, so why has nothing been done to avert the crisis? Will the Deputy First Minister act urgently and guarantee to fund the £22 million gap? I will accept an answer of "Yes".

The Deputy First Minister and Cabinet Secretary for Education and Skills (John Swinney): Let me give Jackie Baillie slightly more—

Members: Ah!

John Swinney: Jackie Baillie knows that she is one of my favourites, so she would expect a bit more detail.

I acknowledge the importance of the issue and the manner in which the member sets it out, because the issue affects the prospects of a number of third sector organisations on which we

all rely in our communities. We understand those concerns, and those of local authorities, and we have been engaging in discussion with the Convention of Scottish Local Authorities on that question. We are determined to avoid any charity or third sector body going out of business as a result of the issue.

We have been doing a great deal on the matter. We have been in discussion with the European Commission to explore resolutions to the audit issues. Last Friday, we presented possible solutions to the Commission, and we are awaiting a response.

We continue to make payments to projects unaffected by the issues. I assure Jackie Baillie that intense activity is under way to resolve the questions and to give the security and certainty that third sector organisations want. Ministers will be happy to update Parliament on those questions in due course.

The Presiding Officer: It is rare that I say this to you, Mr Swinney, but some members cannot quite hear you. It is just when you are swivelling, so try to face the front when you are making your remarks.

European Union Membership

Gail Ross (Caithness, Sutherland and Ross) (SNP): *The National* runs a letter today from the Spanish Government confirming that it

“will not block an independent Scotland’s entry to the European Union”,

that that has “always” been its position and that

“there is no queue to join the EU”.

Another better together scare story bites the dust. I will leave it to *The Herald* to explain why it failed to publish a letter on that issue that it received some weeks ago. Does the Deputy First Minister welcome that intervention from Spain?

The Deputy First Minister and Cabinet Secretary for Education and Skills (John Swinney): I had better make sure that everyone hears this answer, Presiding Officer. Yes, I do welcome that intervention from the Spanish Government, because it confirms the fact that—as we have always known—Spain would not block an independent Scotland from joining the European Union.

Of course, that issue comes alongside the demolition of a host of other scare stories that were put about in 2014, such as having to vote no to protect our European Union membership—we know how well that went. Members of the public in Scotland were also told that they had to vote no to safeguard the future of the national health service, but Donald Trump is over here trying to get his

hands on the NHS. We will have nothing to do with that on this Government’s watch; the same cannot be said for the Tories and the mess that they have got us into on Brexit.

Dungavel House (Children)

5. Linda Fabiani (East Kilbride) (SNP): To ask the Deputy First Minister what the Scottish Government’s response is to reports that children are still being held at Dungavel house. (S5F-03394)

The Deputy First Minister and Cabinet Secretary for Education and Skills (John Swinney): If children are still being detained at Dungavel house a decade after the Home Office committed to ending that appalling practice, that would be completely unacceptable and a clear contravention of its stated policy.

The Scottish Government has repeatedly pressed the United Kingdom Government to implement more humane asylum and immigration systems. On 15 May, the Cabinet Secretary for Communities and Local Government wrote to the UK immigration minister to express the Scottish Government’s deep concerns following reports about the detention of children and pregnant women at Dungavel house. On 1 April, she wrote to support calls for a time limit on immigration detention.

The Scottish Government continues to seek clarity from the Home Office about the detention of children at Dungavel house.

Linda Fabiani: I ask the Deputy First Minister to cast his mind back to the Smith commission, all parties to which, as the Smith agreement notes, recommended that the operation of asylum support be devolved. Does the Deputy First Minister agree that having some responsibility for asylum and greater insight into what happens at Dungavel would allow us to better protect vulnerable adults and children, and can he give the Parliament an update on progress towards that recommendation?

John Swinney: I recall the discussions in the Smith commission that Linda Fabiani referred to. As a consequence of them, the Scottish Government had a number of discussions at official level with the Home Office on the commission’s proposals on asylum. However, despite the commission’s recommendations, the Home Office refused to accept the case for devolving asylum accommodation, financial support and advice or the ability for an asylum claim to be lodged in Scotland so that we could provide for a more dignified and humane system.

The fact that we were unable to make progress on something that was agreed by all parties to and participants in the Smith commission should

perhaps come as no surprise to us, given that the Home Office has been continually criticised for creating a hostile environment in this area of policy. That serves none of us well, and it is, in my view, a scar on the United Kingdom's reputation for welcoming people who face jeopardy in our world.

Income Tax Receipts

6. Murdo Fraser (Mid Scotland and Fife) (Con): To ask the Deputy First Minister what the Scottish Government's response is to the Scottish Fiscal Commission's prediction of a £1 billion shortfall in income tax receipts affecting the Scottish budget in the period 2020 to 2023. (S5F-03393)

The Deputy First Minister and Cabinet Secretary for Education and Skills (John Swinney): I welcome and value the Scottish Fiscal Commission's work. As the commission has made clear, significant uncertainty surrounds potential reconciliations, and the true position cannot be confirmed until outturn data is available. The Government will decide how to manage any reconciliation as part of each budget, and we will be guided in that by the principles that are set out in the medium-term financial strategy, including those on the use of the limited reserve and borrowing powers at our disposal.

However, although those forecasts have yet to be confirmed, I can confirm that, had we followed the Conservatives' income tax plans and offered cuts to higher earners, the impact on our budget this year would have been around £500 million. If that situation had persisted year on year, the total amount could have been around £2.5 billion by 2023-24.

Murdo Fraser: Of course, in addition to the £1 billion black hole that has already been identified, the Fiscal Commission yesterday told this Parliament's Finance and Constitution Committee that the devolved social security costs could be substantially higher than the previously predicted £3.5 billion total. These issues are very serious for the Scottish public finances, and the Scottish Government cannot deflect criticism elsewhere. The Deputy First Minister sat on the Smith commission, which signed up to tax devolution; he also signed up to the fiscal framework, which determines the block grant adjustment and which already protects the Scottish budget from slower population growth here compared with the United Kingdom as a whole. How will those huge gaps in the public finances be filled? Will it be by cuts in public spending, further tax rises on hard-working families or both?

John Swinney: I find it interesting that at no stage in his supplementary question did Murdo Fraser refer to the fact that the Scottish Fiscal

Commission's report shows an increase of £490 million in projected tax revenues since the last assessment in December. At no stage did Mr Fraser comment on the fact that, between December and June, there has actually been a £490 million increase in the estimated tax revenue to be generated in Scotland, and an increase of £3.5 billion in the tax take over that whole period.

As I indicated in my earlier answer, those are forecasts from the Fiscal Commission, and the commission accepts that they can go up or down. What we are certain of is that, had we followed the Conservatives, we would have been taking £500 million out of public expenditure today. That would have been a disaster for public services—and thank goodness a Scottish National Party Government is here to protect Scotland from the Tories.

Football (Women and Girls)

7. Kenneth Gibson (Cunninghame North) (SNP): To ask the Deputy First Minister what the Scottish Government's response is to recent figures showing that the number of women and girls playing football in Scotland has almost doubled in the last five years. (S5F-03407)

The Deputy First Minister and Cabinet Secretary for Education and Skills (John Swinney): We want to see more people taking part in physical activity, so I am pleased to see such a significant increase in the number of women and girls playing football. We have an excellent opportunity to further increase participation in our national game, as Scotland's women's national team will take part in the FIFA women's world cup for the first time. I know that I speak for the whole chamber when I say that the Parliament and the people of Scotland could not be prouder of Shelley Kerr, her staff and the squad. We will all be cheering them on every step of the way in the women's world cup.

Kenneth Gibson: I thank the Deputy First Minister for that answer—and for stealing some of my thunder in my supplementary question. *[Laughter.]*

I am delighted that, last October, the Scottish Government allocated funding that allowed all members of the squad to train full time from January 2019 through to the world cup. That can only have benefited our team.

The First Minister was one of the record 18,555 people who were, like me, at Hampden to see Scotland's impressive 3-2 win over Jamaica last week. Does the Deputy First Minister want to indicate—once again—his confidence that the team will be very successful in the women's world cup in France and will do Scotland very proud?

John Swinney: It would be impossible for me to steal the thunder of Kenneth Gibson on any occasion.

I join Mr Gibson in extending our warmest wishes to Shelley Kerr and the team. The fact that so many supporters turned out at Hampden is an indication of the growing enthusiasm and support for the women's game. The stories that we have all heard about the pioneers of women's football, who were again celebrated on the occasion of the match with Jamaica last week, indicate just how far we have travelled on the issue.

There can be rancour and division at First Minister's question time, but I am sure that I can close this one with a moment of unity. We are all rooting for the women's team on Sunday. We wish the team well in the whole competition, and I know for a fact that it will do Scotland proud.

The Presiding Officer: That is a very good note to end on. I apologise to the large number of members who did not get to ask a supplementary question.

Before we move to members' business, there will be a short suspension to allow members, the minister and people in the public gallery to change seats.

12:47

Meeting suspended.

12:49

On resuming—

First Responders (Trauma Recovery and Support)

The Deputy Presiding Officer (Christine Grahame): The next item of business is a members' business debate on motion S5M-17253, in the name of Alex Cole-Hamilton, on trauma recovery and support for first responders. The debate will be concluded without any question being put.

Motion debated,

That the Parliament notes that every day in Scotland, including in Edinburgh, people offer assistance to perfect strangers in moments of crisis and trauma; recognises that first responders, both in the emergency services and members of the public, are often called upon to intervene to offer assistance during incidents where they may witness scenes of trauma and death; understands that these experiences may stay with them and may cause psychological harm for many years; notes recent staff surveys that suggest low morale among emergency workers relating to unresolved trauma and stress; further notes what it sees as continuing problems around waiting times for mental health services throughout the NHS; believes that people die in the arms of strangers every week in Scotland, but that consideration is not often given to what happens to that stranger after the event, and notes calls on the Scottish Government to bring forward a national first responder trauma recovery strategy, which will ensure that anyone caught up in, or witness to, a traumatic event is given the support that they need in the immediate aftermath of the event.

12:49

Alex Cole-Hamilton (Edinburgh Western) (LD): I am grateful to have the opportunity to lead this members' business debate, and to be able to pay tribute to Scotland's first responders—those who are professional and those who are voluntary; those who are trained and those who are thrown into the worst imaginable situations simply because they are there. They are unassuming heroes who act, sometimes, without forethought in coming to the aid of others, and they deserve the thanks of every member in the chamber and of everyone in the country.

Every day in Scotland, people die the arms of strangers, but we seldom stop to think about those strangers after the fact. Those inflection points of crisis can have an impact on the psychology of an individual that is similar to combat stress, but we often expect those individuals, be they professionals or bystanders, to carry on with little in terms of support or access to services.

For our professional first responders, that stress is reaching crisis point. Recently published research by Unison found that 25 per cent of ambulance staff rate their job as 10 on a one to 10

stress scale, with many thinking of leaving the service. It found that almost all—98 per cent—of paramedics have experienced violence and/or abuse while working, and that almost three quarters of respondents describe morale as being poor.

Aside from the regular stresses of working antisocial hours, those workers regularly attend events of acute trauma at which they might encounter multiple fatalities, sometimes involving children. In my first months as a member of this Parliament, I met an emergency worker who had attended the casualties of the Lockerbie bombing. He told me of the nightmares that he suffers to this day and of the fact that at no point was he offered any support. I also know of one 40-year-old paramedic in my constituency who was recently medically retired with post-traumatic stress disorder.

There is also a cumulative effect. Andy Cunningham is a constituent of mine who works at the Scottish Ambulance Service's national risk and resilience centre as an ambulance worker. He came to see me recently about the mental pressure that he and his colleagues are under. He summed it up by describing how he felt when he recently retrieved the body of a young woman at Leith docks—an event that made him realise that he needed help. I asked whether I could use his words to tell his story in the chamber, and he agreed. He said:

"I felt nothing. No feeling at all at the time other than I nearly lost her trying to hook the body in. That night I reflected on why I'd become so numb to death. I had seen 100s of dead people, by that time I'd lost my father, 2 close friends and a cousin to suicide.

So I knew what I was feeling wasn't right. I felt so numb, so alone and it didn't feel good. I knew it wasn't normal for one human to feel nothing for another and that's when I knew I needed to speak to someone. I was lucky, in that I took some time off, found a counsellor that listened and helped with my perspective so that in time I was able to return to work. I still see that young girl's body every day and will do for the rest of my life. Others aren't so lucky. They are so traumatised by what they see, they are broken. They are broken for life but the lucky ones survive. Remember that 1 in 4 ambulance responders have considered ending their own lives. Dark thoughts to make the pain and trauma disappear. This cannot continue. We need to care for the carers."

I want to thank Andy for having the courage to share his story with me and for giving me permission to share it with Parliament. His words speak to the trauma that is experienced by people in our professional emergency services. We blithely expect them to be there when we most need them, but we rarely consider the impact of what they bear witness to and the emotional baggage that they carry. In a public policy context, we are beginning to understand much more about

trauma, so getting assistance to our emergency workers should be routine, but it is not.

Nor is such assistance readily provided to members of the public who get caught up in such events. Almost universally, the immediate first responder at any scene of a trauma will be a bystander, often unknown to the victims, and most will try to intervene, even though often they are untrained in any form of first aid.

In March 2015, I was walking through the city centre when, sadly, a man took his life by jumping off a tall building. He died on the pavement beside me. I was the first responder at that scene and I remember the trauma of that moment—I see it to this day. I still have nightmares about it, and I have a trigger response when I hear workmen overhead in scaffolding, because that reminds me of his screaming before he jumped.

I was joined at the scene by Janice Malone, with whom I was recently reacquainted. She was the same distance from the man as I was when he fell. The scene was like something from a war zone. I was lucky, as I got some trauma recovery counselling immediately after the event, but Janice has had a much harder road back, and has been diagnosed with post-traumatic stress disorder.

To her credit, she has taken on her experience and the depression that she had to battle through, and has come back from that and fostered a new desire to help people, like me and her, who witness terrible things. She and I will work with organisations including the Scottish Association for Mental Health and the Samaritans to build a package of support for people who are caught up in terrible events. I thank her for her courage, and for the work that we will do together.

Many thousands of individuals like me, Janice Malone and Andy Cunningham carry with them the trauma of what they have seen. Yet, in public policy we do not often stop to think about the ripple effect that such events and incidents can have. That is why I am calling for the creation of a national first responder trauma recovery strategy that will help to begin the process of healing the tens of thousands of our fellow Scots—professional and civilian—who have seen terrible things and been caught up in catastrophic events. As I said at the start of my speech, people die in the arms of strangers every day. We need to start thinking about what happens to those strangers afterwards.

12:56

Gillian Martin (Aberdeenshire East) (SNP): I thank Alex Cole-Hamilton for bringing the debate to the chamber, and for his moving speech. I will focus on adverse childhood experiences and the

role of people who work with children. I thank Barnardo's for its briefing ahead of the debate.

Yesterday, I met Tom Fox of the Scottish Prison Service to talk about the family visitor centre at Her Majesty's Prison Grampian, in Peterhead. During a wide-ranging conversation about victims of crime, he related to me that many of the young offenders in Polmont have experienced multiple bereavements, which we maybe cannot even comprehend. He believes that those traumatic experiences, and the psychological harm that results from that trauma when it is left untreated are, in large part, the root cause of their offending behaviour, and he believes that many of them are themselves the victims of crime and, certainly, of childhood trauma.

Many of those children are also care experienced, with many having been in foster care after having lost a parent. Barnardo's makes mention of the here and now service that it offers to young men and women at Polmont. In its briefing, it states:

"Too often we hear from our young people that they just wanted someone to listen to; someone to talk to; someone to be with them and alongside them through their experiences."

I found that to be absolutely heartbreaking. Not many of us can imagine what it would be like, as a child, to witness a parent's death. However, that is the trauma that many children are living with.

A former neighbour of mine—she no longer lives on my street, but we were reasonably close—was a foster carer. Some years back, she became a foster mum to a young man who had previously been adopted after he had been witness to his mother's murder by his own father, when he was about five years old. A decade on, his relationship with his adoptive parents broke down, as he found himself reliving the trauma as he approached adulthood.

He was an incredibly bright young man, a compassionate chap and a lad who should have been looking forward to his future at college and beyond. However, his future and his experience at college were very rocky and he kept dropping out, because he was a very damaged young man. As he approached the age of 16, it became clear that he could not enter adulthood unsupported.

Many years on, children like him are not now in the position of facing the cliff edge of their foster care ending at the age of 16. More important than that, however, is that such children are exactly the kind of children who, without mental health interventions, could face a very uncertain future. I have been thinking about him a lot this week as I have been preparing for the debate. I wonder where he is now as an adult and what, if any, specialist help he got throughout his childhood. I

also wonder what specialist help or training his adoptive parents, or my foster carer neighbour, had to help them to help him.

The work that is being done by the Scottish Government and partners including Barnardo's on developing the Scottish psychological trauma and adversity training plan will be crucial in giving everyone who comes into contact with trauma-experienced children the support that they need in order to work with them, and to react to any results of the trauma that they see being presented.

The kind of trauma that I have just described in relation to my neighbour's foster son is always going to leave a mark—of course it is. However, with trauma-informed training and extra interventions such as having in place school counsellors to relieve the pressure on adolescent mental health services, we can, I hope, assist such children to cope with trauma and to lead lives that do not result in further tragedy.

13:00

Brian Whittle (South Scotland) (Con): I add my thanks to Alex Cole-Hamilton for bringing the debate to the chamber. One of the things that we are talking about today is the fact that trauma is not always physical. I attended and spoke at the Police Scotland wellbeing conference earlier this week, which was quite timely because I knew that this debate was coming to the chamber.

