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Scottish Parliament

Thursday 30 January 2020

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

General Question Time

United Kingdom's Exit from the European Union

1. Gordon MacDonald (Edinburgh Pentlands)

(SNP): To ask the Scottish Government what action it is taking in response to the UK Government proceeding to take the UK out of the EU on 31 January through the European Union (Withdrawal Agreement) Bill, despite the decision by the Scottish Parliament and the other devolved legislatures not to consent to the bill. (S5O-04077)

The Cabinet Secretary for Government Business and Constitutional Relations (Michael Russell): It is a source of real sadness and regret on this, Scotland's last full day—at this time—in the EU, that Scotland will be taken out of the EU by the UK Government, despite there being no democratic mandate for that withdrawal in Scotland.

Given the UK Government's track record, the Scottish Government did not expect it to respect the views of the Parliament on the withdrawal agreement bill. However, it should be noted that, for the first time since devolution, the UK Government has ignored the expressed views of all three devolved legislatures with regard to a bill that requires consent.

In any sensibly run, normal country, that unprecedented display of both discontent and solidarity should have had some impact; in the UK's system it has had none. The actions of the UK Government are a further demonstration that it has never seen—and I suspect, will never see—the United Kingdom as a partnership of equals.

The Scottish Government will have to continue to fight to have Scotland's voice heard during the upcoming process of negotiating a future relationship with the EU and to give people in Scotland the right to choose a better future—an action that was endorsed by this Parliament yesterday.

Gordon MacDonald: The Tory Government is breaching the devolution settlement and treating the devolved Administrations with contempt. Tomorrow, it will drag us out of the EU against the clear will of the Scottish people. Does the cabinet secretary agree that that plainly illustrates that the only way for the people of Scotland to have a say

over their own future is through a second independence referendum, which this Parliament voted for yesterday? *[Applause.]*

Michael Russell: Despite the applause, there is nothing exceptional in that argument. It is an argument based solely on a democratic mandate, given by the people of Scotland, demanding the right to have a choice. It baffles me how any member of this Parliament, representing any part of Scotland, can stand against the clearly expressed wish of that part of Scotland and the whole country to have a choice. Anybody who does so is not a democrat.

Queensferry Crossing (Traffic)

2. Liz Smith (Mid Scotland and Fife) (Con):

To ask the Scottish Government what its response is to reported comments by Transport Scotland officials that the volume of traffic on the Queensferry crossing is beyond what the bridge was designed for. (S5O-04078)

The Cabinet Secretary for Transport, Infrastructure and Connectivity (Michael Matheson): Close to 80,000 vehicles have been using the Queensferry crossing every day since 2017. That demand is less than the capacity, however. As we all know, demand for travel varies throughout the day, and that is what we see on the crossing at peak times.

Transport Scotland is undertaking an evaluation of the Forth replacement crossing project, in line with the Scottish trunk road infrastructure project evaluation guidance. That will consider the impact of the scheme by comparing conditions one year after and three years after motorway regulations came into force, and we expect to receive the first of those reports in spring this year. That will inform future decision making in relation to the Forth replacement crossing.

Liz Smith: The cabinet secretary knows that, on 28 November, we had an exchange about the serious concerns that many of my constituents have about substantial congestion, particularly on the Fife side of the Queensferry crossing and the approach road.

I tried very hard to get a meeting with the cabinet secretary, but I understand that that cannot take place until April. In his reply to me on 28 November, he said that there would be a meeting in January, after which he would be better informed about congestion issues. Will he update the chamber on exactly what was discussed?

Michael Matheson: I look forward to the meeting that I will have with Liz Smith in the coming weeks.

A meeting has taken place between the operating company, Transport Scotland and Fife

Council to look at a range of issues. Apparently, it was a very productive meeting. A range of actions have been taken away from that meeting; we will look at what further measures can be put in place, working in partnership with Fife Council and other transport partners, in order to ensure that they address some of the congestion issues.

However, as is often the case at peak times on structures such as the Queensferry crossing, there will be periods of congestion when the volume of traffic is at its highest. That may continue to be the case, but further measures are being looked at to help increase the modal shift to public transport, by encouraging more people to use public transport provision to cross the Forth.

Annabelle Ewing (Cowdenbeath) (SNP): I note the cabinet secretary's helpful clarification that the Queensferry crossing is not operating beyond capacity.

Given the need to consider increased demand for park-and-ride services, can the cabinet secretary outline what steps can be taken to make better use of the benefits of the public transport corridor across the Forth road bridge?

Michael Matheson: The member is right; it is factually wrong to say that the bridge is at capacity. That was not stated by officials and it was misreported in the press.

Evidence to date shows that the public transport strategy is succeeding. It has been developed with Transport Scotland in collaboration with bus operators, the City of Edinburgh Council, Fife Council and the south east of Scotland transport partnership.

Transport Scotland will also be using its role as chair of the multi-agency Forth bridges forum to support schemes and measures to encourage an increase in cross-Forth active travel and sustainable public transport.

The Scottish Government has made a commitment to invest significantly in bus prioritisation. More than £500 million—the biggest investment ever, in this Parliament—has been invested to support greater prioritisation of bus services and to encourage modal shift on to more sustainable forms of transport, in the form of bus use.

We will also be working with councils across the country to ensure that we maximise the benefit of that investment. I expect Edinburgh and Fife councils to benefit from it as they develop proposals that meet the requirements that are set out in the bus improvement partnership programme.

Alex Rowley (Mid Scotland and Fife) (Lab): The Queensferry crossing was welcomed by everyone in Fife, and it is still welcome. However,

it is a fact that the bridge clogs up not only at peak times. It is difficult to see why that is, but we need to understand and fix it.

Many people in Fife have told me that they cannot afford to use the railway. The cost is going up so much that people are being excluded. A coherent, joined-up public transport proposal is really needed for Fife. I have asked the cabinet secretary to meet me to discuss that.

Michael Matheson: I have no doubt that I will have a meeting with the member in due course.

The member may be aware that we will be publishing the national transport strategy next week, which will set out the priorities for improving transportation across the country—including areas such as Fife.

The purpose of the Queensferry crossing was to replace the old crossing and provide a more resilient and reliable crossing for traffic on the Forth estuary, rather than to increase capacity and support an ever-increasing volume of traffic. That is why the public transport strategy, which is associated with the crossing, is key to helping to alleviate some of that pressure. The success that we have with that will be central to ensuring that we manage those demands in the years ahead.

Neil Findlay: The bridge may not be at capacity, but it is often very slow for commuters who are coming from West Lothian and other areas. If the lesson from the bridge is that, if you build it, people will come, why is the Government building more and more major roads at a time when we should be addressing climate change?

Michael Matheson: The member has fundamentally misunderstood the purpose of the Queensferry crossing. It was not designed to increase capacity; it was designed to provide a more resilient and reliable crossing across the Forth. That is exactly what it did in its replacement of the Forth road bridge. That bridge is now a public transport corridor, which is proving to be successful, as there is an increase in its use for that purpose. We want to ensure that we build on that in the weeks and months ahead.

Digital Economy (Post-Brexit)

3. **Willie Coffey (Kilmarnock and Irvine Valley) (SNP):** To ask the Scottish Government what plans it has in place to ensure that Scotland remains part of the digital economy in Europe post-Brexit. (S5O-04079)

The Minister for Public Finance and Digital Economy (Kate Forbes): Scotland's digital and financial tech sectors are among the fastest growing in our economy. Just this week, Scotland's fin tech community achieved European

recognition as a centre of excellence—the first in the UK and only the third in Europe.

We deeply regret the United Kingdom Government's decision to remove us from the digital single market—one of the largest of its kind in the world—given the potentially grave economic consequences of that decision.

We will continue to work hard to influence the UK negotiating position to ensure that our businesses have the closest possible alignment with and access to the digital single market. To that end, Derek Mackay recently wrote to all new European Union commissioners making clear our commitment to Europe and willingness to remain aligned to EU values and rules.

Willie Coffey: The minister will be aware that the digital single market is worth an estimated €400 billion per year to Europe's economy. How can she make sure that Scotland remains digitally connected to Europe to ensure that we at least keep pace with digital developments in Europe?

Kate Forbes: I agree entirely with Willie Coffey's question. Scotland is one of Europe's emerging tech powerhouses—that is increasingly being recognised in relation to our innovation and the global reputation of our businesses. Scotland's digital industry's export market was worth £1.46 billion in 2017. It is essential that trade continues with minimum disruption to ensure that our digital economy continues to grow and thrive. We will do everything possible to support our tech community and ensure that it has access to the European market.

United Kingdom-European Union Talks

4. **Linda Fabiani (East Kilbride) (SNP):** To ask the Scottish Government what involvement it has in UK-EU talks. (S5O-04080)

The Cabinet Secretary for Government Business and Constitutional Relations (Michael Russell): At the start of the article 50 negotiations, the UK Government committed to involving the devolved Governments in the preparation of the UK's negotiating position. However, it has failed to honour the terms of reference that it signed up to at the Joint Ministerial Committee (European Negotiations)—a point that I made clear at the previous JMC(EN) meeting, in Cardiff on Tuesday. Those terms of reference specifically say that the Governments of the UK should work collaboratively to agree objectives for the article 50 negotiations and that the devolved Governments alongside the UK Government should

“provide oversight of negotiations with the EU, to ensure, as far as possible, that outcomes agreed by all four governments are secured.”

In the past few days, we have received suggestions from the UK Government for a new set of arrangements, which we will look at on their merits. They lean heavily on proposals that I made at the January meeting. I will give more detail on that in my statement this afternoon.

Linda Fabiani: I understand that the Crown protectorates, such as Jersey, Guernsey and the Isle of Man, already have, by their agreement, greater involvement than Scotland does. I am also aware that the UK Government has agreed to engage specifically with the Northern Ireland Executive on trading arrangements with the EU and support for businesses. Does the minister believe that it intends to extend that courtesy to Scotland?

Michael Russell: There are two parts to that proposal. The first is the agreement of a structure in which there could be any meaningful involvement, and that would depend on a mutual recognition of mandates. The second part concerns whether the UK Government would observe the requirements of such a structure. There is a structure in place in the JMC(EN), but it has not been operated by the UK Government in the way to which it committed in writing.

I am open to a discussion on respective mandates, as I shall say in my statement this afternoon. I am open to a process being established, and we have put a proposal on the table, which is being discussed. However, it will depend on the UK Government doing what it says it will do, and, so far, that has not happened.

Clare's Law

5. **Shona Robison (Dundee City East) (SNP):** To ask the Scottish Government what plans it has to review the disclosure scheme for domestic abuse, Clare's Law, to ensure that people deemed at risk are protected. (S5O-04081)

The Cabinet Secretary for Justice (Humza Yousaf): The disclosure scheme for domestic abuse has been fully operational across Scotland since 1 October 2015. The scheme provides a person with the right to ask police about their partner's background if they suspect that their partner has a history of domestic abuse and believe that they may be at risk of harm. Each case is considered carefully by Police Scotland and other agencies to determine whether a disclosure is lawful, necessary and proportionate to protect the individual from their partner.

The scheme receives a substantial number of applications. Last year, 2,401 applications were received, which was a 61 per cent increase on the number of applications that were received in the previous year. A formal evaluation of the scheme will be carried out later this year by Glasgow

Caledonian University in partnership with Police Scotland, following a successful grant bid by the Scottish Institute for Policing Research.

Shona Robison: I have constituents who have been victims of abuse and are now facing the traumatic experience of possibly being dragged through the courts as their abusers use the tactic of counter-accusations to prolong their harassment. Does the cabinet secretary agree that protections need to be put in place to ensure that that type of judicial abuse is highlighted and taken into consideration when recommendations are made to the procurator fiscal?

Humza Yousaf: I thank Shona Robison for raising an incredibly important point. I have met many organisations that work with survivors of domestic abuse, and they often raise with me the fact that the judicial process—indeed, the justice system generally—is being used by perpetrators of domestic abuse to continue their control over survivors of domestic abuse. It is something that we are very aware of and alert to, and we are taking action on it as well.

I am sorry to hear of Shona Robison's constituents' circumstances. A joint protocol exists between Police Scotland and the Crown Office and Procurator Fiscal Service that states that Police Scotland must thoroughly investigate the full circumstances of an incident to identify and report the principal perpetrator to the procurator fiscal. In addition, I am advised that specialist training by Police Scotland supports officers to identify such perpetrators' tactics and protect victims from spurious counter-allegations. If the member wishes to give me more details of her constituents' cases, I would be more than happy to meet her.

Liam Kerr (North East Scotland) (Con): The Chartered Institute of Housing Scotland has highlighted the challenge that social landlords face in managing situations in which both the victim and the perpetrator of domestic abuse are named on the tenancy agreement. What steps has the Scottish Government taken to ensure that the experience of abuse or violence does not lead to someone losing their tenancy?