One of the things that was discussed at the conference was the idea of vicarious trauma, which was explained as being a process of change resulting from empathetic engagement with trauma survivors; anyone who engages empathetically with survivors of traumatic incidents, torture and material relating to their trauma is potentially affected. It stays with us, as Gillian Martin highlighted in her discussion of adverse childhood experiences and how a single traumatic event in early life can affect the rest of an individual's life.

I spoke yesterday about the problem of drug and alcohol consumption, which is linked to how we protect our children and links into this as well. As Gillian Martin says, people who have experienced ACEs are more likely to have issues with problem drug and alcohol consumption and are more likely to have poor outcomes if those issues are not addressed.

Our first responders are people who choose to put themselves in harm's way to help others. In recent years, there have been several major incidents where the emergency services have dealt with hugely difficult situations. We had the Stockline plastics factory explosion and the Glasgow bin lorry crash; it feels to me that all of us were somehow involved in that because we saw

the pictures and even some video coverage. We also had the Clutha helicopter crash, which I think was even more difficult for the emergency services to deal with because their colleagues were among the victims.

It is not just major incidents that can be traumatic. First responders can encounter the aftermath of violent crimes, and they themselves can be assaulted or attacked. At the conference, I heard about the great work that is being done inside Police Scotland through its wellbeing team and its wellbeing champions, recognising the need for people to have somebody to talk to—somebody who will listen.

Child Bereavement UK also attended the conference, which is hugely important. We forget that our first responders sometimes have to break terrible news to children.

At the conference, Police Scotland's use of trauma risk management was looked at. Some of the warning signs and behaviours that were highlighted included people finding it unusually difficult to support clients as police officers normally would, people making more mistakes than usual, and a reduction in people's normal self-care activities. Alex Cole-Hamilton highlighted very well in his speech the risk of compassion fatigue and burnout.

Physical signs of trauma that were given included exhaustion, insomnia, headaches, frequent minor illnesses, and somatisation, which is the physical manifestation of psychological concerns. Behavioural signs included issues around the use of alcohol and drugs, sickness absences, anger levels, avoidance of clients and decision making, the breakdown of personal relationships, reduced compassion and care for clients, depleted parenting, and changes to eating habits.

We should all be aware of the signs of trauma and be able to recognise them. When we look at mental health, we need to look beyond the national health service; we need to look to our third sector and to ourselves to see how we can support those who may experience trauma.

13:04

David Stewart (Highlands and Islands) (Lab):

I congratulate Alex Cole-Hamilton on his success in bringing this important debate to the chamber and, if I may say so, on his moving and insightful speech. I apologise, Presiding Officer, but I need to leave at 1.30, as I have a meeting with health professionals. I apologise to members, but I will have to leave if the debate goes on for that long.

A quote that is often repeated in the wake of public tragedy is "Look for the helpers." It was the

late American children's television host Mr Rogers who said:

"When I was a boy and I would see scary things in the news, my mother would say to me, 'Look for the helpers. You will always find people who are helping.' To this day, especially in times of disaster, I remember my mother's words and I am always comforted by realising that there are still so many helpers—so many caring people in this world."

Immediately after seeing the scenes that are all too often on the news, such as those around the Grenfell tower disaster or the terror attacks at Tower bridge and the Manchester arena, we need to find comfort in seeing the good in other people; and seeing strangers risk their lives to help those in need is an important part of that. These days, with the rise of social media, such people can sometimes be applauded and cheered across the globe. Of course, they should be celebrated—selfless acts of bravery and kindness are often all that we can cling to at times of tragedy—but what happens after that?

The trauma of witnessing such events—whether it is a one-off, as with a terror attack or watching a loved one die, or sustained, as with domestic abuse or active service in the armed forces—can have a long-term negative effect on mental health. The effects might show immediately or they might not become apparent for some time. All too often, those effects go hand in hand with other health concerns, such as drug and alcohol misuse, broader mental health conditions and poor wellbeing. Unresolved trauma and stress can cause psychological harm for many years, regardless of whether they are triggered by a single incident or complex circumstances.

First responders vary, from those who work on the front line—particularly those in the emergency services and in the third sector—to members of the public who step up when they see people in need. Because waiting times for NHS mental health services are alarmingly high, many people who need psychological help are left wanting, so we are unable to thank the helpers by helping them in return. As well as that, the NHS is struggling even to help its own staff with mental health. These people have gone above and beyond the call of duty but, when they need our help, they have to wait months and sometimes years.

The Minister for Mental Health (Clare Haughey): For clarification, I point out that, obviously, the NHS has a duty of care to its staff and it has in-house counselling services that staff can access, on a confidential basis, through the occupational health service.

David Stewart: I am aware of that. As the minister knows from our recent joint visit to New Craigs psychiatric hospital in Inverness, staff on

the front line can experience trauma and emotional difficulty. I understand the point that she is making.

I support the motion and Alex Cole-Hamilton's call for the Scottish Government to bring forward a national first responder trauma recovery strategy. It is time for us not only to look for the helpers but to help them, too.

13:07

Alison Johnstone (Lothian) (Green): I thank Alex Cole-Hamilton for the opportunity to debate this important matter. His motion calls on the Scottish Government to bring forward a national first responder trauma recovery strategy, and I am pleased to support that call. We are all hugely appreciative of our first responders. We are beyond grateful to all who intervene to save lives. In some cases, they are not professionals, but people who step in until trained first responders arrive at the scene.

One of my brothers has been a firefighter for 22 years. I asked him about his experience of accessing support, whether there are any barriers and, if so, what they might be. He has good support at home. His wife is a neonatal nurse and is ideally placed to understand the desire to protect and preserve life, because that is what they have chosen to do for a living. She knows him well enough to understand what kind of day he might have had without the need for him to go into the sort of detail that he might not be ready to share at the end of a shift and that might take some time to come to terms with.

When I ask him how he is getting on, he will tell me about station banter, communal cooking on shift and how busy it has been, but he does not go into detail. However, as members might imagine, in an on-going career of more than two decades to date, he has seen what he describes as "horror stories".

I know that he was sent to the Clutha helicopter crash that Brian Whittle mentioned. Most of us will never come across a badly burned body and we will never see a body hemmed in and slumped over a steering wheel, never to move again. We may have seen loved ones as they have passed away. That is never easy, whether it is expected or not, but it is exceptionally demanding when someone's everyday work is focused on helping people in the most challenging of circumstances.

My brother appears to take much of it in his stride, and that is a testament to the training provided by the Scottish Fire and Rescue Service. However, there are occasions when he and his colleagues are faced with demanding, uncertain events, with outcomes that devastate people and their families.

In his experience in the fire service, if there is a fatality or a critical incident, a questionnaire is sent to the firefighter's home address—it is sent there to give that person the space and time that they need to complete it, if they wish to. It is voluntary. In 22 years of service, my brother has filled in the four-page questionnaire on many occasions. He says that it is very well designed to elicit the information required. In 22 years, he has requested to use the counselling service once, as he had been experiencing flashbacks following a critical incident.

The counsellor he saw was hugely helpful to him in processing the particular experience that had sent him there. However, he is clear that it is vitally important that counsellors have the appropriate skills, as there is the potential to hinder rather than help. He is hugely grateful to the excellent staff at the Rivers centre in Edinburgh.

He understands that, at times, what might be called bottling it up can be a perfectly understandable coping mechanism, but that at other times professional assistance to share information and process it in the most helpful manner is essential. He told me that when he went to the Rivers centre he was expecting people in white coats, but it was the polar opposite—he said that people could take their partner, wife or friend to the appointment.

Clearly, my brother is speaking as a member of the fire service and cannot speak for all first responders or for our other essential emergency services, but he firmly believes that such services must be available to all first responders in all emergency services and outwith them, including individuals who intervene in traumatic situations and social workers, who may experience situations that we cannot comprehend. They all need that help to be in place.

My brother is content for me to share his experience in order to help ensure that no one hesitates to ask for help when they require it. It is important that first responders and our emergency services do not feel that we expect them to be superhuman—dealing with extreme situations on a daily basis, but unable to admit that they need to take care of themselves, not just us. We must ensure that, when it is needed, the right help is there, as a matter of urgency. That is the least that we can do.

13:12

Tom Mason (North East Scotland) (Con): I thank Alex Cole-Hamilton for securing the debate and for sharing his deeply personal experiences with us. We rightly pay significant attention to injuries and deaths on our streets, be they

accidental or not. However, it is fair to say that we often do not provide adequate support for those who are first on the scene—usually members of the public making a dreadful discovery or emergency services staff who do incredible jobs in the most trying circumstances.

There is no doubt that in previous generations, mental health was not given the care and attention that it was due. As a result, society could probably be somewhat dismissive of the psychological trauma that results from the kind of situations that members have described. For example, last year saw the opening of a new major trauma centre in Aberdeen. That was a welcome step forward for treating serious injury, but I cannot help but wonder what the staff there have had to witness, and how that has affected their lives. Those staff are the professionals, but for members of the public without training in responding to major incidents, I can only imagine that the effect is compounded many times over.

I do not wish to be overly political in the debate, but there are performance gaps that require urgent redress. Statistics released this week show that for much of March this year, there were more than 28,000 patients waiting for psychological therapy, and 38 per cent of them had been waiting for more than 18 weeks. At the same time, against a 90 per cent target for treatment within 18 weeks, the current rolling national average is 77 per cent. Although those figures go beyond first responders affected by trauma, if we want to do right by those people, service levels must improve.

I support the idea of a national first responder trauma recovery strategy. The Scottish Government has a significant number of mental health strategies, but if this new strategy focuses minds on delivering the right services to those for whom we need to do better, then it should be considered.

Whatever route we go down to address the issue, we must look at the support networks around people who go through such experiences. We all agree that it is much easier for someone to process a traumatic event if they have family and friends to whom they can speak openly and on whom, in dark days, they can lean.

Whether or not it is someone's job to respond to major traumatic incidents, people cannot take something that serious in their stride and soldier on as if nothing had happened. We cannot predict when any individual might find themselves in such a situation but, if it happens, the right support must be there for them. We might not think of them at the same time as the victims or their families, but their need for care can be every bit as acute.

I hope that the effect of our debate will be that the needs of first responders are fully considered,

and that, if changes need to be made, we will work constructively to make that aim a reality.

13:16

The Minister for Mental Health (Clare Haughey): I am pleased to respond on behalf of the Government. I thank Alex Cole-Hamilton for securing this important debate, and I thank Janice Malone for bravely sharing her story. Janice is one of my constituents, and I had the pleasure of meeting her last week.

The world in which we live is unpredictable. In the past week, a tourist boat capsized on the River Danube, and searches continue for mountaineers in the Himalayas. Just beside Edinburgh castle, there was a horrific fatal stabbing of a young man, Paul Smith, in broad daylight. His family and friends will be struggling to cope with that tragic loss, and the ripple effect will be felt by the witnesses and the emergency service workers who responded.

Psychological trauma is not prompted just by accidents, disasters and sudden acts of violence. Complex interpersonal trauma is caused in relationships, which can have a terrible legacy. From coercive relationships and domestic violence to the cruel, horrific realities of child abuse, neglect and exploitation, traumatic experiences have a devastating impact on people. The ripple effect is felt by those who are caught up in the aftermath, such as emergency services workers, social workers, teachers and others throughout the workforce, or jurors in criminal trials.

Across Scotland, thousands of people offer assistance to strangers in moments of crisis. We know that exposure to traumatic events can have damaging effects on people's lives; the good news is that people are resilient. Just as for physical trauma, the body has an in-built self-repair mechanism that applies to mental health trauma. Most people recover through time and with a supportive and safe environment of family, friends and other support networks.

Traumatic events occur in everyone's lives. They can be of variable severity, and the effects on an individual are dependent on their meaning to them. People's reactions are particular to them, so services need to be trauma informed. Staff must be comfortable asking about trauma and must understand that different sorts of help are needed. After a major incident, within three months, about a third of the people involved will develop post-traumatic symptoms that will require treatment. Primary care services can help by using mental health resources in their teams and communities. After a major incident, about one in 10 people involved will have more complex

problems that will require specialist assessment and treatment.

I note Alex Cole-Hamilton's call to bring forward a strategy to ensure that people who are caught up in an incident get the support that they need. We have a raft of work under way to support recovery from psychological trauma, recognising the impact that it has on first responders and members of the public. Since I became the Minister for Mental Health a year ago, we have been working tirelessly to transform our mental health service into a responsive, transparent and effective service that meets the needs of all. Our NHS workforce is at a record high level, and, since 2007, psychological services staffing is up by 69 per cent.

In Scotland, we have remarkable services that specialise in providing support to people who have experienced trauma. I recently visited the Glasgow psychological trauma centre, the Anchor centre and the Rivers centre in NHS Lothian, which was mentioned by Alison Johnstone. They are centres of excellence in dealing with psychological trauma. The Anchor centre was at the forefront of responding to emergencies such as the horrific Glasgow bin lorry and Clutha bar accidents, and experts from the Rivers centre responded to the psychological impact of the Manchester arena bombing and the Tunisia attacks. Both services work with abuse survivors, refugees, asylum seekers and others who have been exposed to trauma. They have international expertise and they share knowledge generously to inform national guidance and programmes.

Scotland has multi-agency "Preparing Scotland" guidance on community resilience to emergencies, including on psychosocial and mental needs. Large-scale incidents of mass violence such as the Manchester and Tunisia attacks demonstrate that all nations must be prepared to cope with the aftermath of tragedies on all scales. With that in mind, the Scottish Government is currently working closely with the Rivers and Anchor centres to examine the psychosocial response to mass casualty incidents.

The Scottish Government has placed prevention of, and recovery from, psychological trauma at the heart of our programme for government. Scotland was the first country to develop a robust knowledge and skills framework for psychological trauma, and we have invested £1.35 million in a three-year national trauma training programme that is led by NHS Education for Scotland. The programme aims to train at least 5,000 front-line workers including teachers, prison officers, social workers and the third sector, and, in its first year, almost 3,000 people have received training. Regional delivery pilots will commence later this month in Glasgow, Midlothian, and Argyll and

Bute, to deliver local priority training. As of May 2019, the national trauma training programme has service level agreements in every health board to co-ordinate the training, support and supervision of staff. Last month, the Deputy First Minister chaired the first national steering group to identify future priorities, and a trauma training plan will be published soon.

In order to support the public, we must support staff, most of whom have their own trauma history. Our police, ambulance, fire service and mountain rescue personnel dedicate their careers to serving the public, and many are exposed to traumatic events. They are the first responders to suicides, terrorist incidents, acts of violence or abuse and fatal car accidents. Our emergency services therefore take staff welfare very seriously, with support from qualified health and wellbeing departments, and a wide range of support services are available, such as employee assistance programmes and occupational health support, which includes trauma counselling and pastoral support.

There are examples of best practice. Police Scotland is one of the first police services in the United Kingdom to implement mandatory mental health and suicide intervention training for all officers up to, and including, the rank of inspector. Another example is the lifelines Scotland programme. Lifelines was established in 2016 by the Rivers centre to promote resilience and wellbeing among volunteer emergency responders, and it is supported by Scottish Government and LIBOR—London interbank offered rate—funding. Lifelines provides training and online resources for volunteers and their families and friends. People are encouraged to notice the vital warning signs—as Brian Whittle eloquently outlined—to embed a supportive culture and to know when and where to get support. The programme has been widely acclaimed and work is under way to explore its roll-out to all three blue-light services.

I thank our emergency services and those members of the public who have dealt with, and deal with, traumatic situations in order to help others. Their courage and compassion make a visible and huge difference to people's lives when they are at their most vulnerable. Trauma can touch the lives of anyone at any time, and it is our collective duty to bring about cultural and transformational change in order to support people to live their lives well.

13:23

Meeting suspended.

14:00

On resuming—

Portfolio Question Time

Rural Economy

The Deputy Presiding Officer (Linda Fabiani): The next item of business is portfolio questions on the rural economy. I will try to get all questions and supplementaries in if members keep their contributions succinct.

Fishing Industry (Compensation)

1. **Willie Rennie (North East Fife) (LD):** To ask the Scottish Government what discussions it has had with the fishing industry regarding compensation arrangements in relation to the impact of offshore wind farm developments. (S5O-03340)

The Cabinet Secretary for the Rural Economy (Fergus Ewing): The Scottish Government has been working closely with fishermen and stakeholder organisations to improve relationships between the fishing and renewables sectors. We are absolutely committed to trying to put working relationships between the two on a more positive footing. However, it should be recognised that the Government has no formal role or powers in relation to the award of compensation concerning the impact of offshore wind farm developments on the fishing industry, and no legal remit to participate in compensation arrangements.

Willie Rennie: Fishermen who work prawn and creel boats from the Fife ports are anxious about whether the compensation from Red Rock Power and EDF will be enough. The huge cables—the width of a motorway—that will criss-cross the North Sea will be located slap bang in the middle of their fishing grounds and will disrupt routes that they have worked for generations. The fishermen feel powerless in comparison with those massive companies. I have met representatives of EDF and will soon meet those from Red Rock Power. What more can the cabinet secretary do to ensure that the fishermen get fair compensation?

Fergus Ewing: I met some of the fishermen in Pittenweem on 15 April, when I listened carefully to their concerns about lack of engagement in relation to cable burial and the route and timescale for the proposed works. At my behest, officials had a follow-up meeting with them on 30 April. I believe that a further meeting of Marine Scotland officials, developers and fishermen will take place tomorrow. I am determined that we will find a solution that will allow both the renewables sector and the fishing sector to thrive and flourish, which will mean considering the cable issue in particular

very carefully. I give Mr Rennie—and Stephen Gethins, the member of Parliament for the area, who has also raised the matter with me—an undertaking that I will consider the issues very carefully, working with my colleague Paul Wheelhouse. On safety grounds and with a view to avoiding damage to fishing gear, it is extremely important that burial of cable takes place wherever it is possible and practical to do so. I expect the direct routes for such cabling to be considered extremely carefully indeed—after all, the fishermen were there first.