Humza Yousaf: I will, of course, look at those matters. Again, they have been raised previously by organisations such as Scottish Women's Aid, and we take them absolutely seriously. The member might well be aware that the First Minister set out in October last year that the Scottish Government will introduce legislation in the final year of this parliamentary session to introduce protective orders, which will confer the ability to remove for a period of time a suspected perpetrator of domestic abuse from a home that they share with a person who is at risk. However, the member's point about ensuring that the person

who remains in the home does not lose the tenancy is very important indeed, and I thank him for raising it. I will, of course, look at such detail before we introduce the legislation to Parliament.

Kenneth Gibson (Cunninghame North) (SNP): Can the justice secretary advise the chamber of the timetable for introducing the protective orders that he has just mentioned, whereby victims of domestic violence rather than perpetrators will be able to retain their homes, as was announced by the First Minister in October?

Humza Yousaf: Forgive me, but I might have just answered that question in answering the previous question. The legislation is due to be introduced to Parliament in the final year of this parliamentary session. Work is being done on a number of important issues to ensure that the legislation will have no unintended consequences, which is what the previous question was about. The protective orders will, ultimately, give real protection, safeguarding and security to the many survivors of domestic abuse who, unfortunately, find themselves unable to be protected because of a risk of homelessness.

Rail Infrastructure (Highlands)

6. John Finnie (Highlands and Islands) (Green): To ask the Scottish Government what plans it has for improving rail infrastructure in the Highlands. (S5O-04082)

The Cabinet Secretary for Transport, Infrastructure and Connectivity (Michael Matheson): The recent £57 million Highland mainline investment has delivered performance and resilience improvements, and, by May 2020, there will be around a 10-minute journey-time saving between Inverness and the central belt. The £330 million Aberdeen to Inverness project has delivered a new station at Forres and a half-hourly service between Aberdeen and Inverurie. Additional services between Inverness and Elgin are planned for May 2020. Looking forward, the second strategic transport projects review is under way to identify the transport investment priorities for the next 20 years, and it will include Scotland's rail network.

John Finnie: I thank the cabinet secretary for that response, but what he said is at odds with the Inverness city region deal, which makes no mention of rail or trains but has £64 million for the so-called west link and £109 million for the so-called east link. A modest passing loop at Lentrán would increase capacity to not only the west but the north and would obviate the need for the ridiculous flyover that is proposed for the south side of the Kessock bridge. When is the Scottish Government going to prioritise public transport?

Michael Matheson: We do prioritise public transport. The member will be aware that the Inverness and Highland city region deal has been shaped by local partners, recognising the key strategic investments that are necessary to support and create inclusive economic growth in the Highlands. There is no doubt in my mind that providing the right road infrastructure is critical to that.

Alongside that, as I have just outlined, we have invested £330 million in the rail line between Inverness and Aberdeen and nearly £60 million in the Highland mainline. As I also set out, through the STPR2 process, we will look to make further strategic investments—including in rail, such as in the Highland mainline—to make sure that we continue investing in our public transport as we have in recent years.

First Minister's Question Time

12:00

Education

1. Jackson Carlaw (Eastwood) (Con): Yesterday, the Scottish Government demanded an urgent debate about which flags should be flown on the pavement outside this building. Will the First Minister support my demand for a statement next week on why her Government is failing to meet its own target to improve education in Scotland's most deprived schools?

The First Minister (Nicola Sturgeon): It is for the Parliamentary Bureau to decide the business of Parliament, but I am very happy—[*Interruption.*] I am very happy for this Government to give statements on the work that we are doing to improve education.

The attainment fund points, at national level, to an improving system. For example, the gap between school leavers from the most and least deprived areas is narrowing, as we have covered many times before in the chamber. More young people are leaving school with highers, more are leaving with five highers and more are leaving with national 5 qualifications.

Yes, there is work to do, but we are getting on with that job. I am sure that the Deputy First Minister will always be happy to advise the chamber on that progress.

Jackson Carlaw: I am pleased to have the First Minister's support for a statement next week, and I am sure that the Parliamentary Bureau will have taken note of that.

However, this week, it has been all too clear what the First Minister's priority really is—and it is not raising the standard of education in our schools. Her Government has set out a range of targets that need to be met to help close the attainment gap between pupils in our wealthiest and poorest communities. Those include targets that, by the end of this school year, 68 per cent of primary pupils from the most deprived areas should meet the required standards in literacy and 75 per cent should meet that standard for numeracy. On the basis of the most recent figures available, will those targets be met?

The First Minister: Our schools across the country, backed by education authorities in our local councils, are working with teachers to meet those targets. It is right that we set stretching, ambitious targets—and that is what we have done. I think that it is wrong to say that our schools are not working right now to meet those targets.

As I said in my original answer, if we look at the situation across the country, we have evidence already that points to the improvements in the system. If we look at the gap between those from the most and least-deprived communities, we see that it is narrowing.

We now have full-time attainment advisers in place in each local authority, working in a focused way with our schools to make sure that we meet the targets. Last December, we published the most comprehensive set of data and evidence on performance in education through the national improvement framework. We will continue to set out that detail, and we will be held to account on it.

I back our teachers to get on with the job of making the improvement that we are seeing across Scottish education.

Jackson Carlaw: Well, that sure sounds like a First Minister getting in her excuses early. We all have a profound respect for the work done by our teachers, but it does the First Minister no credit to hide behind their hard work to mask her Government's failures.

From analysis published this week, there is little cause for optimism. The University of Glasgow says that there needs to be a tenfold increase, in just one year, on the progress that has been seen in the past three years. Progress—where it exists at all—is taking place with nothing like the urgency required. There is next to no progress in closing the attainment gap in primary or secondary school when it comes to literacy and numeracy. Today we learn that, since the introduction of the Scottish National Party's botched curriculum for excellence in 2015—[*Interruption.*]

The Presiding Officer (Ken Macintosh): Order, please. Let us hear the question.

Jackson Carlaw: We have learned today that the pass rate in 32 of the 46 Higher subjects has dropped, including in English, maths, chemistry and history. Is that progress? First Minister, is any of that in any way acceptable?

The First Minister: I will address all those points.

On the direction of travel in Scottish education, whether in exam passes—I will come back to that in a moment—or the narrowing of the attainment gap, if Jackson Carlaw does not want to take my word for it, I will quote the international council of education advisers. They said:

"Scotland is heading in the right direction and taking the right approach to improving education".

That is what we will continue to do.

I turn to the pass rates that Jackson Carlaw talked about. As I have said repeatedly, overall, more young people now leave school with higher.

Two thirds of young people get at least one, which compares with fewer than half when we took office. Thirty per cent get five or more higher, which compares with 22 per cent in 2009.

Let us look at the 32 subjects that Jackson Carlaw talked about. We have committed to publishing our analysis of the exam results, and it is absolutely right that we look at the reasons why exam pass rates are falling. I am not for a second suggesting that some of the subjects that I am about to talk about are not important; they are all very important. However, although classical studies, for example, is down, maths is up. Yes, drama is down, but physics and geography are up. If we look at the top 10 subjects in Scotland, most have exam pass rates that are up. Mathematics, chemistry, modern studies, physics, biology and geography pass rates are all up since 2015. I am not saying that we do not look at subjects for which the opposite is true—we are doing that—but the overall picture, as is so often the case, is not the one that Jackson Carlaw wants to present.

Jackson Carlaw: That was lamentable. We are seeing a drop in the pass rates for 32 out of 46 higher subjects and I think that people are getting increasingly angry about the First Minister's spin and denial of the failure of education under her Government. Being on course to miss all four of the Government's own educational attainment targets is a definition of failure. It is as simple as that.

Primary and secondary, literacy and numeracy—those are four areas in which the SNP said that it would change things for good, but they are four areas in which the SNP is failing. There are record low scores in maths and science, missed targets on the attainment gap and, as we know today, falling pass rates in the vast majority of higher subjects.

First Minister, how many more times do we have to listen to the same lines and excuses about education being this Government's number 1 priority, when the evidence shows that its record is one of unmitigated, continuing failure?

The First Minister: Jackson Carlaw has just described as lamentable the fact that, for the 10 top subjects in our education system—those for which there are the highest number of entries, as they are the ones that most pupils do—compared with 2015, which is what Jackson Carlaw is putting to me, the majority have pass rates that have improved. He might not think that that matters, but I will again talk about the subjects on which we are focusing. In maths, the pass rate is up since 2015, as it is in chemistry, modern studies, physics, biology and geography—two thirds of the top 10 subjects. That does not suit Jackson Carlaw's argument, but that is the achievement of pupils

and teachers around our country. That he might want to talk that down is what I think is disgraceful.

We will continue to make investment in and focus on where improvements are needed. I never shy away from saying that, but I will not stand here while Jackson Carlaw talks down education in Scotland in the way that he does.

Non-profit-distributing Model

2. Richard Leonard (Central Scotland) (Lab): The Scottish National Party Government claimed that its so-called non-profit-distributing model took the profit motive and shareholder dividend out of the building and running of public infrastructure projects in Scotland. However, this week's Audit Scotland and Accounts Commission report blows a hole in that claim. Does the First Minister accept their conclusions, or is she in denial?

The First Minister (Nicola Sturgeon): When I was thinking about what Richard Leonard might ask me about today, I thought, "He won't really go with private finance initiative, will he?" However, he has, and who am I to complain?

I will first give the background. We used the non-profit-distributing model because, if we had not, due to the £6 billion cumulative cut to our capital budget that was imposed by the Tories, we would not have been able to build 117 schools, hospitals and other public sector buildings. We did that through a system in which we made improvements on Labour's PFI, with profit capping. Under Labour's PFI, if surpluses were made, do members know they went? They went into the pockets of investors. Under our system, surpluses get reinvested into the public sector. Under Labour PFI projects, the repayments amount—because they are still being paid—to five and a half times the capital value of the projects. We got that down to just three and a half times. We made the improvements that Labour did not make. I cannot believe that Richard Leonard has the brass neck to stand up here and talk about PFI.

Richard Leonard: I anticipated last night how the First Minister might respond to my first question, so I went back to look at a report that I wrote 25 years ago—[*Interruption.*]

The Presiding Officer: Order.

Richard Leonard: Here is an extract from it:

"The PFI is something of a con trick, predicated on a buy-now-pay-later mirage. It is a mirage because the taxpayer or the user will simply pay more in the end. It is smart accountancy but bad economics. The fact is that Government can always borrow at a lower interest rate than the private sector." [*Interruption.*]

The Presiding Officer: Will members keep the noise down, please?

Richard Leonard: I have been consistent on this question. Has the First Minister? [*Interruption.*]

The Accounts Commission concluded this week that the Scottish Government has failed to properly monitor and evaluate billions of pounds' worth of privately financed contracts—[*Interruption.*]

The Presiding Officer: Hold on a second, Mr Leonard.

There is an unacceptable level of noise. I am sorry, but we should treat each other with respect in the chamber. Please listen to the questions that are put and then answer them in a respectful way, with less of this barracking.

Richard Leonard: The Accounts Commission concluded that, without proper transparency and accountability, the risks have increased and the costs have sky-rocketed. We pay three times the capital value of assets in unitary charges alone. It is what the Accounts Commission has described this week as

"a private finance cost premium".

Why, for the past 13 years, has the First Minister presided over this rip-off?

The First Minister: First, Richard Leonard says that NPD projects cost three times the capital value. That is a vast improvement on five and a half times the capital value, as it was under Labour schemes.

On transparency, under the old Labour-supported schemes, we used to have to wait until 25 years after the asset was complete before we got the information about it. We now publish most of that material two years after an asset is complete, so there is much greater transparency.

Richard Leonard—bless—wrote a report 25 years ago. Is it not a shame that the Labour Governments that followed in the years after that ignored everything that he said? It took an SNP Government to act on the things that he said, capping the profits on the projects and making sure that surpluses go back into the public sector and not into the pockets of investors, which Labour used to allow to happen?

With my last point, I will be brief. I am sorry—I may be enjoying myself too much. Richard Leonard says—rightly—that public borrowing would be cheaper. Yes, of course, but we did not have the power to borrow publicly because Labour preferred those powers to stay with the Tories at Westminster, rather than our having them here in the Scottish Parliament. If that is belated support for increasing the borrowing powers of this Parliament, maybe we have made some progress today after all.

Richard Leonard: We are in favour of increasing the borrowing powers of this Parliament, and we are against PFI, NPD and all the successor bodies.

Instead of the First Minister using the Parliament to speak to her party about a divisive referendum that the people do not want, or obsessing about the symbolism of a flag, let us look at the symbolism of the sick kids hospital in this city—a hospital that will not open for more than a year but which is costing £1.4 million a month in charges. That proves, as this week's report by Audit Scotland shows, that, with her finance model, there is a transfer of reward to the private sector but no transfer of risk.