The Deputy Presiding Officer: We will have a quick supplementary question from Maureen Watt.

Maureen Watt (Aberdeen South and North Kincardine) (SNP): Given that the fishermen have in-depth knowledge of where the best fishing grounds are, when it comes to the next round of development of offshore wind farms would it not be more effective simply not to site new developments where such grounds have been identified?

Fergus Ewing: I agree that it is sensible that those who are involved in both sectors should communicate closely. After all, as Maureen Watt well knows, the fishermen have extensive and detailed knowledge of the sea bed in their areas. If there were proper collaboration between them and the renewables sector, such knowledge could be put to good use. In identifying areas for future commercial-scale offshore wind developments, the Scottish ministers use the sectoral marine planning process, which considers a wide range of data that illustrates where fishing takes place as part of an overall analysis of opportunities and constraints. Therefore, I believe that such matters are the subject of proper and appropriate consideration during the development process.

Farm Safety Week 2019

2. **Alison Harris (Central Scotland) (Con):** To ask the Scottish Government what its plans are for farm safety week 2019. (S5O-03341)

The Cabinet Secretary for the Rural Economy (Fergus Ewing): The Scottish Government works closely with partners such as the Health and Safety Executive to provide support and guidance to farmers, their employees and their families to help to make farms safer environments in which to live and work. It is also involved in the farm safety partnership Scotland initiative, which has committed to working to reduce farm workplace fatal accidents by 50 per cent by 2023. Farm safety week 2019, to which Ms Harris alluded, will seek to highlight the importance of the issue, and the Scottish Government is considering the role that it might play this year. NFU Scotland has already issued a call for examples from farmers of how they have

made safety improvements on farms and, more important, the inspiration behind such changes in behaviour.

Alison Harris: Only a month ago, two people were killed as a result of a tragic accident on a farm in my Central Scotland region. In light of the fact that this week is child safety week, has the Scottish Government made provision for ensuring children's safety on our farms?

Fergus Ewing: I am aware of the incident to which Alison Harris alludes. Two men died after a tragic accident in which a wall collapsed at the farm, and our thoughts go out to the families involved. The incident illustrates that fatalities and serious injuries on farms are very serious matters.

As all members will appreciate, the prime responsibility for safety lies with us and with employers. We must properly look after ourselves and those for whom we are responsible. It must be said that that principle will never change.

The Health and Safety Executive is a reserved body, but we work closely with it. We part-fund organisations such as Lantra, which provide training. Last year, Lantra provided training courses in the central belt and, this year, it has provided training in Dumfries. The training covers areas such as falls from heights, falling objects, and working with cattle, vehicles and machinery.

I am pleased to answer Alison Harris's question, because farming is probably the area of life in Scotland in which the level of injury is still far too high. Of course, any death is one too many.

Emma Harper (South Scotland) (SNP): There are about 1,000 injuries and two deaths each year in Scotland as a result of quad bike accidents. The cabinet secretary might be aware of my on-going campaign to encourage people who ride quad bikes to wear a helmet. Will he join me in encouraging farmers and agricultural workers to wear helmets both on and off the road? Would he be open to meeting me to discuss potential action that the Scottish Government could take to further that aim?

Fergus Ewing: I am aware of the risk to those who drive quad bikes without wearing a helmet. It is not macho; it is stupid. I commend Emma Harper on her campaign, and I would be happy to meet her to discuss whether there is any further work that we can do.

Payments to Farmers

3. **Willie Coffey (Kilmarnock and Irvine Valley) (SNP):** To ask the Scottish Government whether it will provide an update on the progress being made on payments to farmers. (S5O-03342)

The Cabinet Secretary for the Rural Economy (Fergus Ewing): In autumn last year,

we made 17,749 basic payment scheme loan offers, which were worth more than £343.6 million. The payments were made earlier than they had been made in previous years, which put cash into Scotland's rural economy ahead of money going to any other part of the United Kingdom.

Basic payments for 2018 started on 19 March, and more than 14,300 payments, worth £289.8 million, have been made to date. We are on track to deliver pillar 1 and pillar 2 payments in line with the schedule that was published in December last year. We are also on track to meet our regulatory target of making 95 per cent of pillar 1 payments by the end of this month.

Willie Coffey: The cabinet secretary will be aware of the uncertainty that is being caused by Brexit to sheep farmers, including those in my constituency. What is he doing to ensure that they have the financial support that they need in these uncertain times?

Fergus Ewing: I am acutely aware of the uncertainty that is being caused by Brexit and of the worries that are being faced by our sheep farmers and by our hill farmers in general. The issue is very serious, and I am pleased that Mr Coffey has raised it.

What have we done? In March, we announced the introduction of the less favoured area support scheme loan scheme, which gives eligible farmers and crofters access to 90 per cent of their LFASS payment. That practical measure has been appreciated.

In addition, at the meetings that I attend with Ms Gougeon and UK ministers, including Mr Gove, my Welsh and Northern Irish colleagues and I have repeatedly pressed the UK Government to introduce a properly funded compensation scheme, funded by the Treasury, in the event of a no-deal Brexit. However, a no-deal Brexit would be utterly catastrophic for our hill farmers and our sheep farmers, in particular, so I very much hope that it will be averted.

The Deputy Presiding Officer: I will take short supplementaries from Rhoda Grant and Donald Cameron.

Rhoda Grant (Highlands and Islands) (Lab): Because of the climate crisis, farmers and crofters need to know what assistance will be available to them to reach net zero emissions. Will the cabinet secretary, as a matter of urgency, bring forward a new scheme that will help them to achieve that goal?

Fergus Ewing: In our document, "Stability and Simplicity: proposals for rural funding transition period", we set out plans that provide something that has not been provided to our farmers' counterparts elsewhere in the United Kingdom—

namely, relative confidence that the existing support that is enjoyed by Scottish farmers, especially hill farmers, will continue. I think that that is the most important thing.

In “Stability and Simplicity”, we also set out that in the second part of the five-year period, we will pilot ways to promote even more sustainable farming. I am convinced—as I discussed with Martin Kennedy, whom I met last week at his farm in Aberfeldy—that the work that farmers do shows that they are part of the solution, not part of the problem. In sustaining ruminants on our hillsides, mixed-livestock production sequesters carbon in permanent grassland. As many members know better than I do, if it was not for that activity, there would be devastatingly bad consequences through the loss of that carbon sequestration.

It is our duty to get such positive messages about farming’s existing contribution to the climate better understood and acknowledged.

Donald Cameron (Highlands and Islands) (Con): I refer to the farming and crofting interests in my entry in the register of members’ interests.

The cabinet secretary mentioned LFASS. Does he acknowledge the comments by the chair of the NFUS’s less favoured area committee, Robert MacDonald, who said that a bigger funding issue for our hill farming and crofting sectors is potential cuts to LFASS in 2019 and 2020? Can he give us an update to reassure those farmers and crofters who are worried about the issue?

Fergus Ewing: I know Robert MacDonald, who chairs the NFUS’s LFA committee, well and have met him and his colleagues on several occasions. In fact, I met the NFUS again just yesterday, when I discussed the matter.

I am pleased that this year, we maintained LFASS at 100 per cent, even though our ability to do so became evident only relatively late in the financial year. From memory, I believe that this year, 56 per cent of LFASS recipients have received slightly more than they received previously.

Mr Cameron asked about the next two years. The European Union rules provide that the payments must be reduced over the next two years. I have indicated that we wish to do everything that we can to find a workaround to prevent that from happening. The fact that it is a very technical and complex area is not made any easier by the fact that we do not know whether we will be in or out of the EU, so we do not know which rules will apply.

Be all that as it may, I will do my very best to ensure that our hill farmers receive the support which—my goodness me—they earn.

The Deputy Presiding Officer: Questions and, in particular, answers are getting a bit lengthy. They need to be shorter if we are to get through this.

Scottish Partnership Against Rural Crime

4. Margaret Mitchell (Central Scotland) (Con): To ask the Scottish Government whether it will provide an update on the work of the Scottish partnership against rural crime. (S5O-03343)

The Minister for Rural Affairs and the Natural Environment (Mairi Gougeon): The Scottish partnership against rural crime continues to play a valuable role in bringing together key partners from across the rural and justice sectors to tackle all forms of criminality in our rural communities. The partnership recently produced its “Rural Crime Strategy 2019-2022”, which highlights its focus on tackling serious and organised crime as it affects rural communities.

Work is also under way to strengthen local approaches to tackling rural crime across Scotland. Earlier this year, the cabinet secretary participated in the launch of the new East Lothian partnership against rural crime, which is led by East Lothian Council. A similar initiative is about to begin in Tayside, which will bring together local authorities, the police and other partners to strengthen the local approach to rural crime. In April, my ministerial colleague the Cabinet Secretary for Culture, Tourism and External Affairs participated in the launch of a new Scottish heritage crime group, which has been formed under the auspices of SPARC, to tackle crime against our historic and cultural sites.

Margaret Mitchell: I thank the minister for that comprehensive answer. She will be aware that the rural economy is negatively impacted by rural crimes, which include not only livestock worrying and theft, but fly tipping, which has a hugely detrimental impact on local authorities, farmers and landowners, who have to bear the costs of clearing up such sites. In order to address that worrying and escalating problem, will the minister support my campaign, which calls for local authorities, agencies and occupiers and owners of land to be given the same powers as their counterparts in England and Wales to make compensation orders, so that they can recover the costs incurred for clearing those sites?

Mairi Gougeon: I am really glad that Margaret Mitchell has raised fly tipping, because it is a serious issue in rural areas that blights our countryside. The Cabinet Secretary for Environment, Climate Change and Land Reform portfolio has portfolio responsibility for the issue, and I know that she would be happy to consider the member’s proposals further. We need to take a look at this very serious issue, and if there are

other powers to help tackle the matter, we need to consider them.

Review of Intra-UK Allocation of Domestic Farm Funding

5. Keith Brown (Clackmannanshire and Dunblane) (SNP): To ask the Scottish Government what information it has regarding the progress being made with the review of intra-UK allocation of domestic farm funding that is being led by Lord Bew. (S5O-03344)

The Cabinet Secretary for the Rural Economy (Fergus Ewing): The review panel has been taking evidence, including from me, and I understand that it is close to making its final recommendations. Progress is, however, being hampered by the United Kingdom Government, as Michael Gove has confirmed in writing that he is not prepared to release to the Bew panel previous advice to ministers. That is disappointing as, in a public debate that I had with him, he promised to give that information not only to me, but to Scottish stakeholders. I raised the matter when I met the panel on 15 May and made it clear that, in any future funding arrangements, whether in the UK or the European Union, it would be totally unacceptable if Scotland were to continue to receive payment at the lowest rates per hectare of any country in Europe, which is an outrageous situation.

Keith Brown: Does that mean that the UK Government has given no assurances that the £160 million denied to farmers in Scotland, including those in my constituency, will be returned to Scotland, that a future funding formula will be fair to Scotland's interests and that the full value of current direct farm support will be provided by the UK Government to the Scottish Government after 2022, once its guarantee runs out?

Fergus Ewing: Keith Brown is right to raise the matter. The EU intended that money to be for Scottish farmers. However, although only Scottish hill farmers were entitled to it, the UK Government diverted the money away from them, to the tune of £14,000 for every farmer and crofter in Scotland. That was a scandalous act. Michael Gove promised that the recommendations of the review, which was first spoken about by Owen Paterson in 2013, would be implemented. He was overruled by the Treasury, which told him that it could not do that. The review is now looking only at a two-year period—it will not explain what happened and why our farmers were deprived of that money.

The fact that the UK Government is concealing the evidence about the advice that was given to it, which is the basis for its decision to divert the money away from Scottish hill farmers and crofters, is one of the most disgraceful acts by

Government that I have come across in my 20 years as an MSP.

Orkney Native Wildlife Project (Impact on Agriculture)

6. Jamie Halcro Johnston (Highlands and Islands) (Con): To ask the Scottish Government what discussions it has had with farmers regarding the impact of the Orkney native wildlife project on the agricultural sector. (S5O-03345)

The Minister for Rural Affairs and the Natural Environment (Mairi Gougeon): The Orkney native wildlife project is being led by Scottish Natural Heritage and RSPB Scotland. They have been in discussion with local representatives of NFU Scotland about establishing a land access protocol governing the setting of traps for stoats on agricultural land.

Jamie Halcro Johnston: I draw to members' attention my entry in the register of members' interests. The project's work to control stoats is at a standstill, with many farmers still refusing access to their land because of their anger that their concerns about goose numbers are not being properly addressed. Farmers want a clear indication that the Government understands the problem, that it appreciates the damage that the geese are doing and that it will act on goose numbers.

The failure to get stoat traps in place in the next few months could lead to an explosion in numbers. Will the minister outline what actions she can take and what resources she can allocate to support efforts to control the goose population in Orkney? In order to break the impasse before the summer, would she consider incentivising farmers to provide access with a bounty on stoats trapped on their lands?

Mairi Gougeon: I am happy to discuss this issue further with the member if he wishes to have a meeting about it. I know that Scottish Natural Heritage has convened an Orkney goose management group to investigate how the future adaptive management of greylag geese can be supported, so the issue is being looked at. As a partnership, the group will look to develop, agree and implement additional measures to reduce the impact of the resident goose population. Again, though, if the member would like to have a meeting, I would be more than happy for that to take place.

The Deputy Presiding Officer: I call Liam McArthur. A short supplementary would be appreciated, please, Mr McArthur.

Liam McArthur (Orkney Islands) (LD): I welcome the minister's commitment to meeting to discuss this issue. As Jamie Halcro Johnston has indicated, there is anger at the contrast between

the stoat programme receiving funding and the goose management programme having its funding withdrawn, so it would be helpful if the minister were able to discuss with us how the work of the goose management group could now be supported and whether funding could be made available.

Mairi Gougeon: I extend the same offer to Liam McArthur to see how we can move this issue forward.

The Deputy Presiding Officer: I must apologise to two members—Rona Mackay and Tom Mason—for not being able to call them. However, I say to all members that I do not want to have to cut people off in their prime either when they are asking or when they are answering questions. This afternoon, we have had quite a few speeches instead of questions. I ask members to discuss the matter within their groups with a view to ensuring that everyone gets an equal opportunity to take part in these question-and-answer sessions.

Business Motion

14:21

The Presiding Officer (Ken Macintosh): The next item of business is consideration of business motion S5M-17567, in the name of Graeme Dey, on behalf of the bureau, setting out a timetable for the stage 3 consideration of the Fuel Poverty (Target, Definition and Strategy) (Scotland) Bill.

Motion moved,

That the Parliament agrees that, during stage 3 of the Fuel Poverty (Targets, Definition and Strategy) (Scotland) Bill, debate on groups of amendments shall, subject to Rule 9.8.4A, be brought to a conclusion by the time limits indicated, those time limits being calculated from when the stage begins and excluding any periods when other business is under consideration or when a meeting of the Parliament is suspended (other than a suspension following the first division in the stage being called) or otherwise not in progress:

Groups 1 to 3: 40 minutes

Groups 4 to 6: 1 hour 20 minutes

Groups 7 and 8: 2 hours

Groups 9 and 10: 2 hours 30 minutes.—[*Graeme Dey*]

Motion agreed to.

Fuel Poverty (Target, Definition and Strategy) (Scotland) Bill: Stage 3

14:22

The Presiding Officer (Ken Macintosh): The next item of business is stage 3 proceedings on the Fuel Poverty (Target, Definition and Strategy) (Scotland) Bill. Members should have with them: the bill as amended at stage 2; the marshalled list; the supplement to the marshalled list that contains manuscript amendment 99; and the groupings of amendments.

I also remind members that the division bell will sound and proceedings will be suspended for five minutes for the first division of the afternoon. The period of voting for the first division will be 30 seconds, but after that, the voting period will be one minute for the first division following a debate. Finally, members who wish to speak in a debate on any group of amendments should press their request-to-speak buttons as soon as possible after I call the group.

Section 1—The 2040 target

The Presiding Officer: Group 1 is on the fuel poverty target: local authority areas. Amendment 1, in the name of Graham Simpson, is grouped with amendments 2, 20, 22, 72, 6 to 10, 46, 11, 13 and 14. I also draw members' attention to the information in the groupings on the amendments in this group that pre-empt amendments in group 2.

I call Graham Simpson.

Graham Simpson (Central Scotland) (Con): It is great to be able to kick off this debate on the amendments to the bill. As a lot of cross-party work took place before stage 3, most of the amendments will, I hope, be agreed to without too much rancour.

Unfortunately for you, Presiding Officer, I have 10 amendments in this group. I will try not to take too long, but I have to cover all of them.

One of the key recommendations in the Local Government and Communities Committee's stage 1 report on the bill was that the 2040 target be applied in each local authority area without the onus being put on councils to do that. I was pleased that my amendments giving effect to that measure were agreed to at stage 2.

It is very important that no part of the country is left behind in the drive to meet the fuel poverty target at the national level.

The Scottish Government has supported the amendments, and has pointed to minor issues with the wording of the stage 2 amendments. I have worked with the minister on the amendments in this group, which make consequential and tidying-up changes to ensure clarity and consistency throughout the bill. I am grateful to the minister for that.

The amendments will make it absolutely clear that each of the three elements of the 2040 target applies in each local authority area as well as nationwide. No more than 5 per cent of the households in each local authority area can be in fuel poverty, no more than 1 per cent can be in extreme fuel poverty, and the median fuel poverty gap should be no greater than £250 at 2015 prices before adjusting for inflation.

At stage 2, the minister said that local authority statistics are not made available quite as quickly as national ones. I said that I would be happy to work with him on that.

Having considered the reporting cycles for data on fuel poverty at the local authority level, I lodged an amendment that provides more time for reporting on whether the local authority area targets have been met following the end of 2040. That is because combined data for three years is required from the Scottish house condition survey in order to provide sufficiently robust results for each council area. Therefore, it will be December 2043 before all local authority-level data is available covering the three years after the target date—namely, 2040 to 2042. The amendment to section 9 reflects that.

Let me take each amendment in turn.

Amendment 1 sets out what section 1 does. It says:

"This section makes provision for the 2040 fuel poverty targets",

now that there is also to be a second target—the local authority area one.

Amendment 2 sets out the 2040 local authority area target in a manner that is consistent with the wording of the existing 2040 Scotland-wide target, and clarifies that it is only households in a local authority area that are under discussion.

Amendment 72 will put the onus on the Scottish ministers—not councils—to meet the fuel poverty targets in each local authority area.

Amendments 6 to 8 are technical amendments that will remove references in sections 6(1)(a), 6(1)(b) and 6(1)(c) to meeting the targets at the local authority area level, as that is now provided for by amendment 9 instead.

Amendment 9 will insert a new subsection to provide for the periodic reports to include

information on the steps taken during the reporting period to meet the target at the local authority area level, the progress that has been made towards meeting it, and the steps that are planned for the next reporting period. The effect of that is to bring together in one place the currently dispersed references that set out those requirements to make them more prominent and readily understandable. That route has been supported by the Existing Homes Alliance Scotland, which has called for local authority targets to also reflect the periodic reporting on the other fuel poverty targets.

Amendment 10 is consequential to amendment 9.

Amendment 11 will insert a new section after section 9 that sets out the requirement to report on the achievement of the 2040 target at the local authority level by no later than 31 December 2043. That reflects the fact that data on fuel poverty in each local authority area is only available based on a three-year average and will therefore be available only later than the reporting date under section 9.

Amendment 13—I am almost finished—is a consequential change to reflect that the Scotland-wide 2040 target is in section 1(1) only.

Amendment 14 is a consequential change to reflect the fact that the local authority area target is set out in section 1(1A) and in order to allow it to be referred to by name.

Amendments 20, 22 and 46, in the name of the minister, are technical amendments to ensure that terminology is consistent throughout the bill. We will support them.

I move amendment 1.

14:30

The Minister for Local Government, Housing and Planning (Kevin Stewart): Before I speak to my amendments, I will deal with those of Mr Simpson.

I am happy that we have been able to work together on his amendments in relation to the local authority area target. They make sensible and necessary improvements to the current wording around those commitments.

My amendments 20, 22 and 46 have been lodged in recognition of the fact that the fuel poverty strategy must take a holistic partnership approach if we are to be successful in achieving the bill's targets. That is particularly so in light of the introduction of the local authority area target, which will require us to work closely with local authorities. They also acknowledge that the Scottish Government does not have control over all the drivers that can push households into fuel

poverty or, for that matter, propel them out of it. Nonetheless, we are committed to addressing all the drivers in our strategy. The amendments will, therefore, allow us, where appropriate, to set out in the strategy actions that must be taken by not only Scottish ministers but others.

Amendments 2 and 3 do similar things in respect of the steps that are needed to meet the 2040 target in local authority areas and to undertake periodic reporting.

Those measures will enable us to produce the kind of comprehensive strategy that will be needed if we are to end fuel poverty in Scotland.

Alex Rowley (Mid Scotland and Fife) (Lab):

The amendments in this group are broadly fine, in that they are technical or clarify language and definition. However, if Graham Simpson's amendments 6 to 10 are accepted, the change made by Pauline McNeill's stage 2 amendment on the need to include the cost of the steps that are laid out in the periodic report will be lost. We believe that that is a key part of the transparency and scrutiny of the periodic report and, for that reason, we will not be supporting amendments 6 to 10.

Liam McArthur (Orkney Islands) (LD): I voice my support for Graham Simpson's amendments. There were concerns about placing too onerous a responsibility on local authorities, but I think that it is imperative that we see consistent progress being made across all Scottish local authority areas towards the eradication of fuel poverty and extreme fuel poverty. Therefore, I welcome the pragmatic approach that the amendments appear to take.

The Presiding Officer: Does Graham Simpson wish to wind up?

Graham Simpson: I do not think that there is anything else to say.

The Presiding Officer: That concludes the debate on group 1. Unusually, before voting on the lead amendment, we will move to group 2. That is simply because the first amendment in group 2 will amend one of the amendments in group 1.

Group 2 concerns the 2032 fuel poverty target. Amendment 1A, in the name of Alex Rowley, is grouped with amendments 65, 2A, 66, 71, 73, 82, 84, 86, 9A, 88, 89, 91 to 94, 11A, 11B, 11C, 11D, 11E and 11F. I draw members' attention to the information in the groupings on amendments in this group that are pre-empted by amendments in group 1.

Alex Rowley: The bill is badly lacking in ambition. Not only did the Government limit the scope of the bill by changing it from a warm homes bill to a definition bill, which prevented members from setting out in statute the measures

that are required to eradicate fuel poverty, but it has clung to a target that, in the words of Energy Action Scotland, condemns another generation to fuel poverty.

Our proposal for a target of 2032 is realistic if it is accompanied by an ambitious plan. We heard in committee that that date is supported by a broad range of stakeholders including the Existing Homes Alliance and Energy Action Scotland. Energy UK said that it would “focus minds”. That is the right way to look at the issue. There is an issue of practicalities, but there is also one of political will, and the Government is not coming close to doing everything that it can to improve energy efficiency and reduce fuel poverty. Funding consistently falls short of what is required for a national infrastructure project, which is what we need if we are going to tackle fuel poverty.

Our approach would be very different from that of the Government. It claims that measures must be targeted only at those who are living in fuel poverty. However, a sustainable and long-term approach to eradicating fuel poverty should mean effective behavioural change across Scotland—facilitating co-operatives, boosting people’s wages, reducing the cost of living and improving energy efficiency across our housing stock, because people move house and their financial situation changes. The economic and health benefits that would accompany such an approach across Scotland would be huge.

Importantly, we want to give the minister the best possible chance to eradicate fuel poverty; we are not setting the Government up to fail. We have lodged an amendment so that the target can be moved if independent expert opinion suggests that it cannot reasonably be met. The Parliament should support the amendments and back a radical plan to eradicate fuel poverty in Scotland as soon as possible.

I move amendment 1A.

Andy Wightman (Lothian) (Green): I would like to speak in support of Alex Rowley’s amendments in this group.

As members will know, at stage 1, the committee made the recommendation that we should stick with the 2040 target. However, amendments that were made at stage 2 have provided, among other things, enhanced scrutiny provisions and greater flexibility on the target. In particular, Alex Rowley’s amendment 70 provides for the Scottish fuel poverty advisory panel to recommend a different fuel poverty target date. Therefore, agreeing to a more ambitious 2032 target is not as objectionable as it might have been at stage 1. If 2032 becomes unachievable, the panel would be able to recommend, if it sees fit, that the target be extended beyond 2032—

perhaps even back to 2040. As with the Government’s approach to climate change targets, when the evidence changes, so, too, should the response.

James Dornan (Glasgow Cathcart) (SNP): I want to speak against Alex Rowley’s amendment.

As Andy Wightman said, the committee said at stage 1 that 2040 was a pragmatic target. Ideally, we would all want this to be sorted in the next couple of years. However, 2032 was seen as a totally unrealistic target by those who would have to do the work to ensure that it became a reality.

The 2040 target is pragmatic and, as Andy Wightman said, there is now flexibility around it. If the technology comes into force, I hope that we will be able to bring the target forward. However, we should not set ourselves up to fail—as happened with a previous Administration, which had the best of intentions. Let us make sure that people know what the target is and move on to taking it forward.

Graham Simpson: We are going over a debate that we had extensively at stage 2—nothing has really changed. Although it was not an easy decision, the committee took the view that 2040 was the right date and that 2032 was too ambitious. Nothing has really changed from that position. Frankly, this feels like a rerun, and I think that the result will be the same.

Kevin Stewart: Mr Simpson is absolutely right that we had this debate at great length during stage 2. I am disappointed that the amendments have been brought back, despite their having been clearly defeated, and their being contrary to the committee’s recommendations at stage 1—recommendations that Mr Rowley supported at that stage. I remain strongly opposed to the amendments.

During the stage 1 committee debate, it was accepted that it was better to have realistic and achievable targets that all involved could work towards, as long as the Government brought forward amendments to include interim targets in the bill, which we did.

At stage 2, we debated the issue further—revisiting all the arguments that we had had before—and came to the conclusion that including interim targets would help us to demonstrate progress. We introduced a 2030 interim target at stage 2, and Graham Simpson’s amendment 4 would introduce a further 2035 interim target, which I fully support.

I remain strongly opposed to Mr Rowley’s amendments in the group. We have been through all the arguments before, but I will set them out again. We do not have powers over all the drivers of fuel poverty, in particular energy prices. Our

action has to be through what we can do, which is why we are tackling fuel poverty by going for transformational change in homes through energy efficient measures. That relies on technologies, some of which are still in development; a skilled workforce; and local companies to take it forward. The target date has been agreed by those partners who will bring about this change—the businesses taking forward the work; the Convention of Scottish Local Authorities; and, of course, those who own homes—owner-occupiers, private landlords and registered social landlords.

Those sectors do not want a target that sets everyone up to fail; they want to work towards a target that we can achieve. None of the partners who has to deliver the 2040 targets—including COSLA, which wrote multiple times to the Local Government and Communities Committee at stage 1 with its concerns—agrees with these amendments.

There are clear risks to accelerating the timeframe, including losing the economic opportunities to develop skills and supply chains across Scotland that could support 4,000 jobs, because only larger businesses from outwith Scotland are ready to match an accelerated pace.

In addition, if demand exceeds supply, costs could escalate, potentially leading to increased rents and further pressure on public finances. There is also a risk of alienating the public by speeding up the pace of regulation, enforcement and mandatory action by 2024.

I have not yet seen an alternative to our comprehensive “Energy Efficient Scotland” route map, which commits us to a sensible phased approach to maximise the take-up of energy efficiency improvements voluntarily up to 2030, with mandatory action to follow.

As I have stated before, of course we want to go further. I want to go further; I want to go faster, if it is possible. That is why we are currently consulting on the impact of speeding up the programme. However, we must not risk our credibility by setting unrealistic expectations or take actions that lead to unnecessary costs for people and for the public finances.

We must have a realistic and achievable starting point for the fuel poverty target that is within our grasp and which we can strive for. We have already debated the risks and the issues and I urge Parliament to reject these amendments yet again.

Alex Rowley: As Mr Stewart said, the Tory members and the Scottish National Party members came together at stage 2 to block any attempt to be a bit more ambitious with the target, but I had hoped that the minister and his colleagues would have looked again.

The Parliament was established in 1999 and, early in the life of the Parliament, we introduced a bill to eradicate fuel poverty by 2016. Today, we are talking about getting fuel poverty down to 5 per cent by 2040. As I said previously, I will be in my 70s when we reach that target—if we reach it, because the doom and gloom around it would suggest that we cannot.

The minister has raised a few myths. For example, he says that this is all down to technologies. That is simply not the case. I have written to him about housing in Ballingry and Lochore in Fife; the houses are expensive to treat and it is expensive to put in place energy efficiency measures. The lack of budget is what is causing the people there to be living in fuel poverty—the lack of budget and the lack of ambition. It is not simply about technologies. The minister says that it is about a skilled workforce; why are we not being more ambitious about tackling fuel poverty and putting in place a skilled workforce to do the jobs that could ensure that people live in warmer houses?

As I said previously, we have covered in another amendment the possibility of shifting the target if it looks as though we will get to 2032 and not reach the target, but I would rather be ambitious for Scotland and say that nobody in Scotland should be living in fuel poverty. It is the Tory and SNP members who lack ambition and lack vision; that is why people will continue to be in fuel poverty.

I press amendment 1A.

The Presiding Officer: The question is, that amendment 1A be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division. As it is the first division of the afternoon, I suspend the meeting for five minutes while I call members to the chamber.

14:45

Meeting suspended.

14:50

On resuming—

The Presiding Officer: We move to the division on amendment 1A.

For

Baillie, Jackie (Dumbarton) (Lab)
 Beamish, Claudia (South Scotland) (Lab)
 Bibby, Neil (West Scotland) (Lab)
 Dugdale, Kezia (Lothian) (Lab)
 Findlay, Neil (Lothian) (Lab)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (East Lothian) (Lab)
 Greer, Ross (West Scotland) (Green)
 Griffin, Mark (Central Scotland) (Lab)

Harvie, Patrick (Glasgow) (Green)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Johnstone, Alison (Lothian) (Green)
 Lamont, Johann (Glasgow) (Lab)
 Lennon, Monica (Central Scotland) (Lab)
 Macdonald, Lewis (North East Scotland) (Lab)
 Marra, Jenny (North East Scotland) (Lab)
 McDonald, Mark (Aberdeen Donside) (Ind)
 McNeill, Pauline (Glasgow) (Lab)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Sarwar, Anas (Glasgow) (Lab)
 Smith, Elaine (Central Scotland) (Lab)
 Smyth, Colin (South Scotland) (Lab)
 Stewart, David (Highlands and Islands) (Lab)
 Wightman, Andy (Lothian) (Green)

Against

Adam, George (Paisley) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Balfour, Jeremy (Lothian) (Con)
 Ballantyne, Michelle (South Scotland) (Con)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Bowman, Bill (North East Scotland) (Con)
 Briggs, Miles (Lothian) (Con)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Cameron, Donald (Highlands and Islands) (Con)
 Campbell, Aileen (Clydesdale) (SNP)
 Carlaw, Jackson (Eastwood) (Con)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Constance, Angela (Almond Valley) (SNP)
 Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perthshire South and Kinross-shire) (SNP)
 Davidson, Ruth (Edinburgh Central) (Con)
 Denham, Ash (Edinburgh Eastern) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fabiani, Linda (East Kilbride) (SNP)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Freeman, Jeane (Carrick, Cumnock and Doon Valley) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Golden, Maurice (West Scotland) (Con)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Greene, Jamie (West Scotland) (Con)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Harper, Emma (South Scotland) (SNP)
 Harris, Alison (Central Scotland) (Con)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Kerr, Liam (North East Scotland) (Con)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lochhead, Richard (Moray) (SNP)
 Lyle, Richard (Uddingston and Bellshill) (SNP)
 MacDonald, Angus (Falkirk East) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)

MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 Martin, Gillian (Aberdeenshire East) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 Mason, Tom (North East Scotland) (Con)
 Matheson, Michael (Falkirk West) (SNP)
 McAlpine, Joan (South Scotland) (SNP)
 McArthur, Liam (Orkney Islands) (LD)
 McKee, Ivan (Glasgow Provan) (SNP)
 Mitchell, Margaret (Central Scotland) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Neil, Alex (Airdrie and Shotts) (SNP)
 Paterson, Gil (Clydebank and Milngavie) (SNP)
 Rennie, Willie (North East Fife) (LD)
 Robison, Shona (Dundee City East) (SNP)
 Ross, Gail (Caithness, Sutherland and Ross) (SNP)
 Rumbles, Mike (North East Scotland) (LD)
 Russell, Michael (Argyll and Bute) (SNP)
 Scott, John (Ayr) (Con)
 Simpson, Graham (Central Scotland) (Con)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Todd, Maree (Highlands and Islands) (SNP)
 Tomkins, Adam (Glasgow) (Con)
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
 Wheelhouse, Paul (South Scotland) (SNP)
 White, Sandra (Glasgow Kelvin) (SNP)
 Whittle, Brian (South Scotland) (Con)
 Yousaf, Humza (Glasgow Pollok) (SNP)

The Presiding Officer: The result of the division is: For 25, Against 85, Abstentions 0.

Amendment 1A disagreed to.

Amendment 1 agreed to.

Amendment 65 not moved.

The Presiding Officer: I remind members that if amendment 2 is agreed to, I cannot call amendment 66.

Amendment 2 moved—[Graham Simpson].

Amendment 2A not moved.

Amendment 2 agreed to.

The Presiding Officer: Group 3 is on the modification of the 2040 target. Amendment 67, in the name of Alex Rowley, is grouped with amendments 68 to 70.

Alex Rowley: I introduced amendments at stage 2 to allow the target to be moved if independent expert opinion suggested that it could not be reasonably met. We want the Parliament to work together so that we have the best possible chance of eradicating fuel poverty at the earliest opportunity. The target is just a means to an end. Unfortunately, the Government has chosen to stick with its target date of 2040. If the statutory advisory panel feels that the target date should be

brought forward, we hope that it will be moved and that the panel will be able to give the Government the guidance that it needs in order to achieve that target.

I move amendment 67.

Kevin Stewart: At stage 2, I agreed that the statutory Scottish fuel poverty advisory panel should have the power to make recommendations that would allow Parliament to revisit the target date, but only by pushing it back. I am pleased that Mr Rowley and I have been able to work together on the amendments, which now allow ministers the flexibility to modify the target date both backwards and forwards. The amendments also ensure that reporting deadlines can be adjusted if the 2040 target date for the local authority target or the national target is changed. I urge members to support the amendments.

Amendment 67 agreed to.

Amendments 68 to 70 moved—[Alex Rowley]—and agreed to.

Section 1A—The 2030 target

The Presiding Officer: Group 4 is on the interim fuel poverty target. Amendment 3, in the name of Graham Simpson, is grouped with amendments 4 and 12.