This week has shown that the First Minister has the wrong priorities. Tomorrow, she speaks to her party faithful. Today, why does she not speak to the patients, the families and the staff who are being let down in this city? Why does she not focus on their priorities?

Nicola Sturgeon: Richard Leonard should just be relieved that he is not speaking to his own party faithful tomorrow, because they would be in despair, based on what we have just heard.

We have used the non-profit-distributing model because, over the past decade, the Tories have cumulatively cut £6 billion from our capital budget, and we did not have borrowing powers. In the past couple of years, we have obtained very limited borrowing powers, which we are using to the full. Labour did not support borrowing powers for the Scottish Parliament.

Instead of continuing to use the PFI that Labour favoured, which was such a bad deal for taxpayers and the public, we introduced a new scheme that capped the profits while transferring risk, which did not allow surpluses to go to investors and which reduced the overall cost to the taxpayer. That is what we did, after Labour presided over the PFI scandal for all those years. Notwithstanding what he wrote 25 years ago, Richard Leonard should have a long, hard look at Labour on the issue, before he comes to the SNP.

The Presiding Officer: A huge number of members want to ask supplementary questions. I hope that we will get through quite a few of them.

Property Factors

Graham Simpson (Central Scotland) (Con): Apex Property Factor Ltd was struck off the property factor register in April last year, after a string of breaches of the code of conduct. An appeal was heard in December and was refused. The company did not appeal again. Kevin Stewart wrote to former clients of Apex on 13 January, to tell them the good news. Three days later, constituents of mine in Motherwell received

another letter, on Apex headed paper, citing an “ongoing legal dispute” and saying that an associate company, Klean Kut Ltd, had been established in order to ensure “continuity of maintenance services”. My constituents have since received a further letter, and an invoice. It is an appalling and outrageous situation, and MSPs across the chamber have concerns about it.

Will the First Minister look at providing extra help for those homeowners to find new factors? Does she agree that the process for removing bad factors takes far too long, and that the case that I have mentioned highlights a loophole that should be closed?

The First Minister (Nicola Sturgeon): Given the nature of the constituency that I represent, where there are a lot of tenemental properties, I regularly deal with constituents who have issues with factors, so I understand some of the frustrations that people have. That said, a lot of factors do a good job. The reason why we have a property factor register, and why companies can be removed from it, is to make sure that high standards are applied.

I am more than happy to look at the case that Graham Simpson raises. I do not know the details of any letters that Apex Property Factor may be sending out, but it is essential that the system works to protect homeowners. I am happy for him to send the details to the Minister for Local Government, Housing and Planning, so that we can look into the situation and see what more action, if any, the Scottish Government is able to take.

Scottish Index of Multiple Deprivation Statistics (Inverclyde)

Stuart McMillan (Greenock and Inverclyde) (SNP): Following the publication this week of the Scottish index of multiple deprivation statistics, what assistance can the Scottish Government offer Inverclyde Council to improve Greenock town centre?

Does the First Minister agree that it would be unlikely to improve the SIMD statistics across Inverclyde as a whole if, as Dr Alf Baird suggested at the Rural Economy and Connectivity Committee yesterday, we stopped building two vessels at Ferguson Marine in Port Glasgow and built four smaller ships in China instead?

The First Minister (Nicola Sturgeon): We are investing significantly in communities that face disadvantage. For example, last year more than £1.4 billion was spent in targeting support at low-income households.

On Greenock specifically, we are supporting investment through the £500 million Glasgow city region growth deal, in which Inverclyde Council is

a full partner. We are making £45 million available to Inverclyde Council across this parliamentary session to support regeneration and provide affordable and energy-efficient housing. We have also made more than £20 million available to Inverclyde through the attainment Scotland fund, of which £6 million is available this year.

SIMD data is a helpful tool that supports us to target resources across the public sector, and we will continue to work in partnership with local government and others to support work to reduce inequality and the regeneration of towns and cities.

On shipbuilding, I absolutely agree with Stuart McMillan that we want to see ships built here—particularly, where appropriate, at Ferguson’s—rather than see that work go to China or anywhere else.

A83 Landslip

Donald Cameron (Highlands and Islands) (Con): The First Minister will be aware that earlier this morning a significant landslip led to the closure of the A83 at the Rest and Be Thankful pass, with drivers currently forced to take a local diversion. Landslips regularly close that section of road, cutting off huge swathes of Argyll and the west Highlands, and many communities and businesses are at their wits’ end as a result. Will the First Minister now concede that papering over the cracks is simply not working and that a long-term, permanent solution is urgently required?

The First Minister (Nicola Sturgeon): I am aware of that very difficult situation. As I understand it, the landslip that happened earlier this morning is in a different area from where landslips have been experienced in past years. We have done a lot of work in past years to make the reserve road available, although I understand that it is not necessarily available today. Transport Scotland and others are exploring the situation. We want to make sure that the road is reopened as quickly as possible, but safety is a key priority. In the context of our wider transport strategy, we will continue to look at further improvements that can be made. I absolutely understand the inconvenience and frustration that travellers who use that road will be experiencing today.

Kilbowie Outdoor Centre

Fulton MacGregor (Coatbridge and Chryston) (SNP): Tomorrow, councillors in North Lanarkshire will have to vote on the future of the Kilbowie outdoor centre in Oban. The facility offers every primary 7 pupil in North Lanarkshire, many of whom are from some of our most deprived communities, the opportunity of a residential week away to build self-esteem and improve learning through outdoor activity. The Scottish National

Party council group has already stated that it will vote against the proposal. Will the First Minister join me in calling for the ruling Labour group on North Lanarkshire Council to put our young people first and to take the closure of that vital facility off the table?

The First Minister (Nicola Sturgeon): Obviously, that is a matter for the local council, but I agree with Fulton MacGregor about the importance of outdoor learning. It delivers numerous benefits, including improved mental and physical health; it also helps to increase academic attainment, and it gives pupils an appreciation of the natural environment. Indeed, that is why it is built into the school curriculum. I will certainly ask the Deputy First Minister and Cabinet Secretary for Education and Skills to look into the issue and to provide Fulton MacGregor with a more detailed response in due course.

Coatbridge Freightliner Terminal

Elaine Smith (Central Scotland) (Lab): I draw members’ attention to my entry in the register of interests, which shows that I am the convener of the National Union of Rail, Maritime and Transport Workers parliamentary group.

I understand from the union that the Freightliner freight terminal in Coatbridge is currently under threat of closure. Will the First Minister advise whether the rail freight fund, which was announced by the Scottish Government just last year at the Coatbridge terminal, can be used to safeguard its future and the 100 jobs that may be affected?

The First Minister (Nicola Sturgeon): I am very happy to look into the specifics of that suggestion and come back to the member with a detailed answer. We would certainly want to do everything that we can to help secure the terminal’s future, and if the fund is available we would want to make sure that it is used. Rather than give a categorical answer today, I want to have the opportunity to look into the matter and come back to the member properly.

Marches (Glasgow)

John Mason (Glasgow Shettleston) (SNP): The First Minister will be aware that there was another march in Glasgow last Saturday, and that a police officer was injured. Can she give any assurance that the number of marches in Glasgow will be reduced? They are a real frustration to both residents and businesses.

The First Minister (Nicola Sturgeon): I understand that frustration. I am very clear—I have said this in the chamber before—that peaceful protest is an important part of our democracy, but violent and sectarian disruption

should play no part in our democracy or our society. We support Police Scotland in taking appropriate action to deal with disorder, such as was witnessed on Saturday, to ensure public safety. What we saw on Saturday was unacceptable.

The Scottish Government supports local authorities in making decisions to achieve the right balance between the rights of marchers and the rights of the communities affected. I am encouraged by Glasgow City Council's cross-party response to marches and parades and I look forward to hearing any recommendations that the group brings forward.

Maternity Services (Moray)

Jamie Halcro Johnston (Highlands and Islands) (Con): As I have raised with the First Minister previously, the maternity unit at Dr Gray's hospital in Elgin has been downgraded since 2018, with many expectant mothers having to undertake long journeys to Aberdeen or Inverness to give birth or receive vital care. This week, it has been reported that one expectant mother from Moray was forced to travel as far as Fife—more than 160 miles away—because the Raigmore and Aberdeen maternity hospitals were at capacity. With Moray being hit by winter weather this week, I am sure that the First Minister will agree with me, and with families across Moray, that that is simply unacceptable.

Will the First Minister now intervene to ensure that her health secretary acts in the interest of local families and takes urgent direct action to restore full maternity services in Moray as a priority?

The First Minister (Nicola Sturgeon): The health secretary will visit Dr Gray's hospital on 11 February to discuss those very issues.

I agree absolutely that it is important that women are cared for and get to deliver their babies as close to home as possible. In the part of the country that we are talking about, large distances add to the distress that patients, and new mothers in particular, can experience.

I understand that, but I hope that the member will understand and accept that it is vital that we ensure the provision of safe services. He is well aware of the challenges that Dr Gray's has faced, but the health secretary is working closely with the local health board to help it to overcome those. That is why she will visit the hospital very shortly to have further discussions, and I am sure that she will be happy to keep the member updated.

Budget Proposal (Public Transport)

3. Patrick Harvie (Glasgow) (Green): A week from now, the Scottish Government will publish its

budget, and the Greens have made the case that it needs to be a climate emergency budget. The First Minister has repeatedly told me that, in the face of climate change, everything is under review. That must surely include transport, the emissions from which are going up, not down, as a result of the Scottish Government's choices.

We all know that continuing to increase road capacity just generates more traffic, more congestion and more pollution. Will the First Minister give us a budget that will stop money being poured into our multibillion-pound road building programme and instead commit to making public transport more available, more reliable and more affordable?

The First Minister (Nicola Sturgeon): As Patrick Harvie said, we will publish the budget this time next week, or almost this time next week, so I am not going to go into the detail of what it will include. Suffice it to say that I am pretty sure that, when Patrick Harvie scrutinises that budget, he will see the Government's commitment to tackling climate change and making sure that we meet the obligations and targets that we have set.

It is absolutely vital that transport is part of the transition that we make. Emissions from transport form a significant chunk of our overall emissions, and we need to get them going down. Public transport has a massive part to play in that, which is why, in the programme for government, we announced significant investment in new bus infrastructure to make bus journeys more convenient. We need to have the right balance between roads and public transport, and our decisions will, of course, be informed by the first-phase report of the Infrastructure Commission for Scotland, which was published just last week.

Patrick Harvie: The Infrastructure Commission's report is much more consistent with the Green transport policies of the past decade or two than it is with the policies that the Scottish Government has pursued over recent years.

The First Minister has kept telling us that the Government will get on with putting new, radical policies in place, but we are still waiting. If we are serious about the climate emergency, we need to give people cheap, reliable alternatives to the private car now. The Scottish Greens have made a budget proposal that would set us on that path. Our proposal is for a policy that is radical but affordable: make bus travel throughout Scotland free for young people, just as it is for senior citizens.

Does the First Minister acknowledge the huge benefits that that policy would bring to people such as the family who spoke at a Poverty Alliance event, whose son has to pay £17 a day to travel to college in Inverness? That is a huge cost for a

family that is already struggling to get by. Does the First Minister deny that that Green proposal would cost a fraction of what is currently being spent on the road building programme?

The First Minister: We will consider all proposals made by all parties that choose to put forward budget proposals. We have to consider our revenue budget and our capital budget and how we can use them both appropriately to meet the needs of people in all parts of our country as well as our targets and obligations in respect of climate change.

Parallel to the work that is being done around the budget is the work to update the climate change plan, which will be published in April. One of the Green Party members, Mark Ruskell, is on the working group that will update the climate change plan, and that work is on-going. No one is in any doubt about the obligations that we have to meet. I am certainly not in any doubt about the challenging decisions that will have to be taken along the way. It is important that we get those decisions right, but it is important that we meet our obligations in a fair and just way that caters for people in our rural communities as well as those in our urban ones and does not leave people isolated or left behind.

There is an absolute commitment on the part of the Scottish Government. That will be evident in our budget and even more evident in the updated plan when we publish it, in April.

National Health Service (Waiting Times)

4. Willie Rennie (North East Fife) (LD): In 2018, after 11 years in power, the Government published its national health service waiting times recovery plan, to dig it out of a hole of its own making. However, even the interim targets have not been met and the treatment time guarantee has now been broken 250,000 times. Why is there no recovery with the recovery plan?

The First Minister (Nicola Sturgeon): That is not the case, and I will tell Willie Rennie why he is wrong about that in a second. When Willie Rennie gets up to talk about these very important issues—it is entirely legitimate for him to do so—it would be good if, on occasion, he recognised that the biggest pressure on our public services over the past 10 years has been the austerity that his party started when it was in government with the Conservatives. An acknowledgement of his responsibility for the pressures that our public services have been working under might give him a bit more credibility on these issues.