Graham Simpson: There are three amendments in this group, all in my name. I was pleased that, at stage 2, the Government decided to act on the recommendations of the Local Government and Communities Committee and lodged an amendment to put an interim target for 2030 in the bill. During stage 2, there was a discussion on having further milestones to keep things on track, and I have worked with the Government on these amendments to address that.

The fuel poverty strategy included a target for the overall fuel poverty rate to be less than 20 per cent by 2030 and for the median household fuel poverty gap to be no more than £450. A Scottish Government amendment at stage 2 improved the bill, so that it includes a target that, in 2030,

“no more than 15% of households in Scotland are in fuel poverty ... no more than 5% of households in Scotland are in extreme fuel poverty”

and

“the median fuel poverty gap of households in Scotland in fuel poverty is no more than £350”,

taking into account changes in the value of money.

The amendments to section 1A are in line with that and set a further interim target, to be introduced for 2035. There is one target for 2030 and an extra one for 2035. That second target is that, in 2035,

“no more than 10% of households in Scotland are in fuel poverty ... no more than 3% of households ... are in extreme fuel poverty”

and

“the median fuel poverty gap ... is no more than £300”

in 2015 prices.

Those figures are based on a straightforward linear progression from the 2030 interim target to the 2040 end target. I believe that the new interim target will ensure that attention continues to be focused on reducing fuel poverty and, crucially, maintaining momentum towards achieving the 2040 target.

Amendment 12 to section 9A is technical, in recognition of the fact that, although the bill will include interim targets, that wording is not used. As all the targets are classified together as fuel poverty targets, the panel will already be considering the progress that is being made towards meeting them.

Amendment 3 expands section 1A to include more than one interim target.

The interim targets will be classified as “fuel poverty targets” under the existing definition in section 12A. Therefore, the periodic reporting duties and duties about the strategy will apply to the new interim target, just as they apply to the 2030 interim target.

Amendment 4 adds an additional interim target for 2035 at section 1A. I have already gone over what that will do, but the purpose of the amendment is to ensure that the momentum is maintained.

Amendment 12 removes reference to “interim targets” on the basis that interim targets have been provided for but the label of “interim targets” has not been used, as this new interim target is already covered by the reference to “fuel poverty targets”.

I apologise for the fact that some of that was technical, but that is the nature of the bill.

I move amendment 3.

Kevin Stewart: I am pleased that Mr Simpson and I have been able to come to an agreement on these amendments, which bring forward an additional interim target. I confirm my support for the amendments.

Amendment 3 agreed to.

Amendment 71 not moved.

Amendment 4 moved—[Graham Simpson]—and agreed to.

Section 2—Meaning of fuel poverty

The Presiding Officer: Group 5 is on enhanced heating. Amendment 15, in the name of Jackie Baillie, is grouped with amendments 16 and 17.

15:00

Jackie Baillie (Dumbarton) (Lab): I rise to speak to all the amendments in the group, which are in my name. I declare an interest as an honorary vice-president of Energy Action Scotland and I thank it and other organisations for their help with stage 2 amendments.

Section 2 sets out two heating regimes: standard and “enhanced”. As we would expect, the enhanced heating regime has a higher temperature and longer heating time than the standard regime. Under section 2(4), Scottish ministers can make regulations that

“specify the types of household for which enhanced heating is appropriate”,

so that specified households get enhanced heating and others get standard heating.

At stage 2, I lodged a series of amendments that suggested that households with people of pensionable age or children under five should be entitled to the enhanced heating regime. It is a matter of regret that I was not able to persuade the committee or, at that stage, the Scottish Government, despite a wealth of support from experts and organisations involved in the field of tackling fuel poverty.

However, I do not give up easily and I am pleased to say that I have managed to persuade the minister that there is a need to look at the issue and I am glad that we have been able to come to a compromise. The minister is smiling, Presiding Officer. It is probably the first time that he has enjoyed compromising with me.

I think that we would all agree that the introduction of a flexible range of enhanced heating regimes is important to the proper measurement of fuel poverty. We know that certain groups are more at risk of fuel poverty because they require higher temperatures for longer, meaning that they spend more on fuel costs. If we do not reflect that in our measurement of fuel poverty, we run the risk of letting people slip through the net. We would fail to capture the fact that vulnerable groups are being faced with a choice between heating their homes or being left without enough money to maintain an acceptable standard of living.

To address that, the purpose behind my three amendments is to introduce two additional enhanced heating regimes to provide a more accurate picture of fuel poverty. The two additional

regimes are a higher temperature for standard hours and a standard temperature for longer hours. Instead of having a single enhanced heating regime, which applies both higher temperatures and longer hours of heating to a household, there will also be the option to apply either higher temperatures or longer hours.

Essentially, some households might need longer heating hours but not higher temperatures, and vice versa. The amendments will enable a more flexible range of enhanced heating regimes to be applied, which can be better tailored to the needs of different household types. I therefore urge members to make a difference and support the three amendments in the group.

I move amendment 15

Liam McArthur: I welcome the perseverance of Jackie Baillie. She is right that at stage 2 she had a fair go at lodging amendments, which the minister resisted. The flexibility that these three amendments will deliver is very welcome and we will be supporting them.

Kevin Stewart: I have a funny feeling that my face was probably as bright a red as Jackie Baillie’s jacket when she was talking about a compromising situation.

As Jackie Baillie outlined, these amendments enable a more flexible range of enhanced heating regimes to be applied, which can be better tailored to the needs of different household types. Ms Baillie has taken a close interest in the bill from its introduction, particularly in relation to our enhanced heating regime, and she has advocated for change. I am pleased that we have been able to work together to agree this new approach and I am happy to support the amendments.

Amendment 15 agreed to.

Amendments 16 and 17 moved—[Jackie Baillie]—and agreed to.

The Presiding Officer: Group 6 is on the meaning of fuel poverty: benefits received for a care need or disability. Amendment 18, in the name of the minister, is grouped with amendment 19.

Kevin Stewart: At stage 2, an amendment from Jackie Baillie was agreed to that required that

“benefits received for a care need or disability”

be deducted from incomes at the second part—section 2(1)(b)—of the fuel poverty definition when determining whether a household has enough remaining money

“to maintain an acceptable standard of living”.

I was happy to support that change, as it will result in a fairer comparison to the minimum income standard for those households.

Amendments 18 and 19 are subsequent tidying amendments. Amendment 18 will mean that all the relevant benefits, including “severe disablement allowance”, will be deducted from incomes, and amendment 19 will make sure that

“benefits received for a care need or disability”

are also deducted from incomes as part of the definition of “extreme fuel poverty”. I therefore ask members to support amendments 18 and 19.

I move amendment 18.

Amendment 18 agreed to.

Section 2A—Meaning of extreme fuel poverty

Amendment 19 moved—[Kevin Stewart]—and agreed to.

Section 3—Preparation of strategy

Amendment 20 moved—[Kevin Stewart]—and agreed to.

The Presiding Officer: Group 7 is on strategy and periodic reports: approach to addressing the drivers of fuel poverty and definitions of those drivers. Amendment 21, in the name of Andy Wightman, is grouped with amendments 74 to 76, 23 to 28, 78, 77, 79, 33, 81, 42, 83, 85, 43, 87, 47 and 97.

Andy Wightman: Amendment 21 would simply add a paragraph to section 3(2) requiring that the fuel poverty strategy sets out

“the approach the Scottish Ministers intend to take”

to tackle all four drivers

“of fuel poverty to ensure that the fuel poverty targets are met”.

I am very glad that we ended up getting the four drivers of fuel poverty in the bill, and a number of the amendments that we are debating today are adjustments to that provision.

Amendment 33 is consequential to amendment 21 and ties the four drivers that are referred to in amendment 21 to the definition that is provided in section 9A.

Claudia Beamish’s amendment 78 is useful in spelling out clearly the requirement to “improve energy efficiency” across the board, and we will support the amendment.

Amendments 42 and 43 and the consequential amendment 47 would add a duty to report on the extent to which the four drivers of fuel poverty have been addressed in each periodic report under section 6.

I draw particular attention to Alex Rowley’s amendment 97, which restates the four drivers of

fuel poverty in more accurate terms. Amendment 97 talks about

“low net adjusted household incomes”.

It was frequently stated by members at stage 1 that income is not a driver that the Scottish Government or the Parliament has any control over. Of course, the relevant metric for the purposes of measuring fuel poverty is not gross incomes but net incomes after the deduction of “housing costs”, “childcare costs” and “fuel costs”. The Parliament does—but perhaps should do more to—influence house prices and rents through fiscal measures and housing tenure reform. We also influence childcare and, of course, we control income tax, which determines how much income folk have to start with.

We will not support Alexander Burnett’s amendments 77, 81 and 85, but we will support his amendment 83, which picks up on my amendments to require that the periodic reporting includes progress that “has been made” on “energy efficiency”.

I move amendment 21.

Jackie Baillie: I will speak briefly to amendments 74, 75 and 76.

I think that we would all agree that a new definition and target are useful only if they lead to meaningful action. Everyone accepts that those who require an enhanced heating regime are more at risk of fuel poverty, because of the increased costs that they face in sufficiently heating their homes. We must understand who those people are and reach them with the assistance that they require to lift them out of fuel poverty. That could be done through financial support or help to make their homes more efficient.

My amendments would enable ministers to set out their approach to identifying and supporting those people who are more at risk of fuel poverty because they require an enhanced heating regime. I hope that members will support my amendments.

Kevin Stewart: The fuel poverty strategy will be vital in delivering the ambitions that are set out in the bill and there have been a number of amendments to section 3 throughout the process, which I will address in turn.

I welcome and support the amendments in Andy Wightman’s name in this group, which make it clear that the fuel poverty strategy will set out the approach that we will take on all four drivers of fuel poverty. That is the approach that we took in the draft strategy.

There is no doubt that how we use energy in the home is important. That is a large part of the work of our award-winning advice service, home energy

Scotland, but I note that it does not contribute towards measuring progress against the fuel poverty targets in the bill, which are based on the cost of heating homes to the temperatures that are set out in section 2.

On amendments 74, 75 and 76, I have been working with Ms Baillie on the enhanced heating regime and I acknowledge her championing of the issue. I reassure her that we are absolutely committed to setting out in the strategy what we will do to help people who are in fuel poverty as a result of being in a household for which enhanced heating is appropriate. However, the amendments are unnecessary, as their provisions do not need to be in primary legislation. I hope that my commitment reassures Ms Baillie on the matter, and I urge her not to move amendments 74, 75 and 76.

Amendments 23 to 28, in my name, are largely technical in nature. At stage 2, I supported an amendment in the name of Alexander Burnett that provided that the fuel poverty strategy should set out our approach to identifying properties with a low energy efficiency rating. At the time, I said that we were happy to support the amendment but would need to revisit the issue at stage 3. The amendments will strengthen the bill by making it clear that the strategy will set out the approach that we intend to take in order to identify homes with low energy efficiency—as opposed to the approach that we could take, which is the current position in the bill. They also make it clear that the aim is to identify homes in which the households are fuel poor, which is obviously the focus of the bill and the strategy. Amendment 27 ensures that the wording is in line with the energy efficient Scotland approach, and the other amendments are technical and tidying amendments.

I turn to Mr Burnett's amendments. Amendments 81 and 85 are unnecessary, as the issue will be dealt with by amendments 42 and 43, in the name of Andy Wightman, which take a stronger approach in that they will require the Scottish ministers to set out the steps that have been and will be taken on all four drivers of fuel poverty, not just on one of the drivers. For that reason, I urge Mr Burnett not to move amendments 81 and 85 but, instead, to support amendments 42 and 43.

Amendment 83, also in Mr Burnett's name, does something slightly different in that it requires ministers to set out what progress has been made, so I am more than happy to support it.

I urge Mr Burnett not to move amendment 77, on the basis that it is unnecessary. The provision that it would amend explicitly builds on the approach that is referred to in section 3(2)(aa), which provides that the strategy must

“set out the approach the Scottish Ministers intend to take to ensure that the”

fuel poverty targets are met.

Amendment 78, from Claudia Beamish, and amendments 79 and 87, from Pauline McNeill, are unnecessary. They would add a long list of tenures and would require financial incentives to be created whether or not households were in fuel poverty. The key purpose of the bill is to tackle fuel poverty, but nowhere in the amendments is there a single mention of fuel poverty. The wider issue of home energy efficiency is being addressed elsewhere, and the approach that is proposed in amendments 78, 79 and 87 would detract from the core purpose of the bill while adding nothing of benefit.

Furthermore, there are potential issues with the drafting of amendment 78, on which amendments 79 and 87 are contingent. The list of housing tenures is incomplete and does not cover some private tenancies, such as tenancies under agricultural and crofting legislation. Also, amendment 78 would confer on ministers the power to expand the list by regulation. Until this morning, when a manuscript amendment was lodged, the power was not going to be subject to parliamentary procedure. That has now been rectified, but problems remain with amendment 78 that have not been addressed. For example, the power does not allow tenancy types to be removed if they are no longer relevant.

For all those reasons, I cannot support amendments 78, 79 and 87.

15:15

Nevertheless, I have always made it clear that I am determined that the fuel poverty strategy will set out how we intend to help fuel-poor households of all types and in all tenures of housing and how we intend to use all the available means to support people. At stage 2, the bill was amended to require that the strategy set out how we intend to remove poor energy efficiency as a driver of fuel poverty. That means removing it for all households—regardless of tenancy type—in order to meet the targets. I hope that that provides reassurance to members.

I ask Ms McNeill not to move her amendments 79 and 87 and Ms Beamish not to move her amendment 78, as those amendments are flawed. I also ask Ms Beamish not to move her newly lodged manuscript amendment 99.

Both today and during the earlier stages of the bill, there have been many references to the four drivers of fuel poverty, all of which are important. At stage 2, Alex Rowley lodged an amendment to establish the Scottish fuel poverty advisory panel by statute and to require it to report on the extent

to which the drivers are being addressed. The Scottish Government has worked closely with Mr Rowley on his amendment 97, which is a technical amendment that clarifies what the four drivers are. Those clarifications also address concerns that Mr Wightman has raised. I hope that all members will support amendment 97, which now more accurately reflects what the drivers of fuel poverty are.

Claudia Beamish (South Scotland) (Lab): My amendment 78, which the minister mentioned, seeks to ensure that, in preparing the fuel poverty strategy, ministers give appropriate consideration to different housing tenures. I stress that the list of tenures in the amendment is not exclusive. I welcome Andy Wightman's support for amendment 78.

My amendment 99 would ensure that the regulations would be made subject to the affirmative procedure. I thank the legislation team for dealing at this late stage with my manuscript amendment to that effect, and the Presiding Officer for accepting it.

Fuel poverty can affect people's lives regardless of their housing arrangements. In amendment 78 members can see the list of housing tenure types, including owner occupation, private tenancies, local authority tenancies, social housing, multiple occupancies, Scottish secure tenancies and—contrary to what the minister said—agricultural tenancies and multiple types. The amendment—

Kevin Stewart: Will the member take an intervention?

Claudia Beamish: I will just finish this sentence.

The amendment would allow ministers to prescribe other types by regulation.

Kevin Stewart: The list does not include agricultural and crofting tenancies, so amendment 78 is flawed. I know that Ms Beamish has tried to deal with some aspects by means of a manuscript amendment today. However, it is fair to say that missing out those forms of tenancy still makes the amendment flawed.

Claudia Beamish: I have not changed amendment 78 today; with the Presiding Officer's permission, I have simply lodged amendment 99, which proposes that regulations should be made by means of the affirmative procedure. I will read out amendment 78, which says that it is in relation to

"a 1991 Act tenancy (within the meaning of the Agricultural Holdings (Scotland) Act 2003)".

That wording is in amendment 78, which has not been changed today.

I will carry on with what I wanted to say. Each of those designations has its own unique challenges that should be addressed, and people who have different types of tenure will also have differences in their income, their motivation for living under a type of tenure, or their need to live under that type of tenure. I acknowledge that some forms of tenure will include higher or lower proportions of people who live in fuel poverty. Scottish Labour believes that support for people who live in fuel poverty should be prioritised. However, it would be short-sighted of the Government to limit such action to those who are in direct fuel poverty. We should be looking for a long-term, sustainable solution, which was what many people expected from the Government's commitment to introduce a warm homes bill, which was also in Scottish Labour's manifesto. The Fuel Poverty (Target, Definition and Strategy) (Scotland) Bill is much narrower in scope. Ultimately, we need to bring all housing stock up to standard. People will always move house or encounter changing circumstances, so the bill should be preventive and not simply reactionary.

For example, private sector tenants can often have landlords who are reluctant to make energy efficiency improvements, and people in multi-occupancy tenancies can face difficulties in relation to sharing the cost of improvements, which is also a complex issue. As I have seen with my own eyes, agricultural tenancies can often be in older rural buildings, and conflicts with landlords can arise. I lodged a similar amendment—although it was narrower in scope—to a bill in the previous parliamentary session. The then minister stressed that improvements to private rented accommodation would be addressed through the fuel poverty forum and action groups, but that has not happened.

The Government has rightly committed to a target of net zero greenhouse gas emissions by 2045, and it has accepted that that will require a step up in policy action. Given the climate emergency, it is important to acknowledge that the bill could provide co-benefits in relation to tackling climate change and—need I say it—addressing physical and mental wellbeing. The right to a home, as set out by the United Nations, must surely mean that people in Scotland have the right to a warm home. Any Government must oblige those with the responsibility to provide such homes. Given the climate emergency, amendment 78 has, at its core, a focus on providing a just transition, in that it aims to support individuals who cannot necessarily afford to take action on fuel poverty, and those who do not have the power to take such action because of the type of accommodation that they live in. I argue that, in many cases, the responsibility for action lies with not the tenant, but the landlord.

Even at this late stage, I hope that the Government will consider agreeing to my amendments. I look forward to hearing any further comments from the minister.

The Presiding Officer: Thank you, although I point out that the minister will not have another chance to speak to this group of amendments.

Alexander Burnett (Aberdeenshire West) (Con): I refer members to my entry in the register of members' interests regarding construction and property management.

I will move my amendments 77 and 83, but I will not move my amendments 81 and 85, as we feel that Andy Wightman's amendments will help to adequately tackle the drivers of fuel poverty, and the Scottish Conservatives agree with that approach.

Amendments 77 and 83 seek to hold the Government to account by ensuring that low levels of energy efficiency are addressed. Amendment 77 seeks to help lift residents out of fuel poverty within target remits that must be laid out by the Government. That will ensure that this or any future Scottish Government must stick to reducing fuel poverty on a targeted timeline.

Amendment 83 builds on amendment 77 by ensuring that, when the Scottish Government reports on hitting targets or reducing fuel poverty, it specifically analyses progress on tackling low levels of energy efficiency. Poor energy efficiency is a driver of fuel poverty, so it is important that amendment 83 is included in the bill to ensure that any Scottish Government will need to report on progress on improving energy efficiency in homes across Scotland.

Pauline McNeill (Glasgow) (Lab): I will speak to my amendments 79 and 87, and to other amendments in the group—particularly amendment 21, in the name of Andy Wightman, which is very important; amendment 78, in the name of Claudia Beamish; and amendment 97, in the name of Alex Rowley.

My amendment 79 sets out that ministers must use the strategy to set out the "financial and fiscal incentives" that are available to people who live in each type of housing tenure. The Government's decision to introduce a fuel poverty bill, not a warm homes bill, is illustrative of the narrow approach that it takes to eradicating fuel poverty. Although it might not be desirable, amendment 79 is certainly competent. We suggest that there should be a much wider focus on improving energy efficiency and tackling fuel poverty, given the impact that that would have on energy efficiency and fuel poverty levels and on tackling climate change, as Claudia Beamish said. If we do not address those issues through the bill, we will need to address them somewhere else, and I do not see where that

would be. We should offer the widest level of support to groups of people across all tenures and housing stock, and lay out the financial incentives that are available to them.

Amendment 87 calls for periodic reports to include a review of

"the effectiveness of any financial and fiscal incentives contained within the strategy".

Home energy Scotland reports that 845 households applied for loans to install energy efficiency measures, but we do not know how effective those actions have been. If better advertising was done, more people might well apply for those loans to install energy-efficient options.

The emphasis is on loans, but a look also needs to be taken at other incentives. According to the consumer futures unit, home owners prefer, by some margin, the option of a one-off rebate of council tax in the year following installation. We must address the question of how we get more people to take measures to use less fuel and to use it more efficiently, and the Fuel Poverty (Target, Definition and Strategy) (Scotland) Bill seems to be the appropriate place to do that. It is imperative that we approach fuel poverty as a warm homes issue, as well as looking at how we can encourage greater fuel efficiency.

Alex Rowley: We support amendment 97 and the other amendments in the group, most of which are broadly technical. I want to thank the Government for its support and for the work that it has done on the amendments. Even though there have been areas of disagreement in the bill, there has been some productive joint working. I put on record that that is because of Kevin Stewart's open-door approach. He says that he wants to work with other parties on the strategy: I look forward to that.

Annabelle Ewing (Cowdenbeath) (SNP): I will speak against Claudia Beamish's amendments 78 and 99 and Pauline McNeill's amendments 79 and 87. Similar proposals were put forward at stage 2, but they did not gain traction. For my part, I find the amendments to be somewhat confusing. As we have heard, amendment 78 lists a number of tenancies, but it does not capture all tenancies, which is the danger of such an approach. For example, I understand that tenancies under the Crofters (Scotland) Act 1993 would not be covered, as the minister outlined. The key point of the bill is that it covers all households, regardless of tenure or tenancy. The bill does that as it stands, so amendment 78 is not necessary; indeed, it risks creating confusion.

Amendment 99 is a manuscript amendment that would facilitate the process that would be required if amendment 78 were to be agreed to, but as I

have said, amendment 78 is confusing and is not in keeping with the spirit of the bill. Therefore, I suggest that amendment 99 be rejected, too.

Amendments 79 and 87 do not reflect the fundamental tenet of the bill, which is that the people who are most in need should be targeted. The application of amendments 79 and 87 would not be limited to households that are defined to be in fuel poverty, but would cover all properties in the categories that Claudia Beamish has set out. Therefore, amendments 79 and 87 would not be in keeping with the fundamental tenet of the bill, which is a bill to address fuel poverty. The members concerned perhaps had an alternative approach in mind.

I ask that if Claudia Beamish and Pauline McNeill move their amendments, they be rejected because they are confusing, would not add anything to the bill and are not in keeping with its fundamental tenet.

Graham Simpson: We will support Andy Wightman's amendments. He was quite right to introduce into the bill the four drivers of fuel poverty. There was a debate in the Local Government and Communities Committee about whether the Scottish Government has influence over all four of the drivers. I accept that it does not have total influence over all four of them, but it does have some influence over them.

We accept—as does my colleague Alexander Burnett—that amendments 81 and 85 have been superseded by Mr Wightman's amendments, so he will not be moving them.

However, Alexander Burnett's amendment 83 would insert a requirement to report on the progress of

“removing low levels of energy efficiency as a driver of fuel poverty”.

I think that that makes perfect sense, as others have said.

15:30

We will not support Claudia Beamish's or Pauline McNeill's amendments. Unfortunately, the latter has been caught up in the former's legislative slipstream and her amendments are tied into Ms Beamish's amendments. If she had gone for something separate, she might have had support.

The Presiding Officer: I call Andy Wightman to wind up on group 7, and to press or withdraw amendment 21.

Andy Wightman: I do not have a great deal to say—serendipity often decides who opens and closes groups. On Claudia Beamish's amendment 78, the minister said that the strategy already

deals with all tenures, so by that logic the fact that the amendment misses out agriculture and crofting should not really matter at all. It is the case, of course, that two identical homes—maybe in a terraced street—in which one family is in fuel poverty and the other is not will have very similar solutions to improving their energy efficiency. The strategy need not distinguish between fuel-poor households and non-fuel-poor households, because in most, if not all, cases the solutions will be the same and are vital to reducing carbon emissions.

I accept some of the minister's critique of amendment 78; nevertheless, I still think that it would be a useful means by which to focus ministers' attention, in the strategy, on particular tenures of housing.

I thank Alexander Burnett for his kind comments. He will possibly go down in history as the minister—

The minister! No. I mean the member. *[Interruption.]* He may go down in history as a minister, one day. Alexander Burnett will go down in history as—everyone is waiting with bated breath—the member who moved the £60 million amendment at stage 2. I am glad that he secured a more modest amendment today.

I press amendment 21.

Amendment 21 agreed to.

Amendment 22 moved—[Kevin Stewart]—and agreed to.

The Presiding Officer: I remind members that, if amendment 72 is agreed to, I cannot call amendment 73.

Amendment 72 moved—[Graham Simpson]—and agreed to.

The Presiding Officer: I call Jackie Baillie to move or not move amendment 74.

Jackie Baillie: On the basis of the commitments that the minister has placed on the record, I am happy not to move my amendments in the group.

Amendments 74 to 76 not moved.

Amendments 23 to 28 moved—[Kevin Stewart]—and agreed to.

Amendment 78 moved—[Claudia Beamish].

The Presiding Officer: The question is, that amendment 78 be agreed to. Are we all agreed?

Members: No.

The Presiding Officer: There will be a division. As this is the first vote after a debate, we will have a one-minute division.

For

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

Against

Adam, George (Paisley) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Balfour, Jeremy (Lothian) (Con)
 Ballantyne, Michelle (South Scotland) (Con)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Bowman, Bill (North East Scotland) (Con)
 Briggs, Miles (Lothian) (Con)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Cameron, Donald (Highlands and Islands) (Con)
 Campbell, Aileen (Clydesdale) (SNP)
 Carlaw, Jackson (Eastwood) (Con)
 Chapman, Peter (North East Scotland) (Con)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Constance, Angela (Almond Valley) (SNP)
 Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perthshire South and Kinross-shire) (SNP)
 Davidson, Ruth (Edinburgh Central) (Con)
 Denham, Ash (Edinburgh Eastern) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fabiani, Linda (East Kilbride) (SNP)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Freeman, Jeane (Carrick, Cumnock and Doon Valley) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Golden, Maurice (West Scotland) (Con)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Greene, Jamie (West Scotland) (Con)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)

Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Harper, Emma (South Scotland) (SNP)
 Harris, Alison (Central Scotland) (Con)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Kerr, Liam (North East Scotland) (Con)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lindhurst, Gordon (Lothian) (Con)
 Lochhead, Richard (Moray) (SNP)
 Lyle, Richard (Uddingston and Bellshill) (SNP)
 MacDonald, Angus (Falkirk East) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 Martin, Gillian (Aberdeenshire East) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 Mason, Tom (North East Scotland) (Con)
 Matheson, Michael (Falkirk West) (SNP)
 McAlpine, Joan (South Scotland) (SNP)
 McArthur, Liam (Orkney Islands) (LD)
 McDonald, Mark (Aberdeen Donside) (Ind)
 McKee, Ivan (Glasgow Provan) (SNP)
 Mitchell, Margaret (Central Scotland) (Con)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Neil, Alex (Airdrie and Shotts) (SNP)
 Paterson, Gil (Clydebank and Milngavie) (SNP)
 Rennie, Willie (North East Fife) (LD)
 Robison, Shona (Dundee City East) (SNP)
 Ross, Gail (Caithness, Sutherland and Ross) (SNP)
 Rumbles, Mike (North East Scotland) (LD)
 Russell, Michael (Argyll and Bute) (SNP)
 Scott, John (Ayr) (Con)
 Simpson, Graham (Central Scotland) (Con)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Todd, Maree (Highlands and Islands) (SNP)
 Tomkins, Adam (Glasgow) (Con)
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
 Wheelhouse, Paul (South Scotland) (SNP)
 White, Sandra (Glasgow Kelvin) (SNP)
 Whittle, Brian (South Scotland) (Con)
 Yousaf, Humza (Glasgow Pollok) (SNP)

The Presiding Officer: The result of the division is: For 27, Against 89, Abstentions 0.

Amendment 78 disagreed to.

Amendment 77 moved—[Alexander Burnett].

The Presiding Officer: The question is, that amendment 77 be agreed to. Are we all agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Balfour, Jeremy (Lothian) (Con)
 Ballantyne, Michelle (South Scotland) (Con)
 Bowman, Bill (North East Scotland) (Con)
 Briggs, Miles (Lothian) (Con)
 Burnett, Alexander (Aberdeenshire West) (Con)

Cameron, Donald (Highlands and Islands) (Con)
 Carlaw, Jackson (Eastwood) (Con)
 Chapman, Peter (North East Scotland) (Con)
 Davidson, Ruth (Edinburgh Central) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Golden, Maurice (West Scotland) (Con)
 Greene, Jamie (West Scotland) (Con)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Harris, Alison (Central Scotland) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Lindhurst, Gordon (Lothian) (Con)
 Mason, Tom (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Scott, John (Ayr) (Con)
 Simpson, Graham (Central Scotland) (Con)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Tomkins, Adam (Glasgow) (Con)
 Whittle, Brian (South Scotland) (Con)

Against

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

Kelly, James (Glasgow) (Lab)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lamont, Johann (Glasgow) (Lab)
 Lennon, Monica (Central Scotland) (Lab)
 Lochhead, Richard (Moray) (SNP)
 Lyle, Richard (Uddingston and Bellshill) (SNP)
 MacDonald, Angus (Falkirk East) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 Macdonald, Lewis (North East Scotland) (Lab)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 Marra, Jenny (North East Scotland) (Lab)
 Martin, Gillian (Aberdeenshire East) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 McAlpine, Joan (South Scotland) (SNP)
 McArthur, Liam (Orkney Islands) (LD)
 McDonald, Mark (Aberdeen Donside) (Ind)
 McKee, Ivan (Glasgow Provan) (SNP)
 McNeill, Pauline (Glasgow) (Lab)
 Neil, Alex (Airdrie and Shotts) (SNP)
 Paterson, Gil (Clydebank and Milngavie) (SNP)
 Rennie, Willie (North East Fife) (LD)
 Robison, Shona (Dundee City East) (SNP)
 Ross, Gail (Caithness, Sutherland and Ross) (SNP)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Rumbles, Mike (North East Scotland) (LD)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Russell, Michael (Argyll and Bute) (SNP)
 Sarwar, Anas (Glasgow) (Lab)
 Smith, Elaine (Central Scotland) (Lab)
 Smyth, Colin (South Scotland) (Lab)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Stewart, David (Highlands and Islands) (Lab)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Todd, Maree (Highlands and Islands) (SNP)
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
 Wheelhouse, Paul (South Scotland) (SNP)
 White, Sandra (Glasgow Kelvin) (SNP)
 Wightman, Andy (Lothian) (Green)
 Yousaf, Humza (Glasgow Pollok) (SNP)

The Presiding Officer: The result of the division is: For 27, Against 89, Abstentions 0.

Amendment 77 disagreed to.

Amendment 79 not moved.

The Presiding Officer: Group 8 is on strategy and periodic reports: consultation and revision. Amendment 29, in the name of the minister, is grouped with amendments 30 to 32, 34, 35, 80, 36 to 41, 44, 45, 90, 95, and 98.

Kevin Stewart: At stage 2, an amendment in the name of Alex Rowley MSP was agreed to that obliged ministers to keep the fuel poverty strategy under review on an on-going basis. For the strategy to have real purpose, ministers must also be able to revise it whenever unforeseen changes are identified that have to be addressed or whenever they have to respond to comments on the strategy from the new advisory panel that will be established under the bill. At present, the wording of that amendment does not explicitly give

ministers that authority, and I have lodged amendment 29 to provide for it.

I also said at stage 2 that we might need to revise Mr Rowley's amendment slightly from a technical perspective to ensure that it worked as everyone would want it to. At the moment, not all the rules that apply to the strategy would apply to a revised strategy. For example, the new statutory panel would not have the function of proposing changes to a revised strategy. To ensure that the bill is consistent in its treatment of the fuel poverty strategy and any revised strategies, amendment 30 seeks to apply a default rule to make sure that that is the case throughout sections 3 to 5. As repeated references to a revised strategy will not be needed, a number of tidying amendments have been lodged to remove them.

Finally, to ensure that, if a revised strategy is developed, there will always be a periodic report every three years, amendments 44 and 45 have been lodged with the purpose of making sure that the three-yearly reporting cycle is not recalculated. At the moment, because of stage 2 amendments, the reporting cycle would restart if the strategy were to be revised.

On amendment 35, I thank Ms Baillie for working with me on a revision of her stage 2 amendment on consulting specific groups on the preparation of the fuel poverty strategy. At the time, we could not agree to the amendment because of its wording, and Ms Baillie chose not to press it so that we could discuss the matter further. Her new amendment keeps to her policy proposal while being consistent with wording used elsewhere in the bill, and I am happy to support it.

Finally, I am also happy that Alex Rowley and I have been able to work together on his amendments in this group, which seek to expand and consolidate the statutory role of the fuel poverty advisory panel by making it a mandatory consultee on the periodic reports and the development of the strategy. That will be very important in the fight to tackle fuel poverty in Scotland, and I am therefore happy to support amendments 80, 90, 95 and 98.

I move amendment 29.

Jackie Baillie: I rise to speak to amendment 35, in my name.

As the minister has already alluded to, at stage 2 I lodged an amendment that would have ensured that the Government had to involve a wide variety of people in preparing the fuel poverty strategy. Specifically, they were people who have lived experience of fuel poverty, people who are disabled or suffer from a long-term illness, older people, and people who live in rural areas. They are some of the most vulnerable groups in our society, particularly when it comes to fuel poverty,

so it is crucial that they are brought into the process of developing policies to address the issue.

The Scottish Government supported the principle of that amendment, but not its specific wording, so I withdrew it with a view to bringing it back at stage 3 in a format that we could all agree on.

I worked with the minister on amendment 35, and it is consistent with the wording that is used elsewhere in the bill. It will ensure that the views of the crucial groups of people that are listed are taken into account when the Government develops its fuel poverty strategy. A duty to consult individuals who are living in or have lived in fuel poverty is already included in the bill. Therefore, I hope that members across the chamber will support the amendment.

The Presiding Officer: I call Alex Rowley to speak to amendment 80 and the other amendments in the group.

Alex Rowley: I am happy just to move the amendment.

Kevin Stewart: I will be brief. Once again, I thank Mr Rowley and Ms Baillie for working with me in order to improve sections of the bill. I cannot emphasise enough the importance of being able to come together to discuss improvements to bills in between their stages in order to gain agreement and strengthen them. The amendments will strengthen the bill, and I thank all members who have co-operated on them.

Amendment 29 agreed to.

Amendments 30 to 32 moved—[Kevin Stewart]—and agreed to.

Amendment 33 moved—[Andy Wightman]—and agreed to.

Section 4—Consultation on strategy

Amendment 34 moved—[Kevin Stewart]—and agreed to.

Amendment 35 moved—[Jackie Baillie]—and agreed to.

Amendment 80 moved—[Alex Rowley]—and agreed to.

Amendments 36 to 40 moved—[Kevin Stewart]—and agreed to.

Section 5—Publication and laying of strategy

Amendment 41 moved—[Kevin Stewart]—and agreed to.