Let me turn to the progress of the improvement plan. The number of out-patients waiting more than 12 weeks has already reduced by 10.6 per cent in the most recent year, compared to the

previous year. We have also seen a 14 per cent reduction in the number of patients who are waiting more than 12 weeks for a new out-patient appointment. The number of diagnostic endoscopy waits of over six weeks has reduced by more than half in the past year.

Those are the actions that we are taking through the waiting times improvement plan, and we will continue to take such action. We will continue to invest record sums in our health service, supporting record numbers of staff, despite the austerity that Willie Rennie's party imposed on the Scottish Government's budget.

Willie Rennie: There will come a time when the First Minister stops blaming everyone else and accepts responsibility for her own decisions.

That is not the reality. The interim targets have not been met. The First Minister's waiting time promise for accident and emergency services has not been met for two and a half years. It is as bad in mental health: 806 children have been waiting for more than a year for treatment—the figure is up by 157 per cent. Social care is in trouble, too. Delayed discharges were supposed to have been abolished by now—does the First Minister remember that?—but 1,000 people are stuck in hospital because of a lack of home care.

Will the First Minister admit, for once, that her recovery plan is not working? How long do patients have to wait to get the treatment that they have been endlessly promised by the Scottish Government?

The First Minister: I take full responsibility for what I am responsible for. I say to Willie Rennie that anyone who thinks that our NHS has been immune to the austerity that has been imposed on us over the past 10 years does not know what they are talking about. His party was the co-architect of that austerity—even to acknowledge that would be a step forward.

We are seeing improvements as a result of the waiting times improvement plan—I have set them out—and, in spite of austerity, we will continue to invest the sums to support that progress. Let us take the treatment time guarantee figures. In Fife—Willie Rennie's area—between September 2018 and September 2019, we have seen a 50 per cent reduction in the number of patients waiting more than 12 weeks. That is the kind of progress that our NHS staff are making, and we will continue to support them to make further progress.

The Presiding Officer: We have some further supplementary questions.

European Arrest Warrant (Transition Period)

John Finnie (Highlands and Islands) (Green):

Scotland is about to be dragged out of the European Union by the Tories. The United Kingdom Home Office says that the European arrest warrant, which has proved to be a tremendous tool in dealing with international crime, will continue to apply during the transition period, but that is not the case. Germany's constitution does not allow its citizens to be extradited unless that is to another EU country, so Germany has said that it will not execute UK warrants in respect of its citizens during the transition period. There is also uncertainty in relation to Austria, Slovenia and perhaps other countries. The Home Office states that, if a country's laws prevent extradition to the UK, it will

"be expected to take over the trial or sentence of the person concerned."

Scotland's justice system is being weakened by Brexit. Will the First Minister advise what contact there has been from the UK Government about such a significant erosion of Scotland's crime-fighting capability and how matters that were previously covered by the European arrest warrant will be dealt with in the transition period and beyond?

The First Minister (Nicola Sturgeon): I thank John Finnie for raising an extremely important issue. There has been a lot of contact between Police Scotland, the Crown Office and the Scottish Government and Westminster counterparts, and we have raised our concerns about the issue. There is no doubt that Brexit, immediately and more particularly at the end of the transition period, will have a significant impact on the operation of our criminal justice system and the ability of the police to keep people safe. That is a matter of extreme concern.

I say that there has been a lot of contact, but there has not been much reassurance coming in the opposite direction, which is one of many reasons why, at a practical level, we should all be profoundly concerned about what will happen tomorrow.

More generally, for three years, we have had a UK Government telling us that everything will be fine and that nobody will notice any difference. This morning, I noticed online some travel information that the UK Government has put out, which tells people what it will be like at the end of the transition period. The European health insurance card will no longer apply, people will no longer benefit from EU mobile phone roaming charges and things will be much more difficult. We have not had any of that honesty from the Tories up until now: it is only now that they start to seep out the impacts.

When we leave the European Union tomorrow night, let us never forget that doing so is against the will of the majority of the Scottish people and that we should have the right to choose a better future.

NHS Highland

Edward Mountain (Highlands and Islands)

(Con): In the past four years at NHS Highland, we have seen a botched service redesign, a radiology crisis, a bullying scandal, budgets that never balance, delays in the construction of the elective care centre and now the appointment of a third chief executive officer in 15 months.

On a daily basis, I am contacted by frustrated medial staff telling me of the latest problems that they are facing. Will the First Minister take the time to come to the Highlands and meet me and some of the doctors, nurses and patients who have been so let down?

The First Minister (Nicola Sturgeon): The Cabinet Secretary for Health and Sport will meet NHS Highland in the Highlands on 10 February, and I look forward to visiting in the future.

We will continue to work with national health service boards to support them in the challenging job that they do to deliver services. Our health boards deliver excellent services to the vast majority of people in Scotland, day in and day out. Anybody who thinks that our health service has been immune from Tory austerity in the past 10 years really needs to think again. Perhaps Edward Mountain could help us in putting more pressure on his Tory colleagues, who have told us that austerity is going to end, while yesterday we saw that the chancellor is trying to force 5 per cent cuts across Whitehall.

Let us stop the austerity and the cuts that are coming from Westminster. That is one good thing that the Tories could do to help our national health service.

Alcohol (Minimum Unit Pricing)

5. Emma Harper (South Scotland) (SNP): To ask the First Minister whether she will provide an update on the impact of minimum unit pricing of alcohol. (S5F-03921)

The First Minister (Nicola Sturgeon): Analysis published this week shows that in the first full year of the minimum unit pricing policy being implemented, there has been a 3.6 per cent fall per adult in off-trade alcohol sales. That shows that we are moving in the right direction, particularly when compared with England and Wales, where there was a rise of 3.2 per cent over the same period. I would describe that as a promising start for minimum unit pricing, which shows that the policy will play an important part in

our wider work to try to save lives from the effects of alcohol misuse.

Emma Harper: It is hugely encouraging that off-trade alcohol sales fell following the implementation of minimum unit pricing. Does the First Minister agree that the positive results after one year will be of interest to other countries, which will be monitoring the progress in Scotland with a view to implementing the policy elsewhere?

The First Minister: Yes, I absolutely agree. When I attended the British-Irish Council meeting in Dublin last November, it was very clear that the interest from other countries in minimum pricing remains very high. We look forward to Wales implementing it on 2 March, and I know that Ireland intends to follow suit.

I am delighted to see that the sixth global alcohol policy conference, which is being held in Dublin in March, includes presentations on the evaluation of minimum unit pricing in Scotland. We know that there is already worldwide interest in the issue and there will be interest in the event. As an outward-looking nation, we are always very keen and happy to share our learnings with European and international partners.

Scottish Prison Service (Sickness Leave)

6. Liam Kerr (North East Scotland) (Con): To ask the First Minister what the Scottish Government's response is to reports that Scottish Prison Service officers average three weeks' sickness leave per year. (S5F-03904)

The First Minister (Nicola Sturgeon): We recognise the importance of providing a safe environment for staff who work in our prisons. In the calendar year 2019, prison officer sickness absence fell by 3.3 per cent, compared with 2018. For the past five consecutive months, sickness absence has fallen.

However, prison officers work in a difficult and intensive environment. The Scottish Prison Service provides a range of measures and interventions for staff who require them, including occupational health support and access to counselling services. It is to the great credit of staff who work in our prisons that they perform well and that good order is maintained.

Liam Kerr: Last year, more than 14,000 officer days were lost due to stress-related absence. That figure is up by 32 per cent. Many of the pressures that lead to stress have been building for years; they include the changing nature of the prison population, the high incidence of complex mental health issues, the proliferation of new psychoactive substances and the delays in replacing the estate. Instructing establishments to deplete resources in order to cover HMP

Grampian only makes the situation even more precarious.

The Scottish National Party has a record of 13 years of failure while in charge of Scotland's prisons. When will the First Minister's Government finally improve the situation for our officers, or can they expect more of the same and ever-rising levels of stress?

The First Minister: We will continue to support our prison officers. We are investing in modernising the prison estate. Crucially, we are also taking a range of actions, most of which have been and continue to be opposed by the Tories, to reduce our prison population, in order to make sure that fewer people—who would be better punished in the community—go into our prisons. We need to continue that important work.

As I said, over the past calendar year, sickness absence fell by 3.3 per cent. At HMP Inverness and HMP Grampian, there is a downward trend in the number of working days that are lost due to sickness. The SPS continues to work to maintain that trend.

We also support our prison officer staff. In Scotland, there will be an increase in pay of up to 6 per cent for the lowest paid, compared with a pay award of 2.2 per cent south of the border.

Although I take full responsibility for what we do in Scotland, often, when we get such questions on public service issues, the general accusation is that, somehow, it is all down to the SNP. That is why it is important to compare and contrast. The Tories are in government in England, Labour is in government in Wales and the SNP in Scotland. We can compare whether the SNP is doing better or worse. A report about Doncaster prison that is out today shows that 700 inmates are doubled up in single cells. The chief inspector of prisons in England talks about the "dangerous combination" in prisons. I will take responsibility for what we do but, when we see the state of public services south of the border, the cheek of the Tories takes some beating.

Problem Gambling

7. Monica Lennon (Central Scotland) (Lab): To ask the First Minister what action the Scottish Government is taking to work with football authorities and clubs to reduce problem gambling. (S5F-03917)

The First Minister (Nicola Sturgeon): There is widespread recognition that some people who engage in gambling activity experience harm. The Scottish Football Association and the Scottish Professional Football League have stated that they have taken steps to reduce the harm that is associated with problem gambling in the football community and in wider society. We have

discussed with the football authorities what more can be done. The issues of betting and gaming remain reserved to the United Kingdom Government. I am happy to join Monica Lennon in arguing for the full transfer of powers in that area to this Parliament, so that problem gambling can be dealt with in a more holistic way here, in Scotland.

Monica Lennon: Problem gambling is a serious public health issue. Like other addictions, it ruins lives in football and in all walks of life.

Brian Rice, the head coach at Hamilton Accies, has shown courage in disclosing his gambling addiction. Today, a Scottish Football Association hearing into his alleged breaches of its betting rules is under way. It is a sad situation.

Does the First Minister agree that addiction is an illness and that we all have a responsibility to end the stigma that prevents people from seeking help? Does she agree that a gambling amnesty in Scottish football could create a safe environment for players and staff to access support?

The First Minister: I agree very much with those sentiments. As Monica Lennon said, a hearing is under way right now, so it would be inappropriate for me to comment on that. However, I agree that Brian Rice has shown great courage and I hope that he gets the support that he needs.

More generally, gambling addiction—like any addiction—is an illness, and it should be treated as such. We should focus much more on the support that we can provide. That is certainly the approach that the Scottish Government will take, and we are happy to work with others to provide whatever additional support we are able to.

The Presiding Officer: That concludes First Minister's question time. We will turn shortly to a members' business debate in the name of Keith Brown, on the Public Works Loan Board rate. We will have a short suspension to allow members, ministers and people in the public gallery to change seats.

12:45

Meeting suspended.

12:47

On resuming—

Public Works Loan Board Rate

The Deputy Presiding Officer (Linda Fabiani): The next item of business is a members' business debate on motion S5M-19810, in the name of Keith Brown, on the Public Works Loan Board rate. The debate will be concluded without any question being put.

Motion debated,

That the Parliament condemns the recent UK Treasury announcement of an increase in the rate of borrowing from the Public Works Loan Board (PWLb) by one percentage point; understands that the PWLB lends money to local authorities for community infrastructure projects; is concerned by the implications of this percentage-point hike in interest rates on Scottish councils' abilities, including Clackmannanshire Council, to carry out crucial infrastructure developments, such as affordable housing, schools, leisure and regeneration projects; agrees with a number of local authorities that this increase is paramount to the UK Government "profiteering at the expense of council tax payers"; recognises the detrimental impact that this move will have on infrastructure projects in Clackmannanshire and Dunblane and other local authority areas across Scotland, and acknowledges calls on the UK Government to reconsider its decision.

12:48

Keith Brown (Clackmannanshire and Dunblane) (SNP): I am grateful for the opportunity to lead today's debate on the Tory-imposed increase in the rate of borrowing from the Public Works Loan Board by a percentage point, and the negative impact that that will have on the local authorities of Scotland. I am also grateful to the Labour, Green and Scottish National Party members who signed the motion.

I recognise that many who are listening to this debate may not be familiar with the Public Works Loan Board, or the interest rates for borrowed capital funding; however, they will be aware of the many benefits that it delivers for them and their communities.

Money that local authorities borrow at an affordable rate from the Public Works Loan Board is invested in improving our schools and the futures of our children, in the regeneration of our communities, and in improving our roads and infrastructure, stimulating local economies across Scotland.