Section 6—Preparation of periodic reports

Amendment 81 not moved.

The Presiding Officer: I remind members that, if amendment 6 is agreed to, I cannot call amendment 82.

Amendment 6 moved—[Graham Simpson].

The Presiding Officer: The question is, that amendment 6 be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Adam, George (Paisley) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Balfour, Jeremy (Lothian) (Con)
 Ballantyne, Michelle (South Scotland) (Con)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Bowman, Bill (North East Scotland) (Con)
 Briggs, Miles (Lothian) (Con)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Cameron, Donald (Highlands and Islands) (Con)
 Campbell, Aileen (Clydesdale) (SNP)
 Carlaw, Jackson (Eastwood) (Con)
 Chapman, Peter (North East Scotland) (Con)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Constance, Angela (Almond Valley) (SNP)
 Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perthshire South and Kinrossshire) (SNP)
 Davidson, Ruth (Edinburgh Central) (Con)
 Denham, Ash (Edinburgh Eastern) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fabiani, Linda (East Kilbride) (SNP)
 Finnie, John (Highlands and Islands) (Green)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Freeman, Jeane (Carrick, Cumnock and Doon Valley) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Golden, Maurice (West Scotland) (Con)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Greene, Jamie (West Scotland) (Con)
 Greer, Ross (West Scotland) (Green)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Harper, Emma (South Scotland) (SNP)
 Harris, Alison (Central Scotland) (Con)
 Harvie, Patrick (Glasgow) (Green)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Johnstone, Alison (Lothian) (Green)
 Kerr, Liam (North East Scotland) (Con)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lindhurst, Gordon (Lothian) (Con)
 Lochhead, Richard (Moray) (SNP)
 Lyle, Richard (Uddingston and Bellshill) (SNP)

MacDonald, Angus (Falkirk East) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 Martin, Gillian (Aberdeenshire East) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 Mason, Tom (North East Scotland) (Con)
 Matheson, Michael (Falkirk West) (SNP)
 McAlpine, Joan (South Scotland) (SNP)
 McArthur, Liam (Orkney Islands) (LD)
 McDonald, Mark (Aberdeen Donside) (Ind)
 McKee, Ivan (Glasgow Provan) (SNP)
 Mitchell, Margaret (Central Scotland) (Con)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Neil, Alex (Airdrie and Shotts) (SNP)
 Paterson, Gil (Clydebank and Milngavie) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Ross, Gail (Caithness, Sutherland and Ross) (SNP)
 Rumbles, Mike (North East Scotland) (LD)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Russell, Michael (Argyll and Bute) (SNP)
 Scott, John (Ayr) (Con)
 Simpson, Graham (Central Scotland) (Con)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Todd, Maree (Highlands and Islands) (SNP)
 Tomkins, Adam (Glasgow) (Con)
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
 Wheelhouse, Paul (South Scotland) (SNP)
 White, Sandra (Glasgow Kelvin) (SNP)
 Whittle, Brian (South Scotland) (Con)
 Wightman, Andy (Lothian) (Green)
 Yousaf, Humza (Glasgow Pollok) (SNP)

Against

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Beamish, Claudia (South Scotland) (Lab)
 Bibby, Neil (West Scotland) (Lab)
 Dugdale, Kezia (Lothian) (Lab)
 Findlay, Neil (Lothian) (Lab)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (East Lothian) (Lab)
 Griffin, Mark (Central Scotland) (Lab)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Kelly, James (Glasgow) (Lab)
 Lamont, Johann (Glasgow) (Lab)
 Lennon, Monica (Central Scotland) (Lab)
 Macdonald, Lewis (North East Scotland) (Lab)
 Marra, Jenny (North East Scotland) (Lab)
 McNeill, Pauline (Glasgow) (Lab)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Sarwar, Anas (Glasgow) (Lab)
 Smith, Elaine (Central Scotland) (Lab)
 Smyth, Colin (South Scotland) (Lab)
 Stewart, David (Highlands and Islands) (Lab)

The Presiding Officer: The result of the division is: For 94, Against 21, Abstentions 0.

Amendment 6 agreed to.

Amendment 42 moved—[Andy Wightman]—and agreed to.

*Amendment 83 moved—[Alexander Burnett]—
and agreed to.*

15:45

The Presiding Officer: I remind members that, if amendment 7 is agreed to, I cannot call amendment 84.

Amendment 7 moved—[Graham Simpson].

The Presiding Officer: The question is, that amendment 7 be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Adam, George (Paisley) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Balfour, Jeremy (Lothian) (Con)
 Ballantyne, Michelle (South Scotland) (Con)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Bowman, Bill (North East Scotland) (Con)
 Briggs, Miles (Lothian) (Con)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Cameron, Donald (Highlands and Islands) (Con)
 Campbell, Aileen (Clydesdale) (SNP)
 Carlaw, Jackson (Eastwood) (Con)
 Chapman, Peter (North East Scotland) (Con)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Constance, Angela (Almond Valley) (SNP)
 Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perthshire South and Kinrossshire) (SNP)
 Davidson, Ruth (Edinburgh Central) (Con)
 Denham, Ash (Edinburgh Eastern) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fabiani, Linda (East Kilbride) (SNP)
 Finnie, John (Highlands and Islands) (Green)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Freeman, Jeane (Carrick, Cumnock and Doon Valley) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Golden, Maurice (West Scotland) (Con)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Greene, Jamie (West Scotland) (Con)
 Greer, Ross (West Scotland) (Green)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Harper, Emma (South Scotland) (SNP)
 Harris, Alison (Central Scotland) (Con)
 Harvie, Patrick (Glasgow) (Green)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Johnstone, Alison (Lothian) (Green)
 Kerr, Liam (North East Scotland) (Con)

Kidd, Bill (Glasgow Anniesland) (SNP)
 Lindhurst, Gordon (Lothian) (Con)
 Lochhead, Richard (Moray) (SNP)
 Lyle, Richard (Uddingston and Bellshill) (SNP)
 MacDonald, Angus (Falkirk East) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 Martin, Gillian (Aberdeenshire East) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 Mason, Tom (North East Scotland) (Con)
 Matheson, Michael (Falkirk West) (SNP)
 McAlpine, Joan (South Scotland) (SNP)
 McArthur, Liam (Orkney Islands) (LD)
 McDonald, Mark (Aberdeen Donside) (Ind)
 McKee, Ivan (Glasgow Provan) (SNP)
 Mitchell, Margaret (Central Scotland) (Con)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Neil, Alex (Airdrie and Shotts) (SNP)
 Paterson, Gil (Clydebank and Milngavie) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Ross, Gail (Caithness, Sutherland and Ross) (SNP)
 Rumbles, Mike (North East Scotland) (LD)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Russell, Michael (Argyll and Bute) (SNP)
 Scott, John (Ayr) (Con)
 Simpson, Graham (Central Scotland) (Con)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Todd, Maree (Highlands and Islands) (SNP)
 Tomkins, Adam (Glasgow) (Con)
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
 Wheelhouse, Paul (South Scotland) (SNP)
 White, Sandra (Glasgow Kelvin) (SNP)
 Whittle, Brian (South Scotland) (Con)
 Wightman, Andy (Lothian) (Green)
 Yousaf, Humza (Glasgow Pollok) (SNP)

Against

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Beamish, Claudia (South Scotland) (Lab)
 Bibby, Neil (West Scotland) (Lab)
 Dugdale, Kezia (Lothian) (Lab)
 Findlay, Neil (Lothian) (Lab)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (East Lothian) (Lab)
 Griffin, Mark (Central Scotland) (Lab)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Kelly, James (Glasgow) (Lab)
 Lamont, Johann (Glasgow) (Lab)
 Lennon, Monica (Central Scotland) (Lab)
 Macdonald, Lewis (North East Scotland) (Lab)
 Marra, Jenny (North East Scotland) (Lab)
 McNeill, Pauline (Glasgow) (Lab)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Sarwar, Anas (Glasgow) (Lab)
 Smith, Elaine (Central Scotland) (Lab)
 Smyth, Colin (South Scotland) (Lab)
 Stewart, David (Highlands and Islands) (Lab)

The Presiding Officer: The result of the division is: For 93, Against 21, Abstentions 0.

Amendment 7 agreed to.

Amendment 85 not moved.

The Presiding Officer: I remind members that, if amendment 8 is agreed to, I cannot call amendment 86.

Amendment 8 moved—[Graham Simpson].

The Presiding Officer: The question is, that amendment 8 be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Adam, George (Paisley) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Balfour, Jeremy (Lothian) (Con)
 Ballantyne, Michelle (South Scotland) (Con)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Bowman, Bill (North East Scotland) (Con)
 Briggs, Miles (Lothian) (Con)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Cameron, Donald (Highlands and Islands) (Con)
 Campbell, Aileen (Clydesdale) (SNP)
 Carlaw, Jackson (Eastwood) (Con)
 Chapman, Peter (North East Scotland) (Con)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Constance, Angela (Almond Valley) (SNP)
 Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perthshire South and Kinross-shire) (SNP)
 Davidson, Ruth (Edinburgh Central) (Con)
 Denham, Ash (Edinburgh Eastern) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fabiani, Linda (East Kilbride) (SNP)
 Finnie, John (Highlands and Islands) (Green)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Freeman, Jeane (Carrick, Cumnock and Doon Valley) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Golden, Maurice (West Scotland) (Con)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Greene, Jamie (West Scotland) (Con)
 Greer, Ross (West Scotland) (Green)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Harper, Emma (South Scotland) (SNP)
 Harris, Alison (Central Scotland) (Con)
 Harvie, Patrick (Glasgow) (Green)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Johnstone, Alison (Lothian) (Green)
 Kerr, Liam (North East Scotland) (Con)
 Kidd, Bill (Glasgow Anniesland) (SNP)

Lochhead, Richard (Moray) (SNP)
 Lyle, Richard (Uddingston and Bellshill) (SNP)
 MacDonald, Angus (Falkirk East) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 Martin, Gillian (Aberdeenshire East) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 Mason, Tom (North East Scotland) (Con)
 Matheson, Michael (Falkirk West) (SNP)
 McAlpine, Joan (South Scotland) (SNP)
 McArthur, Liam (Orkney Islands) (LD)
 McDonald, Mark (Aberdeen Donside) (Ind)
 McKee, Ivan (Glasgow Provan) (SNP)
 Mitchell, Margaret (Central Scotland) (Con)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Neil, Alex (Airdrie and Shotts) (SNP)
 Paterson, Gil (Clydebank and Milngavie) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Ross, Gail (Caithness, Sutherland and Ross) (SNP)
 Rumbles, Mike (North East Scotland) (LD)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Russell, Michael (Argyll and Bute) (SNP)
 Scott, John (Ayr) (Con)
 Simpson, Graham (Central Scotland) (Con)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Todd, Maree (Highlands and Islands) (SNP)
 Tomkins, Adam (Glasgow) (Con)
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
 Wheelhouse, Paul (South Scotland) (SNP)
 White, Sandra (Glasgow Kelvin) (SNP)
 Whittle, Brian (South Scotland) (Con)
 Wightman, Andy (Lothian) (Green)
 Yousaf, Humza (Glasgow Pollok) (SNP)

Against

Baillie, Jackie (Dumbarton) (Lab)
 Beamish, Claudia (South Scotland) (Lab)
 Bibby, Neil (West Scotland) (Lab)
 Dugdale, Kezia (Lothian) (Lab)
 Findlay, Neil (Lothian) (Lab)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (East Lothian) (Lab)
 Griffin, Mark (Central Scotland) (Lab)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Kelly, James (Glasgow) (Lab)
 Lamont, Johann (Glasgow) (Lab)
 Lennon, Monica (Central Scotland) (Lab)
 Macdonald, Lewis (North East Scotland) (Lab)
 Marra, Jenny (North East Scotland) (Lab)
 McNeill, Pauline (Glasgow) (Lab)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Sarwar, Anas (Glasgow) (Lab)
 Smith, Elaine (Central Scotland) (Lab)
 Smyth, Colin (South Scotland) (Lab)
 Stewart, David (Highlands and Islands) (Lab)

The Presiding Officer: The result of the division is: For 93, Against 20, Abstentions 0.

Amendment 8 agreed to.

Amendment 43 moved—[Andy Wightman]—and agreed to.

Amendment 87 not moved.

Amendment 9 moved—[Graham Simpson].

Amendment 9A not moved.

The Presiding Officer: The question is, that amendment 9 be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Adam, George (Paisley) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Balfour, Jeremy (Lothian) (Con)
 Ballantyne, Michelle (South Scotland) (Con)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Bowman, Bill (North East Scotland) (Con)
 Briggs, Miles (Lothian) (Con)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Cameron, Donald (Highlands and Islands) (Con)
 Campbell, Aileen (Clydesdale) (SNP)
 Carlaw, Jackson (Eastwood) (Con)
 Chapman, Peter (North East Scotland) (Con)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Constance, Angela (Almond Valley) (SNP)
 Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perthshire South and Kinrossshire) (SNP)
 Davidson, Ruth (Edinburgh Central) (Con)
 Denham, Ash (Edinburgh Eastern) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fabiani, Linda (East Kilbride) (SNP)
 Finnie, John (Highlands and Islands) (Green)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Freeman, Jeane (Carrick, Cumnock and Doon Valley) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Greene, Jamie (West Scotland) (Con)
 Greer, Ross (West Scotland) (Green)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Harper, Emma (South Scotland) (SNP)
 Harris, Alison (Central Scotland) (Con)
 Harvie, Patrick (Glasgow) (Green)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Johnstone, Alison (Lothian) (Green)
 Kerr, Liam (North East Scotland) (Con)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lindhurst, Gordon (Lothian) (Con)
 Lochhead, Richard (Moray) (SNP)

Lyle, Richard (Uddingston and Bellshill) (SNP)
 MacDonald, Angus (Falkirk East) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 Martin, Gillian (Aberdeenshire East) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 Mason, Tom (North East Scotland) (Con)
 Matheson, Michael (Falkirk West) (SNP)
 McAlpine, Joan (South Scotland) (SNP)
 McArthur, Liam (Orkney Islands) (LD)
 McDonald, Mark (Aberdeen Donside) (Ind)
 McKee, Ivan (Glasgow Provan) (SNP)
 Mitchell, Margaret (Central Scotland) (Con)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Neil, Alex (Airdrie and Shotts) (SNP)
 Paterson, Gil (Clydebank and Milngavie) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Ross, Gail (Caithness, Sutherland and Ross) (SNP)
 Rumbles, Mike (North East Scotland) (LD)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Russell, Michael (Argyll and Bute) (SNP)
 Scott, John (Ayr) (Con)
 Simpson, Graham (Central Scotland) (Con)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Todd, Maree (Highlands and Islands) (SNP)
 Tomkins, Adam (Glasgow) (Con)
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
 Wheelhouse, Paul (South Scotland) (SNP)
 White, Sandra (Glasgow Kelvin) (SNP)
 Whittle, Brian (South Scotland) (Con)
 Wightman, Andy (Lothian) (Green)
 Yousaf, Humza (Glasgow Pollok) (SNP)

Against

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Beamish, Claudia (South Scotland) (Lab)
 Bibby, Neil (West Scotland) (Lab)
 Dugdale, Kezia (Lothian) (Lab)
 Findlay, Neil (Lothian) (Lab)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (East Lothian) (Lab)
 Griffin, Mark (Central Scotland) (Lab)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Kelly, James (Glasgow) (Lab)
 Lamont, Johann (Glasgow) (Lab)
 Lennon, Monica (Central Scotland) (Lab)
 Macdonald, Lewis (North East Scotland) (Lab)
 Marra, Jenny (North East Scotland) (Lab)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Sarwar, Anas (Glasgow) (Lab)
 Smith, Elaine (Central Scotland) (Lab)
 Smyth, Colin (South Scotland) (Lab)
 Stewart, David (Highlands and Islands) (Lab)

The Presiding Officer: The result of the division is: For 93, Against 20, Abstentions 0.

Amendment 9 agreed to.

Amendment 88 not moved.

Amendments 44 and 45 moved—[Kevin Stewart]—and agreed to.

Amendment 10 moved—[Graham Simpson].