Following the worrying introduction of this Tory tax—for that is what it is—I asked a question in the chamber about the impact that the rise in the cost of borrowing would have on local authorities. It was clear from the answer by the Cabinet Secretary for Finance, Economy and Fair Work, Derek Mackay, that this rise—imposed by the

Tories overnight, with no warning—will have a disastrous impact on the affordability of key infrastructure projects, with the effect that crucial investment could be delayed or scrapped.

What is this move if not a prohibitive tax on the rightful ambitions of local authorities for their areas and communities, and on ambitions to improve the quality of life for our constituents and boost local productivity? For Scottish local authorities with tight financial restrictions, the Public Works Loan Board is a key tool in accessing funds to invest in important capital projects. The 1 per cent increase by the Tories may appear small, but it will play a substantial part in projects costing extra millions of pounds. For example, a typical 25-year loan for a secondary school costing £30 million will now cost councils an additional £5 million. With few other options available, councils will be forced to make difficult decisions. Do they take on the costs of capital projects that have suddenly and significantly increased overnight, or will they, when faced with those costs, have to scale back on those plans or other ones? Will councils be forced to choose which members of their communities will lose out?

At a time when borrowing costs remain low and the Scottish Government has provided local authorities with more than £200 million in additional capital funding, the Tories' decision to impose this tax is both punishing and indefensible. The Tory justification for the increase is that it is to restrict the amount of speculative spending that is undertaken by some local authorities in England, which I note are desperate actions to make up for chronic underfunding of councils by the Tory United Kingdom Government. Scottish local authorities are prevented by regulations from undertaking speculative spending. I have been in contact with the councils in my area—Stirling Council and Clackmannanshire Council—and it is obvious from what they say that the increase in costs will be key to the consideration of the affordability of future investment projects.

How can the decision be justified to my constituents? Decisions on spending on roads or other facilities that they rely on will be taken not on the basis of merit or need but on the back of cuts to local government funding in England by the Tory Government. The Convention of Scottish Local Authorities and the Scottish Government have made strong representations to the UK Government to argue that this Tory tax will have serious financial implications and will impact on the affordability of crucial local projects. At its core, this Tory tax is nothing more than profiteering at the expense of Scottish council tax payers, feeding the ideological fascinations of a Tory party that is determined to deprive local authorities of the funding that they desperately need.

Again and again, the people of Scotland are left to pick up the Tory tax bill. Take, for example, the high speed 2 project disaster, the cost of which started off at around £30 billion but is now estimated to be more than £100 billion; the botched Airwave emergency services infrastructure; or the new aircraft carriers that cost at least £3 billion more than the original estimate. Those are all major projects that are over budget and over time and they all affect people in Scotland. Continued Tory incompetence is in itself a tax that is too often endured by the people of Scotland.

The nature of the Public Works Loan Board announcement, with no forewarning, and the Tory response in its communications are shameful and show inability and unwillingness to offer creative or custom flexibility for the specific needs of Scottish local authorities. That is utterly symbolic of the contempt that the Tories continue to show for devolution and the people of Scotland. That contempt is illustrated time and again. For example, the UK Treasury budget is to be announced on the same day as local authorities here have to set their budgets and, most vividly, tomorrow, we will be dragged out of the European Union against the express wish of the Scottish people.

It is symbolic that no Tory or Lib Dem MSP signed the motion and that few members from those parties are here to take part in the debate. Despite all the hand wringing over yesterday's debate on the EU flag, how many Tories are here today to discuss an issue that will have a material impact on the people and communities that they represent? How easy it must be to be a Tory MSP and to stand up in the chamber week after week to ask for larger spending commitments while their bosses in Westminster cut budgets with abandon; to talk the talk of local empowerment while backing wrecking amendments to finance bills, axing crucial support for small businesses and jeopardising local government funding; and to work themselves into a fury over a flag while their Prime Minister embarrassingly sought to crowdfund for Big Ben to bong this Friday night.

This Tory tax is an issue that will really matter to the lives of their constituents, who are the ones who will use local community spaces, roads, schools and libraries. A lack of investment caused by this Tory-imposed tax will be keenly felt, and more so by those who rely most on public services.

Tory MSPs show their constituents contempt when they refuse to turn up to justify or even attempt to defend this indefensible policy. The UK Government has, as usual, neglected to consider the needs of the people of Scotland, and when its

attention has been drawn to that fact, it has predictably chosen to double down.

Our communities and the people who live in them deserve this investment. Fundamental decisions such as this will impact on millions of people across Scotland, and they should not be made on a whim by uncaring Tory politicians in Westminster, far removed from the consequences of their actions.

Frustratingly, this is a UK Government matter, outside the control of this Parliament. So, it falls to the union, if it has any meaningful purpose or any interest in its self-preservation, to show the necessary flexibility for Scottish councils. The Tories must, without delay, either reverse this punitive tax or create the conditions so that Scottish councils can access the funding that they need to deliver for the people whom they serve. To refuse to do so—or to refuse to even consider to do so—only further strengthens the argument, which grows more persuasive by the day, that there exists no other option than that this Scottish Parliament must hold the full powers over its own affairs, and that Scotland must become an independent and equal country, so that we can make the necessary changes to better empower and deliver a more positive future for the people whom we represent.

12:56

Alexander Stewart (Mid Scotland and Fife) (Con): Thank you, Presiding Officer, for the opportunity to contribute to Keith Brown's members' business debate.

The Public Works Loan Board is one of the main sources of local government borrowing. Its purpose is to allow councils to access finance at a relatively low rate in order to fund infrastructure projects. Although there is an overall cap on the amount that local government is able to access, in October 2019 that was increased by £10 billion, from £85 billion to £95 billion. The Public Works Loan Board does not ask councils what the money will be used for. Neither does it undertake any due diligence or business case checks as to whether the borrowing is prudent. Loans can last for up to 50 years. Regardless of the council's credit rating, all that is needed for the loan board to supply the funds is a reference number and the required amount.

As a result, councils have borrowed huge sums to invest in commercial property, as the Public Works Loan Board's low interest rates have given them an immediate advantage over potential competitors in the private sector. The prudential code, which provides guidelines to local authorities, prohibits borrowing for the sole purpose of making a profit, but in practice it has

been up to councils to decide whether they wish to do so, and whether that is correct.

That has been questioned, because many believe that full scrutiny and governance may be required. Holding councils to account is left to the electorate, many of whom are unlikely to be informed of or understand the consequences, because councils can and do withhold key details under the auspices of commercial confidentiality.

Therefore, the UK Government took the view that a review was required. Many councils in Scotland have vastly depleted funds as a result of budget cuts—we know that COSLA and many others have made strong representations about that. However, the decision was made to have a 1 per cent increase. The intention was to put a limit on the amount that councils are borrowing, because some of the borrowing has been for commercial investments and much of it has been for refinancing debt portfolios that many councils have.

Kenneth Gibson (Cunninghame North) (SNP): Will the member take an intervention on that point?

Alexander Stewart: I would like to continue.

The consequence of that borrowing can be that councils struggle to repay the debt that they take on. Indeed, Her Majesty's Treasury recognises that such borrowing might impact on the ability to invest in infrastructure.

It is important to note that the 1 per cent increase will take the rate back only to the level that was available in 2018. The Chartered Institute of Public Finance and Accountancy's associate director, Andrew Burns, who is himself a former finance director, said that there has been an overreaction to the change. He said:

"the November move to increase the cost of borrowing by one percentage point was unsurprising given the widespread expectation that the government was close to having used up all its borrowing 'headroom'."

Analysis of Scotland's 32 local authorities showed that they owed £11.5 billion of these moneys to banks or the scheme set up by the UK Treasury. A typical council will spend the equivalent of 42 per cent of its council tax money to service those debts. Clackmannanshire, Dundee, Edinburgh, Glasgow, Highland, Inverclyde, South Lanarkshire and West Dunbartonshire will all spend at least half of their council tax revenues on servicing such debt.

I recognise that the increase may be perceived as adding pressure on Scotland's local authority finances. However, councils will still have the opportunity to borrow funds that will secure investment for projects that will benefit the quality

of life of communities and constituencies across Scotland.

13:00

Stewart Stevenson (Banffshire and Buchan Coast) (SNP): I thank Keith Brown for giving us the opportunity to debate this important subject.

Before I move to the central thrust of what I want to say, I will respond to a few things that were said by Alexander Stewart. He said that the aim is to put a limit on what councils borrow, so why not change the rules on what they can borrow for rather than put costs up? He also said that councils are struggling to service debt. I am sure that increasing the interest rate by 56 per cent will not help them to do that. Under the prudential borrowing rules that councils work within, they will have to reduce the number of projects that they fund by that mechanism by a third in order to pay the same interest as they are currently paying. Therefore, the effect of this small change in terms of the amount of interest that might be paid each year is fundamental to the way in which councils are able to renew public infrastructure.

Let us remember that it is the Public Works Loan Board: the money is for public works. It is simply unacceptable that, in hard times, the UK Government is making it fundamentally more difficult for councils in Scotland—indeed, across the UK—to do what their local communities require. Many councils, including my own, rely on the PWLB.

Last year, £819 million was borrowed, so the increased rate is going to have an impact—members can work that out for themselves. Fife wanted funding for a new campus for Woodmill high school, St Columba's high school and Fife College. Clackmannanshire and Dunblane needed funding to increase affordable housing and improve their schools. Aberdeen budgeted for £481 million to be spent on capital projects over the next five years, of which £293 million was to be borrowed. All those plans may now be delayed or halted altogether. That is the real, on-the-ground effect. Alexander Stewart said that councils are suffering—how does the increase help them and the communities that they serve?

The underlying cause of the increase—I recognise that it is a valid issue—is illustrated by Spelthorne Borough Council, in Surrey, which borrowed £1 billion. For what? For a school or a community centre? No, it was used for commercial investments. I do not think that any of us would defend that council's use of the money for that purpose. However, if councils' doing things like that is the problem, increasing the interest is hardly the solution. The solution is to change the basis on which councils can borrow.

Woking Borough Council, which is also in Surrey, borrowed £1.2 billion, a large proportion of which was used to buy the town's main shopping centre. Those are risky commercial investments that are not central to public works, the development of new facilities or the improvement of existing ones. The funds are meant for sustainable community development that will directly improve the lives of residents. If a main road requires to be built, a council has to find the money. Borrowing costs are a significant part of councils' costs—that is for sure—but increasing the PWLB rate is simply going to increase that significant burden.

The PWLB places all authority to determine the usage of its loans on the councils, and most councils behave responsibly. Let us not allow the majority of our councils to be penalised for irresponsible spending by the likes of Spelthorne Borough Council. Let us make a distinction between that and loans being taken out for proper purposes. It is time for the UK Government to rethink the matter and take a different approach to solving the genuine problem that led to this issue.

13:05

Alex Rowley (Mid Scotland and Fife) (Lab): I, too, put on record my thanks to Keith Brown for raising the issue, lodging the motion and securing the debate. It is right that the Scottish Parliament condemns the recent UK Treasury announcement of an increase of one percentage point in the rate of borrowing from the Public Works Loan Board. I hope that, if it has not already done so, the Scottish Government makes the views of the Parliament known to the UK Government.

As the motion states,

"the PWLB lends money to local authorities for community infrastructure projects",

and

"the implications of this percentage-point hike in interest rates on Scottish councils' abilities, including Clackmannanshire"

and Stirling, Fife and Perth and Kinross councils,

"to carry out crucial infrastructure developments, such as affordable housing, schools, leisure and regeneration projects"

will be greatly reduced. It is not only a matter of the UK Government profiteering at the expense of council tax payers. The detrimental impact that the move will have on infrastructure projects across Scotland is why the Parliament must unite in its call on the UK Government to reconsider its decision.

I note, as Alexander Stewart did, that Andrew Burns, an associate director at CIPFA, said that the increase was a

“clever way of curtailing commercial property investments.”

It seems that the UK Government was motivated by the desire to curtail councils' buying up property to create income streams that would offset Government cuts to their budgets. Stewart Stevenson gave the example of Spelthorne Borough Council, in Surrey, which borrowed £1 billion to buy office blocks. That is madness. More important, it is not acceptable that all councils have to pay additional interest because the Government is not happy about some councils' borrowing. As Stewart Stevenson rightly said, that is what the UK Government needs to address.

In March 2017, I led a members' business debate in support of the campaign by Unite Scotland to have all Scottish councils' historical debt written off by the UK Treasury. In that debate, I said:

“An amnesty is a matter of political will and there is certainly precedence, as witnessed by the UK Treasury write-off of a £900 million housing debt in Glasgow City Council—it can be done.”—[*Official Report*, 7 March 2017; c 87.]

Let us be clear that the issue is about political choices. Keith Brown is correct to raise the increase in the interest rate, and I am happy to stand alongside him in fighting to get the UK Government to change its mind. I look forward to discussing what more we can do on the issue on a cross-party basis.

Yesterday, I heard the deputy leader of Inverclyde Council, Councillor Jim Clocherty, being interviewed on the BBC about the fact that an area in the centre of Greenock is now the poorest and most deprived in Scotland. He said that the council is investing £3 million in the area. However, when he was asked what would make the biggest change to the area, he answered, “Ending austerity.”

Let us be clear that failed Tory austerity is the root cause of many of the problems that councils face. Not content with causing those problems, the Tories are now trying to make it more difficult for councils to support communities who are experiencing the impacts of that failed Tory austerity. Let us unite against these measures and stand up for people and communities across our country. Let us bring an end to failed Tory austerity once and for all.

The Deputy Presiding Officer: I call Kate Forbes to respond to the debate.

13:09

The Minister for Public Finance and Digital Economy (Kate Forbes): I welcome the opportunity to respond on behalf of the Government, because the motion for debate is critically important. At first glance, the issue might

appear to be somewhat dry and technical, with only a marginal financial impact, but, as Keith Brown set out in his opening remarks, the UK Treasury's decisions have had a profoundly damaging impact on local authorities.

At issue are two concerns. The first is that, time and again, the Treasury makes a decision solely in the light of a situation in England that then has a very negative impact on Scotland. Secondly, as Alex Rowley said, the rate rise highlights the impact of austerity, which at its root is based on policy decisions by the UK Government. As the motion highlights, the recent UK Treasury announcement of an increase in the rate of borrowing from the PWLB is already having a detrimental impact on plans for local authorities' infrastructure, which affects us all. Those are not just my views, but what local authorities are telling us.

The PWLB rate rise was significant. On 8 October 2019, the 25-year annuity loan rate was 1.6 per cent; the next day, it was 2.62 per cent; and last week, it was 2.87 per cent. From any viewpoint, that is a significant rise. To put it in context: for a £10 million loan, the extra interest is about £1.3 million over the life of the loan. If we scale that up to the multimillion pound projects that our local authorities undertake, the increase in the cost of borrowing is clearly evident.

Alex Rowley asked me to make sure that I made this Parliament's views known to the Treasury. I have already done that, but I will happily do it again. In response to the PWLB rate rise last October, I wrote as a matter of urgency to the UK Treasury to express my concern, and I know that some local authorities have done likewise. My letter set out that the capital investment plans of local authorities will have been based, quite understandably, on the prevailing interest rates and that the increase would affect the affordability of those plans and might lead to local authority investment plans being scaled back or delayed.

In real terms, those are plans for infrastructure projects, transport projects, schools and other community infrastructure. I am sure that members across the chamber will agree that such a move to scale back or delay investment plans would have a detrimental impact on the ambitions of our local authorities and the aspirations of our communities. Those ambitions improve the outcomes for the day-to-day lives of the communities that we and local authorities serve, across the spectrum of the critical services that they deliver, including housing, education, social care, transport and tackling the climate emergency. If we couple that with the negative economic impact of any scaling back of investment plans, we can see how there is a knock-on impact on the economy, particularly at

a time of continuing budget cuts from the UK Government.

I was sorely disappointed by the response that I received to my two letters, because the UK Treasury confirmed that its decision had been taken in light of the situation in England and without an understanding of the knock-on impact on Scotland. The Treasury refused to change its position and advised that the rate increase only restored the rates to those available in 2018, as Alexander Stewart mentioned, and that local authorities made significant and valuable capital investments at those rates in 2018. However, that response singularly fails to recognise that lower rates mean more capital investment is possible, as the revenue consequences of borrowing are less.

I do not fully support the proposition that the UK Government is profiteering at the expense of council tax payers, but the UK Government fails to understand the impact of the rate increase. I suggested in my letter to the Treasury that one of the reasons for the increase in the PWLB rate was the significant increased borrowing by English councils to fund commercial investment for financial return, rather than to invest to deliver services. Although the Treasury acknowledged that, in Scotland, different rules apply to such investment, I was advised that the increase applied to Scotland, as the significant amounts of lending that the Treasury saw over last summer also came from local authorities in Scotland. That is a very narrow view of Scottish local authority borrowing. The PWLB annual reports show that Scottish net borrowing over the prior four financial years was only £549 million.

In addition, an Office for Budget Responsibility report last July raised concerns about the expansion of borrowing by English councils on potentially risky investments. The report identifies that a single small council in England acquired £1 billion of PWLB debt in just three years. I am not aware of any such borrowing by councils in Scotland.

If I step back from the technical arguments of the UK Government's decision, it is clear that, once again, local authorities in England are responding to the crisis in which they find themselves. That crisis was confirmed again just a few weeks ago by a COSLA spokesperson on finance who highlighted to a parliamentary committee that local authorities in England are cash-strapped and struggling.

That is not the case for Scottish local authorities. However, the Treasury's decision—which it made without a thought to the impact on Scottish local authorities—will certainly make it far more difficult for local authorities in Scotland to invest in the infrastructure on which our communities rely.

I am disappointed that, despite my two letters to the Treasury, it has not chosen to revisit the issue. It has dismissed the legitimate protest that I raised on behalf of Scottish local authorities. Essentially, it has said, "Grin and bear it, because we don't care."

I support the motion in the name of Keith Brown. I hope that members across the chamber recognise that the PWLB interest rate rise has made capital investment for local authorities more difficult, which affects the affordability of their plans. Ultimately, the Treasury made the decision and responsibility lies with it. I think that all members should be united in condemning the Treasury.

The Deputy Presiding Officer: Thank you. Before I close the debate, I highlight that the minister may have said something inadvertently. I clarify that it is the views of the Scottish Government that have been made known to the UK Government and not the views of this Parliament, which has not debated the issue.

Kate Forbes: I am sorry.

The Deputy Presiding Officer: That concludes the debate.

13:16

Meeting suspended.

14:00

On resuming—

Business Motion

The Presiding Officer (Ken Macintosh): We resume business with consideration of business motion S5M-20668, in the name of Graeme Dey, on behalf of the Parliamentary Bureau, which sets out a revision to today's business. I ask the minister to move the motion.

Motion moved,

That the Parliament agrees to the following revision to the programme of business for Thursday 30 January 2020—

after

followed by Scottish Government Debate: Drugs and Alcohol – Preventing and Reducing Harms

insert

followed by Financial Resolution: Scottish Biometrics Commissioner Bill.—[*Graeme Dey*]

Motion agreed to.

Portfolio Question Time

Social Security and Older People

Social Isolation and Loneliness (Highland)

14:00

1. Edward Mountain (Highlands and Islands) (Con): To ask the Scottish Government when it last met the Highland Council and NHS Highland to discuss social isolation and loneliness. (S5O-04069)

The Minister for Older People and Equalities (Christina McKelvie): I have not met Highland Council or NHS Highland specifically to discuss social isolation and loneliness. However, local authorities are a vital partner and I discuss their crucial contribution with Councillor Kelly Parry of the Convention of Scottish Local Authorities, who is co-chair, with me, of the national implementation group for our social isolation and loneliness strategy. Imperative to success is our joint working with wider members of the national implementation group, including YouthLink Scotland, the Campaign to End Loneliness, Chest Heart & Stroke Scotland, Voluntary Health Scotland, Generations Working Together, sportscotland, Befriending Networks, Age Scotland, the Carnegie UK Trust and Architecture and Design Scotland. Lots of joint work is going on.

Edward Mountain: I thank the minister for that answer and for the long list of people she is working with. Age Scotland's share what you love campaign aims to cut the loneliness and isolation figures in half by 2025 by encouraging everyone to spend a small amount of time with an older person who lives alone. Can the minister confirm whether the Scottish Government, Highland Council and NHS Highland are working together to support that campaign? If so, what specific actions are they taking?

Christina McKelvie: I thank Edward Mountain for that follow-up question. He is absolutely right about the share what you love campaign and the importance of spending time with people. Members might have noticed this week that PG Tips, in co-ordination with Age UK, has a great social media campaign about sitting down, having a cup of tea and catching up with people.

We take such campaigns seriously, we support them and we work closely with Age Scotland and others on them. Edward Mountain can be reassured that we are committed to them. Sometimes, just having a cup of tea, phoning up somebody that we have not seen for a while and spending time with people that we have maybe

fallen out of touch with can really help to tackle social isolation and loneliness. That is even more important in rural areas, where it can be difficult to meet up with people.

Such campaigns are key to the work that we are doing. I am keen to hear more about what Edward Mountain is involved in in the Highlands and Islands, and maybe we can share some of that joint working.

Sandra White (Glasgow Kelvin) (SNP): As convener of the cross-party group on older people, age and ageing, I know that loneliness and isolation is a recurring theme both in the Highlands and Islands and across the rest of the country. For many older people who suffer from loneliness and isolation, a television can be a lifeline. Will the Scottish Government continue to make the case for the United Kingdom Government making a U-turn on the decision to end free TV licences for Scottish pensioners and funding that vital service for our older people?

Christina McKelvie: Sandra White will not be surprised to hear that I was deeply disappointed by the BBC's decision, which was ultimately a result of the UK Government shifting what should be a welfare policy on to the BBC and shirking its responsibility to support older people.

The BBC's plans to introduce a means-tested waiver based on pension credit will fail to help many vulnerable people, yet, in 2021-22, it will still cost about £250 million to administer. I hope that the 1.3 million households across the UK that are eligible for pension credit but do not currently claim it will now do so. There has never been promotion of that important benefit, and many people will continue to be unaware that they are entitled to it.

Nevertheless, it is clear that the UK Government should recognise its responsibility and fund free TV licences for all over-75s.

Scottish Child Payment

2. Bill Kidd (Glasgow Anniesland) (SNP): To ask the Scottish Government how many children will be eligible for the Scottish child payment when it goes live. (S5O-04070)

The Cabinet Secretary for Social Security and Older People (Shirley-Anne Somerville): An estimated 170,000 children aged under 6 will be eligible when applications for the Scottish child payment are opened in autumn this year, with first payments being made by the end of 2020. Of all children living in poverty, almost 60 per cent are in a household where the youngest child is aged under 6. Given that the early years in a child's life are key for their long-term outcomes, we looked hard at what we could do to support those families

more quickly. That is why we are launching the benefit two years ahead of our original timetable.

Once the payment is fully rolled out, it will benefit up to 410,000 children, lifting 30,000 children out of relative poverty. At a cost of £180 million a year, that is a significant investment in our children and families.

Bill Kidd: I thank the cabinet secretary for that excellent answer. The Scottish child payment has rightly been described as a game changer that will make a massive difference to families across Scotland. The cabinet secretary has said that she will encourage people to get their applications in early, due to the expected volume. How will she ensure that eligible families get that message?

Shirley-Anne Somerville: We are committed to reducing poverty and ensuring that payment reaches those who need it most. Extensive communication campaigns will support that, particularly through Social Security Scotland, and we will continue to actively promote the payment to eligible families—just as, at Inzievar and Holy Name primary schools this morning, I promoted the continued take-up of the best start grant school age payment. As with all our benefits, we will work with stakeholders and partners to embed its promotion into local services such as midwifery, nurseries, and school placement services. That builds on the success of the best start grant, whereby the pregnancy and baby payment paid out more in two months than had been paid out in an entire year by the Department of Work and Pensions benefit that it replaced.

David Stewart (Highlands and Islands) (Lab): Earlier today, the Social Security Committee heard from the Scottish commission on social security a recommendation that the Government consider a double lock to upgrade the child payment: to increase it by either the consumer price index or median income growth, whichever is the higher. Will the cabinet secretary confirm that she will accept that recommendation?

Shirley-Anne Somerville: I have listened carefully and responded to previous reports from the Scottish commission on social security, and I will do the same for the latest one, in detail. I am grateful for the support that it is providing to the Scottish Government and for its work within the tight timescales that we are setting.

We have already made a number of changes to the regulations as a result of SCOSS's considerations of the Scottish child payment. For example, we introduced a 12-week linking period when people fall out of the qualifying benefit or child responsibility benefit entitlement, to make sure that they stay in our system, in case they become eligible again. I continue to listen to the

commission, and I will respond in due course to each of its recommendations.

Vulnerable Older People

3. Liam Kerr (North East Scotland) (Con): To ask the Scottish Government what action it is taking to protect vulnerable older people. (S5O-04071)

The Minister for Older People and Equalities (Christina McKelvie): Nobody should be subjected to any form of harm or abuse, and we take strong action to protect the most vulnerable in our society, including our older people. For example, we have made the ill treatment or wilful neglect of adults receiving health or social care a criminal offence, and we recently consulted on hate crime legislation, including the introduction of a statutory sentencing aggravation of age-related hostility.

Liam Kerr: I thank the minister for that response, and I recognise that some positive steps are being taken.