The Presiding Officer: The question is, that amendment 10 be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Adam, George (Paisley) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Balfour, Jeremy (Lothian) (Con)
 Ballantyne, Michelle (South Scotland) (Con)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Bowman, Bill (North East Scotland) (Con)
 Briggs, Miles (Lothian) (Con)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Cameron, Donald (Highlands and Islands) (Con)
 Campbell, Aileen (Clydesdale) (SNP)
 Carlaw, Jackson (Eastwood) (Con)
 Chapman, Peter (North East Scotland) (Con)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Constance, Angela (Almond Valley) (SNP)
 Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perthshire South and Kinross-shire) (SNP)
 Davidson, Ruth (Edinburgh Central) (Con)
 Denham, Ash (Edinburgh Eastern) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fabiani, Linda (East Kilbride) (SNP)
 Finnie, John (Highlands and Islands) (Green)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Freeman, Jeane (Carrick, Cumnock and Doon Valley) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Golden, Maurice (West Scotland) (Con)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Greene, Jamie (West Scotland) (Con)
 Greer, Ross (West Scotland) (Green)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Harper, Emma (South Scotland) (SNP)
 Harris, Alison (Central Scotland) (Con)
 Harvie, Patrick (Glasgow) (Green)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Johnstone, Alison (Lothian) (Green)
 Kerr, Liam (North East Scotland) (Con)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lindhurst, Gordon (Lothian) (Con)
 Lochhead, Richard (Moray) (SNP)
 Lyle, Richard (Uddingston and Bellshill) (SNP)
 MacDonald, Angus (Falkirk East) (SNP)

MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 Martin, Gillian (Aberdeenshire East) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 Mason, Tom (North East Scotland) (Con)
 Matheson, Michael (Falkirk West) (SNP)
 McAlpine, Joan (South Scotland) (SNP)
 McArthur, Liam (Orkney Islands) (LD)
 McDonald, Mark (Aberdeen Donside) (Ind)
 McKee, Ivan (Glasgow Provan) (SNP)
 Mitchell, Margaret (Central Scotland) (Con)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Neil, Alex (Airdrie and Shotts) (SNP)
 Paterson, Gil (Clydebank and Milngavie) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Ross, Gail (Caithness, Sutherland and Ross) (SNP)
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 Ruskell, Mark (Mid Scotland and Fife) (Green)
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 Simpson, Graham (Central Scotland) (Con)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Todd, Maree (Highlands and Islands) (SNP)
 Tomkins, Adam (Glasgow) (Con)
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 Wheelhouse, Paul (South Scotland) (SNP)
 White, Sandra (Glasgow Kelvin) (SNP)
 Whittle, Brian (South Scotland) (Con)
 Wightman, Andy (Lothian) (Green)
 Yousaf, Humza (Glasgow Pollok) (SNP)

Against

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Beamish, Claudia (South Scotland) (Lab)
 Bibby, Neil (West Scotland) (Lab)
 Dugdale, Kezia (Lothian) (Lab)
 Findlay, Neil (Lothian) (Lab)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (East Lothian) (Lab)
 Griffin, Mark (Central Scotland) (Lab)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Kelly, James (Glasgow) (Lab)
 Lamont, Johann (Glasgow) (Lab)
 Lennon, Monica (Central Scotland) (Lab)
 Macdonald, Lewis (North East Scotland) (Lab)
 Marra, Jenny (North East Scotland) (Lab)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Sarwar, Anas (Glasgow) (Lab)
 Smith, Elaine (Central Scotland) (Lab)
 Smyth, Colin (South Scotland) (Lab)
 Stewart, David (Highlands and Islands) (Lab)

The Presiding Officer: The result of the division is: For 94, Against 20, Abstentions 0.

Amendment 10 agreed to.

Amendment 89 not moved.

Amendment 46 moved—[Kevin Stewart]—and agreed to.

Amendment 47 moved—[Andy Wightman]—and agreed to.

Section 7—Consultation on periodic reports

Amendment 90 moved—[Alex Rowley]—and agreed to.

Section 9—Report on the 2040 target

Amendments 91 to 94 not moved.

After section 9

Amendment 11 moved—[Graham Simpson].

Amendments 11A to 11F not moved.

Amendment 11 agreed to.

Section 9A—Scottish Fuel Poverty Advisory Panel

Amendment 95 moved—[Alex Rowley]—and agreed to.

Amendment 12 moved—[Graham Simpson]—and agreed to.

The Presiding Officer: We turn to group 9, on the Scottish fuel advisory panel. Amendment 96, in the name of Alex Rowley, is grouped with amendments 48 to 57, 59, 60, 60A, 61 and 62.

Alex Rowley: It is important that members of the Scottish Parliament outwith the Government have access to advice from the statutory panel in order to adequately scrutinise the impact of Government policy and understand what further action needs to be taken to meet the targets.

We are supporting the Government's amendments, which will increase the financial cap and place it over a three-year period. That is a sensible approach, and the Parliament seems to agree that the panel should provide what is largely a scrutiny role. We also support Andy Wightman's amendment 60A, which allows for the cap to be increased. It is plausible that a future Government might want to commission one-off research that could be cost saving in the longer term, and the amendment would allow for that.

I move amendment 96.

Kevin Stewart: At stage 2, I gave my support to Alex Rowley's amendment to establish a statutory Scottish fuel poverty advisory panel. I very much welcomed the principle of a cap on expenditure, as I would prefer to invest our resources in fuel-poor households and not in administration. However, I did say that the £20,000 cap might be too low, and I committed the Government to carrying out work to estimate the sums that are likely to be required for the panel to be able to perform its functions effectively.

Amendment 60 introduces a new three-yearly cost cap of £82,000, which can be adjusted to reflect any percentage increase in the annual average consumer price index. That figure is based on the panel being of a similar size to the existing non-statutory body and its meeting four times a year. It also assumes a reasonable level of remuneration and appropriate staff and secretariat costs. We believe that it would be better to provide for a multiyear cap on the panel's costs instead of a single-year figure, because it is likely that the panel's workload will vary from year to year. The first of those three-year periods will begin when this new section of the bill comes into force and will continue on a rolling basis thereafter.

The amendments in this group also make a number of tweaks in relation to the power to set out in regulations the details of precisely how the panel should be constituted and its functions. At present, the drafting of section 9A does not provide sufficient flexibility to properly address all the issues that are likely to arise in setting up and running a body such as the panel, including the arrangements for appointing members and our being able to make provision regarding things such as the panel's legal status or to amend other legislation, which is not possible as the bill is currently drafted.

Alex Rowley's amendment 96 proposes that the panel should be able to provide advice to the relevant parliamentary committee. That would be helpful, and the existing cost estimates are sufficient to cover that.

However, in relation to Mr Wightman's amendment 60A, I do not support adding the ability for ministers to change the budget cap. Our amendments provide for adequate funding, and we have future proofed the level of funding to take inflation into account. There is no need to revisit the matter, and I am concerned that constant revision of the cap would simply push the costs up and reduce the focus and efficiency of the panel.

I welcome the establishment of a statutory panel, as I believe that that approach will provide us with the expertise that is required while offering us real value for money.

Andy Wightman: I will restrict my remarks to amendment 60A, in my name. The amendment relates to the most important amendment that was lodged at stage 2—Alex Rowley's amendment to establish a Scottish fuel poverty advisory panel. One hopes that having such a panel—together with the interim target, the periodic reporting and the scrutiny that is now embedded in the bill—will ensure, as far as possible, that the failure to meet the targets in previous legislation does not come to pass again.

I am a bit bemused by the minister's objection to amendment 60A, which simply gives ministers the power to make regulations to vary the cap on the finances for the panel. The bill sets a target out to 2040, which is 21 years away, and there will be around four or five Administrations over that time. To me, it seems perfectly reasonable that a future Administration may wish to vary the cap, and I do not understand why the minister wishes to fetter the discretion in that regard. It is an eminently reasonable provision and I see no reason to reject it, but I guess that it might well be rejected—I have no idea.

16:00

Annabelle Ewing: I rise to speak against amendment 60A. At stage 2, I was pleased to support the proposal to put the Scottish fuel poverty advisory panel on a statutory footing. However, at that time, I raised concerns that, in doing so, we should not use scarce resources on administration and bureaucracy but should ensure that the focus remains on resources for the front line. The issue of a cap was raised at stage 2 and, as the minister said, he undertook to reflect on what would be a reasonable figure to allow the body to function in accordance with its remit while taking into account the need not to divert resource from the front line. That work has been done, and I am happy to support amendment 60, in the name of the minister.

I note that, at stage 2, Mr Wightman supported a cap approach on the basis that he is

“not a supporter of setting up a bureaucratic organisation using lots of resources”.—[*Official Report, Local Government and Communities Committee*, 27 March 2019; c 42.]

Liam McArthur: I support Andy Wightman's approach in amendment 60A. As far as I can see, it is an enabling provision that would allow ministers to make changes by regulation. Any such changes would be scrutinised by future Parliaments, which would be cognisant of the need to avoid resources being inappropriately diverted away from the front line. I see no real risk in the provision, and we will support it.

Graham Simpson: It is unusual that we have a minister who does not want to take powers. I suppose that he is to be commended for that. Through amendment 60, he has already increased the budget for the panel, and the figure is inflation proofed, which I think goes far enough. Therefore, we will support amendment 60 but not amendment 60A.

Alex Rowley: We will support every amendment in the group, including Andy Wightman's amendment 60A for the reasons that he and Liam McArthur have set out.

Amendment 96 agreed to.

Amendments 48 to 57 and 59 moved—[Kevin Stewart]—and agreed to.

Amendment 97 moved—[Alex Rowley]—and agreed to.

After section 9A

Amendment 60 moved—[Kevin Stewart].

Amendment 60A moved—[Andy Wightman].

The Presiding Officer: The question is, that amendment 60A be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

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

Against

Adam, George (Paisley) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Balfour, Jeremy (Lothian) (Con)
 Ballantyne, Michelle (South Scotland) (Con)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Bowman, Bill (North East Scotland) (Con)
 Briggs, Miles (Lothian) (Con)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Cameron, Donald (Highlands and Islands) (Con)
 Campbell, Aileen (Clydesdale) (SNP)
 Carlaw, Jackson (Eastwood) (Con)
 Chapman, Peter (North East Scotland) (Con)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Constance, Angela (Almond Valley) (SNP)
 Crawford, Bruce (Stirling) (SNP)

Cunningham, Roseanna (Perthshire South and Kinross-shire) (SNP)
 Davidson, Ruth (Edinburgh Central) (Con)
 Denham, Ash (Edinburgh Eastern) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fabiani, Linda (East Kilbride) (SNP)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Freeman, Jeane (Carrick, Cumnock and Doon Valley) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Golden, Maurice (West Scotland) (Con)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Greene, Jamie (West Scotland) (Con)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Harper, Emma (South Scotland) (SNP)
 Harris, Alison (Central Scotland) (Con)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Kerr, Liam (North East Scotland) (Con)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lindhurst, Gordon (Lothian) (Con)
 Lochhead, Richard (Moray) (SNP)
 Lyle, Richard (Uddingston and Bellshill) (SNP)
 MacDonald, Angus (Falkirk East) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 Martin, Gillian (Aberdeenshire East) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 Mason, Tom (North East Scotland) (Con)
 Matheson, Michael (Falkirk West) (SNP)
 McAlpine, Joan (South Scotland) (SNP)
 McKee, Ivan (Glasgow Provan) (SNP)
 Mitchell, Margaret (Central Scotland) (Con)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Neil, Alex (Airdrie and Shotts) (SNP)
 Paterson, Gil (Clydebank and Milngavie) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Ross, Gail (Caithness, Sutherland and Ross) (SNP)
 Russell, Michael (Argyll and Bute) (SNP)
 Scott, John (Ayr) (Con)
 Simpson, Graham (Central Scotland) (Con)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Todd, Maree (Highlands and Islands) (SNP)
 Tomkins, Adam (Glasgow) (Con)
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
 Wheelhouse, Paul (South Scotland) (SNP)
 White, Sandra (Glasgow Kelvin) (SNP)
 Whittle, Brian (South Scotland) (Con)
 Yousaf, Humza (Glasgow Pollok) (SNP)

The Presiding Officer: The result of the division is: For 31, Against 83, Abstentions 0.

Amendment 60A disagreed to.

Amendment 60 agreed to.

Section 11—Regulation-making powers

Amendment 99 not moved.

Amendments 61 and 62 moved—[Kevin Stewart]—and agreed to.

Section 12A—Interpretation

Amendments 13 and 14 moved—[Graham Simpson]—and agreed to.

Amendment 98 moved—[Alex Rowley]—and agreed to.

Section 13—Commencement

The Presiding Officer: Amendment 64, in the name of Andy Wightman, is in a group on its own.

Andy Wightman: Amendment 64 is possibly the most exciting amendment that we will debate today—it appeals to the inner geek in me.

Since I arrived in Parliament, I have noted the importance of commencement provisions in bills, particularly when the Government is in a minority. Sometimes, such provisions can be used to frustrate Opposition amendments, so I have taken to keeping a close eye on commencement sections.

I lodged an amendment at stage 2 to commence the whole act, but the minister suggested—perhaps correctly—that it was inappropriate to commence the whole act at once, so I have gone through the bill with a fine-tooth comb.

It is interesting to note that we have arrived at a position where the day after the Fuel Poverty (Targets, Definition and Strategy) (Scotland) Bill receives royal assent, three sections will come into force: section 12A, which is the exciting section called “Interpretation”, on the meaning of the fuel poverty targets; section 13, which is the commencement section itself, which needs to come into force to enable us to commence the commencement section; and section 14, which is the most exciting section of the bill, describing the short title of the act.

Given that section 12A is to be commenced on the day after royal assent and it is the interpretation of the terms that are used in sections 1 and 1A and given that section 1A merely introduces the principal measures in the bill, namely a 2030 target and a 2040 target, I fail to see why the provisions in sections 1 and 1A should not come into force the day after royal assent.

I understand that the minister takes a different view. That is fine, but those are my thoughts, for what they are worth.

I move amendment 64.

James Dornan: Mr Wightman mentioned stage 2 and I think that the response that the minister gave him at that stage explained clearly why it could not be done. As Mr Wightman said himself,

“Mr Stewart correctly drew attention to sections 2, 3, 4 and 5, which cannot come into force the day after royal assent.”—[*Official Report, Local Government and Communities Committee*, 3 April 2019; c 37.]

Also, for example, if the Government needed to commence section 2, it would then need to introduce regulations in relation to finance, stating the additional uplift for remote and island areas and so on after that. I do not believe that those sections could be implemented the day after royal assent.

Andy Wightman: I entirely accept what James Dornan says, but I am not seeking to commence section 2 or any of the subsequent sections. I am just seeking to commence sections 1 and 1A. I would be interested to hear the member's views on why on earth those sections cannot be brought into force immediately after royal assent.

James Dornan: It is important that we work on the basis of what there was agreement on in the committee. I do not really understand the push for the provision. It is not common for all the parts of the bill to be commenced the day after royal assent. I just do not understand why it is necessary here. To be fair, I am the anti-geek, so we are fighting from opposite corners.

Kevin Stewart: During stage 2, I assured the committee that the Scottish Government has no intention of causing any delay to the commencement of the bill's provisions. Once the bill becomes an act, my intention is to implement its substantive provisions as soon as is practicable. That means that section 13, which commences the “Interpretation”, “Commencement” and “Short title” sections, will come into force on the day after royal assent, with the other provisions to be commenced by regulations.

Amendment 64, in the name of Andy Wightman, would commence the section setting out the 2040 and 2030 targets on the day after royal assent, before we have a working definition of fuel poverty. That is not practical or sensible.

Because of the need to establish the final detail of the definition, there is a logical order to the commencement of the sections. For example, we need to commence section 2, then bring forward regulations in relation to enhanced heating and the additional uplift for remote rural areas, remote small towns and island communities. We went

through that at stage 2, when Mr Wightman lodged a similar amendment. At the time, he withdrew the amendment because he accepted that we cannot yet commence the definition of fuel poverty and, if we cannot do that, it does not make sense to commence the targets on fuel poverty, which rely on that definition.

It is our intention to commence the sections that set out the targets at the same time as the definition of fuel poverty comes into force through regulations. We intend for that to be done before the end of this year.

I urge Mr Wightman not to press amendment 64.

Andy Wightman: I will not detain members for much longer. There are more important arguments to be had in this place. I press amendment 64.

The Presiding Officer: The question is, that amendment 64 be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

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

Against

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

Carlaw, Jackson (Eastwood) (Con)
 Chapman, Peter (North East Scotland) (Con)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Constance, Angela (Almond Valley) (SNP)
 Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perthshire South and Kinross-shire) (SNP)
 Davidson, Ruth (Edinburgh Central) (Con)
 Denham, Ash (Edinburgh Eastern) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fabiani, Linda (East Kilbride) (SNP)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Freeman, Jeane (Carrick, Cumnock and Doon Valley) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Golden, Maurice (West Scotland) (Con)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Greene, Jamie (West Scotland) (Con)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Harper, Emma (South Scotland) (SNP)
 Harris, Alison (Central Scotland) (Con)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Kerr, Liam (North East Scotland) (Con)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lindhurst, Gordon (Lothian) (Con)
 Lochhead, Richard (Moray) (SNP)
 Lyle, Richard (Uddingston and Bellshill) (SNP)
 MacDonald, Angus (Falkirk East) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
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 Matheson, Michael (Falkirk West) (SNP)
 McAlpine, Joan (South Scotland) (SNP)
 McArthur, Liam (Orkney Islands) (LD)
 McKee, Ivan (Glasgow Provan) (SNP)
 Mitchell, Margaret (Central Scotland) (Con)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Neil, Alex (Airdrie and Shotts) (SNP)
 Paterson, Gil (Clydebank and Milngavie) (SNP)
 Rennie, Willie (North East Fife) (LD)
 Robison, Shona (Dundee City East) (SNP)
 Ross, Gail (Caithness, Sutherland and Ross) (SNP)
 Rumbles, Mike (North East Scotland) (LD)
 Russell, Michael (Argyll and Bute) (SNP)
 Scott, John (Ayr) (Con)
 Simpson, Graham (Central Scotland) (Con)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Swinney, John (Perthshire North) (SNP)
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Tomkins, Adam (Glasgow) (Con)
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
 Wheelhouse, Paul (South Scotland) (SNP)
 White, Sandra (Glasgow Kelvin) (SNP)
 Whittle, Brian (South Scotland) (Con)
 Yousaf, Humza (Glasgow Pollok) (SNP)

The Presiding Officer: The result of the division is: For 27, Against 87, Abstentions 0.

Amendment 64 disagreed to.

The Presiding Officer: That concludes consideration of the amendments.

As members are aware, at this point in the proceedings I am required under standing orders to decide whether, in my view, any provision of the bill relates to a protected subject matter: that is, whether it would modify the electoral system and franchise for Scottish parliamentary elections. In my view, no provision of the Fuel Poverty (Targets, Definition and Strategy) (Scotland) Bill relates to a protected subject matter. Therefore, the bill does not require a supermajority in order to be passed at stage 3.

As members might also be aware, we have decided to move the stage 3 debate to Tuesday afternoon.

Meeting closed at 16:14.

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