The statistics paint a worrying picture. Figures from Action on Elder Abuse found that almost 1 in 10 elderly Scots had fallen victim to crime, including physical abuse, thefts and intimidation, and that only a fraction of those offences had led to prosecution. Additionally, 94 per cent of people think that older people are specifically targeted for abuse due to their perceived physical frailty or mental vulnerability. Does the minister agree that no elderly person should ever be subjected to any form of abuse and that protecting those vulnerable communities should be a real priority?

Christina McKelvie: I agree, absolutely. Liam Kerr will have heard in my initial answer about the work that we are doing on the proposed hate crime bill, and I know that he takes a particular interest in that. I have listened to the issues that have been raised with the Government by Action on Elder Abuse. We have no plans right now to create a specific offence of elder abuse, but we are looking at how we could do that through the proposed hate crime bill. We have the issue always under review, and we are always talking to the people who are involved in the area. Action on Elder Abuse is a key partner in the work that we are doing.

Keith Brown (Clackmannanshire and Dunblane) (SNP): For far too long, the United Kingdom Government has ignored the issue of pensioner poverty, with its unfair treatment of women who were born in the 1950s, its cutting of pension credit for mixed-age couples and its taking of TV licences from some pensioners. Does the minister agree that vulnerable older people would be better protected if the powers were taken

away from Westminster and given to the Scottish Government?

Jeremy Balfour (Lothian) (Con): The minister should just say yes.

Christina McKelvie: I will not, because he might get too used to that.

The Scottish Government has written to the UK Government numerous times on the issue of the women who are affected by state pension increases, urging it to find a solution to support those women. As we know, that has been constantly refused. I appeal again to the UK Government to look again at the WASPI women's situation and to address the issue now.

The Scottish Government estimates that the UK Government's decision to remove entitlement to pension credit for mixed-age couples could lead to an annual loss of as much as £7,000 per household and that it could affect as many as 5,700 Scottish households by 2023-24. That is an unacceptable doubling down of policies, causing harm to older people, and we have called on the UK Government to reverse that decision.

We will continue to invest more than £100 million to mitigate the worst impacts of the UK Government's welfare reforms, but it is clear that the best way to protect the most vulnerable older people in Scottish society would be a full transfer of powers over social security to the Scottish Parliament.

Older and Disabled People (Access to Services)

4. Alexander Burnett (Aberdeenshire West) (Con): To ask the Scottish Government what action it takes to ensure that older and disabled people can easily access local services. (S5O-04072)

The Minister for Older People and Equalities (Christina McKelvie): The Equality Act 2010 provides a legal framework to protect the rights of individuals and advance equality of opportunity. The Scottish Government is working to promote equality across Scotland through the strategies in "A Fairer Scotland for Disabled People" and "A Fairer Scotland for Older People", with work being taken forward locally. Equality law recognises that bringing about equality may mean that local services make changes, such as removing physical barriers or providing extra support. That relates to the duty to make reasonable adjustments. Reasonable adjustments seek to ensure that older or disabled people have, as far as is reasonable, equal access—that is, the same access as everyone else.

Alexander Burnett: Obviously, much of the information about local services is on the internet,

which some people may have difficulty accessing. Will the Scottish Government join me in recognising the work of AbilityNet, a charity that provides technology support for people of all ages who live with any disability or impairment? Is there anything that the Scottish Government can do to support AbilityNet's aim of helping to build a more accessible digital world?

Christina McKelvie: I absolutely agree with the member's point. I have not come across AbilityNet, so I ask Alexander Burnett to send on any information that he has on the organisation. I reassure him that digital connectivity and the ability to access digital information are very high on the agenda in our fairer Scotland strategies for disabled people and older people. I include in that the use of assistive digital technology as a means by which older and disabled people can get on in their everyday lives and maintain their independence. I am absolutely committed to that. If Alexander Burnett has any other ideas about how we can improve in this area, I will be happy to hear them.

Older People

5. Dean Lockhart (Mid Scotland and Fife) (Con): To ask the Scottish Government what progress it is making in taking forward the proposals in its paper, "A Fairer Scotland for Older People". (S5O-04073)

The Minister for Older People and Equalities (Christina McKelvie): The Scottish Government will publish the first progress report on the framework for action in "A Fairer Scotland for Older People" in April 2020. The first annual report is being co-produced with our key stakeholders in the older people's strategic action forum. I will next meet the forum on 25 February, and I am looking forward to discussing the progress that we are making with the more than 50 cross-cutting actions contained in the framework and to considering other ways in which we can develop our work to ensure that people are healthy, happy and secure in older age anywhere in Scotland. The members of the older people's strategic action forum always ask me to emphasise the word "action", because that is what they are looking for.

Dean Lockhart: I thank the minister for that helpful response. Recent figures show that more than half of workers over the retirement age in Scotland want to continue to work. That is to be welcomed, as older people have a wealth of experience and skills to contribute to the economy. However, in order to do that, they will need support to reskill or retrain. What specific steps is the minister taking to help older people to reskill and retrain, especially given the thousands of part-time college places that have been cut and the

lack of apprenticeship opportunities for older people?

Christina McKelvie: I agree whole-heartedly that older people want to work longer, although some of the women involved in the women against state pension inequality campaign, who have to work longer, have a different perspective on the matter. In Jamie Hepburn's portfolio, work is being done around a fairer Scotland in the workplace, including on maintaining healthy environments and on people's ability to retrain and take up training opportunities. I am involved in one such piece of work on older women in the workplace, involving support for women who are going through the menopause to maintain their place in the workforce. I am sure that Jamie Hepburn will be happy to give the member an update on the work that he is doing.

Intergenerational Support

6. Jeremy Balfour (Lothian) (Con): To ask the Scottish Government what action it is taking to promote intergenerational work to support older people. (S5O-04074)

The Minister for Older People and Equalities (Christina McKelvie): The Scottish Government values intergenerational work because it breaks down barriers between generations, tackles negative attitudes to ageing and strengthens our local communities.

We have funded our national experts on intergenerational good practice, Generations Working Together, to the tune of £95,000 in the 2019-20 financial year to build more inclusive communities and ensure that integrated, intergenerational approaches create positive change.

Over the past year, I have been on many visits and attended many events, all of which have been joyful, but the most joyful visits have been to projects on intergenerational working, because they involve an extra bit of magic.

Jeremy Balfour: I welcome the Scottish Government's commitment, which is outlined in the framework for action, to encourage activity that brings generations together.

Following the success of intergenerational living projects in Denmark and the Netherlands, is the minister aware of the calls that have been made by organisations such as Age Scotland for intergenerational living to be piloted? Such pilots could involve, for example, older people renting out a room to a student or having younger people living in or alongside care homes. Are there any plans to pilot such schemes in Scotland?

Christina McKelvie: In the intergenerational work that we are doing, which involves different

generations working together in communities, the great programme in Denmark, in which younger people live and work with older people, comes up time and again. A number of local authorities are looking at that programme. I do not have up-to-date information on where they are with that work, but I hope to raise the issue at the next meeting that I have with them. If I get additional information on the issue, I will let Mr Balfour know what is happening. I know that some developmental work is on-going, but I am not yet in a position to tell him about it; I will get back to him.

Social Isolation (Rural Communities)

7. Finlay Carson (Galloway and West Dumfries) (Con): To ask the Scottish Government how it tackles social isolation among older people in rural communities. (S5O-04075)

The Minister for Older People and Equalities (Christina McKelvie): People can feel isolated or lonely at any age or at any stage of life, and where they live can play an important part in that. That is why we consulted communities across Scotland, from Galashiels to Lerwick, to hear their views on how we can support people to build connections and on how we can enable that through transport, housing, public spaces and digital technology. Those conversations directly informed the development of “A Connected Scotland: our strategy for tackling social isolation and loneliness and building stronger social connections” and will underpin the upcoming delivery plan, which is on its way.

Finlay Carson: The retired farming social group in Dumfries and Galloway has been tackling loneliness and isolation for the past two years. Around 50 members attend meetings on a monthly basis. For a variety of reasons, people with rural and agricultural backgrounds often become isolated, but the group’s future is at risk because of a lack of funding to help to pay for travel costs.

How can the Scottish Government assist with funding to support the group to expand and become sustainable for the future?

Christina McKelvie: I thank Finlay Carson for raising that issue, which Emma Harper has raised with me as part of her work. The group has invited me down for a visit, which I hope to go on very soon. I get to go on lots of visits, and I hope to get round them all.

The member is absolutely right about some of the pressures that the group has raised. It has asked us about financial support, and we have suggested that it look at some of the opportunities that exist to get involved in community planning and funding. We have passed on further details about how the group can do that, but if there is

any more that the member thinks that we can do, I would be happy to hear from him.

Emma Harper (South Scotland) (SNP): The answer that the minister has given to Finlay Carson means that my question has been responded to, so I will not take up any more of the chamber’s time.

The Presiding Officer: Thank you very much, Ms Harper. There is a lesson there for every member.

Welfare Reform (Disabled People)

8. Dr Alasdair Allan (Na h-Eileanan an Iar) (SNP): To ask the Scottish Government what impact the United Kingdom Government’s welfare reforms are having on low-income families in Scotland that include a disabled person. (S5O-04076)

The Cabinet Secretary for Social Security and Older People (Shirley-Anne Somerville): On 23 January, the Scottish Government published its report on the impact of the UK Government’s welfare reforms on disabled people. The report shows that the existing benefits system makes it too difficult for disabled people to access the support that they need and are entitled to. Since the introduction of personal independence payments, 39,000 people have lost their disability benefit entitlement. Since then, there have been 30,000 cases across Scotland in which claimants of disability benefits have had to go through a stressful appeals process to receive what they were rightfully entitled to after the Department for Work and Pensions initially made the wrong decision.

Dr Allan: Recent figures show that the DWP refunded employment and support allowance to 112,00 people who were owed it, but sadly 5,000 of those people died before they received the money that was rightfully theirs. No system will be free from human error, but the rising number of DWP mistakes point to a systematic problem. Does the cabinet secretary agree that, if the Tories continue to refuse to fix the problems embedded in the system, social security powers of that kind should be transferred to Holyrood so that we can build a system that puts dignity and fairness at its heart?

Shirley-Anne Somerville: It is, indeed, shameful that 5,000 people died before they were paid what they were entitled to through the DWP’s reassessment process—a process that was only necessary due to the DWP’s own errors. The devolution of disability assistance means that we can introduce a decision-making process that will be robust but fair, and in which we will do all that we can to get the decisions right first time. However, many benefits claimed by disabled

people, including ESA, which Alasdair Allan mentioned, remain reserved to Westminster. The Scottish Government cannot address all the unfairness in the current UK benefits system without the further devolution of powers over social security. It is imperative that all powers relating to social security are devolved to the Scottish Parliament to protect the most vulnerable people in our society.

Jeremy Balfour (Lothian) (Con): The cabinet secretary will be aware that PIP has now been devolved to the Scottish Parliament. In her answer to Alasdair Allan, she indicated that she felt that the mobility criteria were being falsely interpreted by the DWP, which was having a bad effect on individuals in Scotland. Will she confirm that the PIP regulations to be introduced by her Government will be radically different from those of the DWP?

Shirley-Anne Somerville: What is important is not just the regulations—important though they are—but encouraging people to apply for support for which they are eligible, making the application process as simple as possible and having a decision-making process that gathers information speedily and correctly so that the decision that is made is right the first time. I am absolutely confident that, through Social Security Scotland, how we deliver social security in Scotland will be radically different from what is done by the DWP.

European Union Exit

14:22

The Deputy Presiding Officer (Christine Grahame): The next item of business is a statement by Michael Russell on European Union exit. The cabinet secretary will take questions at the end of his statement, so there should be no interventions or interruptions.

The Cabinet Secretary for Government Business and Constitutional Relations (Michael Russell): I want to provide an update on the EU-United Kingdom negotiations, including Tuesday's meeting of the joint ministerial committee on European negotiations where, along with representatives of the Welsh Government and the Northern Irish Government—making a welcome return to the forum after three years' absence—I discussed the role of the devolved Governments in the forthcoming negotiations.

Before continuing, I must acknowledge the desperately sad fact that, despite the unambiguous message of the Scottish electorate in the referendum in 2016 and in subsequent elections, the UK and Scotland will be leaving the European Union at 11 pm tomorrow—although we will be back. After tomorrow night, the UK will become a third country.

One minute past 11 on 31 January may feel no different from one minute before 11, but a profound change will have taken place. No one should be lulled into a false sense of security by that initial sameness, because at one minute past 11, the clock will start again, ticking inexorably down towards the end of the year, when the UK Government insists that the transition period must end, and when we will feel the full impact of what is the most damaging change to our constitutional settlement in generations. It will be ticking down, once again, to no deal or something very similar, with all the extra hardship that that will entail.

The Scottish Government's single overriding concern over the 42 months since the Brexit referendum—in which we did not choose to leave the EU—has been to protect Scotland's national interests. We will continue to do everything that we can, inside and outside the formal structures, to minimise the profound damage that Brexit will inevitably cause. That is why I continue to attend increasingly difficult meetings of the JMC(EN).

I go to those meetings because it is vital that Scotland's core interests—those include the competences exclusively held by the Scottish Parliament—are always spoken for and protected.

It is a fact that the JMC(EN) terms of reference, agreed jointly by heads of Government in October

2016, have so far never been fulfilled. The JMC(EN) is ostensibly the mechanism by which the four Governments

“seek to agree a UK approach to, and objectives for,”

and have

“oversight of”,

negotiations—those are the words of the protocol—in order to secure joint outcomes.

The core problem is that the actions of UK ministers have never matched those commitments, despite the best efforts of the devolved Administrations to persuade them to do so. There are many examples of that disrespectful behaviour—too many to list in full. They began as early as January 2017, when the then Prime Minister announced in the Lancaster house speech her intention to leave the single market and customs union without any consultation and without even considering the detailed arguments that we set out in “Scotland’s Place in Europe” only a few weeks before. It has gone on, right up to the European Union (Withdrawal Agreement) Bill, which we saw in its final form only after it had been sent to Westminster to begin its parliamentary process.

We know that UK Government departments are now working feverishly on negotiating positions and proposals. Ministers have had no sight of those, despite a formal request being made by us and the Welsh Government at the meeting of the JMC(EN) that was held in London earlier this month. How can we contribute effectively to the development of the UK negotiating position on the most broad and complex negotiations in living memory while being left in the dark about the way in which the UK Government is shaping its own approach?

The fact is that the UK Government has ignored our views, and those of the people of Scotland, throughout the Brexit process. We have repeatedly tried to alter that pattern. Three weeks ago, at the meeting in London, I acknowledged, openly but with regret, the electoral mandate that the UK Government has for Brexit. However, I continue to think that it is fundamentally the wrong approach and will damage Scotland enormously. Regrettably, the UK Government has refused to reciprocate and will not acknowledge the clear mandate that we received to give Scotland the right to choose.

Without mutual recognition of mandates, there can be no trust. With a mutual recognition of mandates, we could start to move forward. With that in mind, I also proposed a model for engagement in the second stage of negotiations. The model suggested an approach that would allow detailed discussion of devolved

competences and could make a difference if there was also a genuine commitment from all parties to take part and make it work. With a recognition that Scotland will be able to choose this year whether to become an independent country, the model could provide a period of stability in the political structures and allow a more constructive dialogue. However, it cannot work if there is no binding commitment to it through a reformed intergovernmental relationship, the UK Government proposals for which have not yet been provided to the devolved Administrations, despite promises.

Alas, the UK Government has also made the situation worse by two actions in recent days. First, after this Parliament refused on 8 January by a margin of 92 votes to 29 to give its consent to the European Union (Withdrawal Agreement) Bill, the Northern Ireland Assembly did the same on 20 January, and the Welsh Senedd followed suit on 21 January. That is a unique situation, but the Chancellor of the Duchy of Lancaster and the Secretary of State for Exiting the European Union responded by simply confirming that the decision of all three devolved bodies would be ignored. In fact, they went further, insulting our intelligence by profusely supporting in their statements the very convention—the Sewel convention—that they had just buried forever.

Secondly, as members in the chamber heard in the debate yesterday, the Prime Minister wrote two weeks ago to the First Minister rejecting summarily her request for a section 30 order that would allow the right of Scotland’s people to choose their own future.

For more than three years, the Scottish Government has sought to engage with the UK Government in the Brexit process. We have developed and passed primary and secondary legislation for withdrawal, and ensured that Scotland is as ready as we can make it for exit, however much we oppose and regret that fact. We have played our part: the UK needs to reciprocate. We must move beyond the current process, mandated by the UK Government, which does not allow constructive engagement and meaningful input, and restricts our ability to protect Scotland’s interests.

How do we make progress? The negotiations, like all aspects of our relationship with the UK Government, cannot be treated as business as usual without a mutual recognition of mandates. Once again, we have done our part. The UK Government must do its part, and it is enabled to do so afresh by the vote in this Parliament yesterday to take forward a new referendum. Despite the shadow that the situation casts over the negotiations, I will continue to seek the meaningful engagement with the UK Government

that will allow me to protect Scotland's interests. That is now urgent, with negotiations likely to start with the EU in a matter of weeks.

At the JMC, alongside my devolved Government colleagues, I identified the two essential components of the step change that is required. The first is for the UK to provide the necessary detail of its developing thinking, in order for us to have a meaningful discussion of the UK negotiating mandate. We are ready to have that discussion at the earliest possible moment but, in order to contribute in a constructive way, we need the information that the UK Government has. The UK must commit itself to a process, no matter how brief, that is seen to offer the devolved Administrations a clear and effective input to that vital final document.

Secondly, the UK Government must give us confidence that, in spite of all the previous false dawns, it will work with us on the negotiations in a way that meets our legitimate expectations and the remit of the JMC(EN). We need to see the imminent UK proposals for the new relationship between the Governments. As devolved Governments, we must be given the space to consider them together and to seek changes as required, with a view to securing statutory backing, in order that—for as long as we are part of this union—we have a platform for discussion and decision making.

It is my sincere hope that this Parliament will support the continued efforts of the Scottish Government to ensure that the legitimate voices of this Parliament and of Scotland are heard in the most important negotiations that any of us are likely to witness, and that it will support the constructive way that we are going about it.

We oppose many things in the Brexit process, as well as the process itself. We must continue to have the right to argue against the UK Government's reckless decision to rule out any extension to the transition period. Imposing an arbitrary end-of-2020 deadline will sacrifice the depth and quality of any future relationship and, at best, will result in a bare-bones agreement that will serve no one's interests.

It is a stark fact that, tomorrow, we leave—dragged out against our will, despite the clear instruction of the Scottish people.

Scotland has the right to choose its own future, and the best option for Scotland is to be an independent country in the EU. In the meantime, we will stand shoulder to shoulder with the rest of Europe around our shared values and interests, while doing everything in our power to ensure that none of Scotland's interests are adversely affected as the Brexit process continues. That is a mature way to go forward, but it requires the UK to show

an equivalent maturity and a respect for democracy.

Scotland might lie on the edge of Europe, but we have always been—and want to remain—at its heart. We are committed to doing all that we can to get back to where we belong. As we do so, we ask all the remaining 27 members to leave a light on for Scotland as we navigate our way out of an incorporating union that does not work for us into a union of equals that does. We will leave a light on here, to guide us back into our European home.

We ask the UK to behave like the decent, generous democracy that it has been and—I hope—will be again, and to work with us as friends and neighbours as we make our choices for ourselves.

The Deputy Presiding Officer: Thank you, cabinet secretary. We have around 20 minutes for questions.

Donald Cameron (Highlands and Islands) (Con): I thank the cabinet secretary for prior sight of his statement and I welcome the fact that his voice is slowly recovering.

The cabinet secretary recognises the UK Government's mandate for Brexit. Therefore, as a matter of logic, he must also accept the UK Government's mandate for rejecting another independence referendum.

The statement says nothing new and, in a week in which this Government has excelled at such practices, is yet more grievance and grandstanding. I expected the statement to contain a number of factual matters and detailed proposals about the practicalities of the next 12 months. As the cabinet secretary says, they will involve the most important negotiations that we will know between the UK and the EU, as well as a number of UK Government bills that will have a significant impact on the people of Scotland—the first of those being the second reading of the Agriculture Bill.

Whether it be fisheries, farming, the environment or trade, those are matters of great import to the Scottish economy as a whole and require to be promoted in a constructive and meaningful way. However, it seems incredible that the Scottish Government will not engage unless its constitutional demands are met. To use the cabinet secretary's phrase, how is that protecting Scotland's national interests? Is it seriously his position that no dialogue between the Scottish and UK Governments can occur without the UK Government recognising the Scottish National Party's demand for another independence referendum? When the livelihoods of so many Scots are at stake, does he feel comfortable operating such a veto?

Michael Russell: There is no veto being exercised by any organisation except the UK Government. It is exercising the veto, not the Scottish Government or the Scottish Parliament.—*[Interruption.]*

I know that Mr Rumbles is really enthusiastic about being with the Tories; however, perhaps he could pause for just a moment and allow me to answer the question. He will, no doubt, have his turn.

The reality of the situation is that I laid out very clearly in my statement the way in which we can work together and the structure that we can put in place; indeed, that structure was proposed by me. It is disingenuous—to say the least—of Mr Cameron to misrepresent that.

It is also shameful to deny the right of Scotland to choose its own future. Any politician in this chamber—who is elected by the people of Scotland—who does that is not observing democracy. *[Interruption.]*

Adam Tomkins (Glasgow) (Con): Ha! Ridiculous.

Michael Russell: There is always hollow laughter from Professor Tomkins, particularly when he is uncomfortable with the position that he is holding—and he should be desperately uncomfortable with the position that he is holding, because it denies the right of the Scottish people to determine their own future.

We will continue to work—*[Interruption.]* We will continue to work with the UK Government to try to get the best for Scotland. I have laid out the difficulties in that, and I would have expected members of this Parliament to stand with the Scottish Parliament and Government in trying to get the best for Scotland; instead, however, they want to stand with the people who are trying to stop that.

Alex Rowley (Mid Scotland and Fife) (Lab): I want to make it clear that Labour in this Parliament will continue to support the Scottish Government's efforts—along with those of the Welsh Government and the Northern Ireland Assembly—to be at the table as equals in order to minimise the damage of Brexit on Scotland. However, in his statement, the cabinet secretary confused the issues with his obsession with independence.

As I made clear yesterday, Labour believes in the sovereign right of the Scottish people to determine our own future, and that is why we say that there cannot be a referendum any time soon. The cabinet secretary stated that Brexit will be the most damaging change to our constitutional settlement in generations. Why, then, would he want to add even greater constitutional upheaval, and why is he ignoring the wishes of the majority

of the people of Scotland, who do not want another referendum in 2020 amidst all the chaos that Brexit will bring?

Michael Russell: I am grateful to Mr Rowley for acknowledging the reality of the situation and that we all should sit round that table as equals. However, the sovereign right of the Scottish people to choose their own future is not a light bulb that can be switched on and off—it is an absolute. As the Scottish people wish—and are determined—to have the right to talk about their own future, they must have that right.

The reason why that must happen in 2020 is very clear—we need to put an end to the uncertainty. Scottish business, industry, third sector bodies and higher education all need certainty, and that can be guaranteed this year with a referendum for which we have a mandate. *[Interruption.]* Although I am grateful that the Labour Party is inching towards the reality of the situation, it has a bit yet to go in recognising both what sovereignty is, and the need to bring the matter to an end as soon as possible.

The Deputy Presiding Officer: I ask members on the front benches to desist from making exchanges, as I cannot hear the answers.

I have 10 members who want to ask questions; some of them, although they are on my list, have not yet pressed their request-to-speak buttons—they had better press them now.

In order to get them all in, I ask for quick, short and succinct questions; good questions, yes, of course—but short.

Annabelle Ewing (Cowdenbeath) (SNP): Scotland, Wales and Northern Ireland voted against the withdrawal agreement legislation, and consent has been withheld. Has that unprecedented constitutional position prompted the UK Government to reconsider in any way its entirely disrespectful attitude towards Scotland and the other devolved Governments?

Michael Russell: No, it has not; indeed, there is considerable annoyance from the other Administrations that, instead of its recognising that fact, there is an allegation from the UK Government that none of the Administrations voted on the issues that are in front of them, and that they voted only on the Brexit issue. Indeed, I know that the Welsh have taken this up with the UK Government directly, and that they are very annoyed that, instead of paying attention to the objections to the bill that the Welsh Parliament had, the UK Government has tried simply to gloss over them.

There has been no movement on the matter. How anybody can say that we support the Sewel

convention while—in essence—digging its grave, I do not understand.

Alison Johnstone (Lothian) (Green): The overwhelming majority who voted for Scotland to remain in the EU will have watched yesterday's emotional scenes from the European Parliament with regret and sadness. Scotland can become an EU member again as an independent country, but, until we get a say on our future, we have to do everything that we can to protect Scotland's interests and public services. Therefore, if the cabinet secretary's wholly reasonable requests for representation for Scotland in the Brexit negotiations and negotiations on other trade deals are ignored, how will his Government protect Scotland's national health service from a UK Government that, as we approach the cliff edge of the end of the transition deal, will be increasingly desperate to do a trade deal with Trump?

Michael Russell: The member makes a good point. We have made proposals about a structure that would work to allow participation in those matters. It must be a structure in which we all sit together round the table as equals, as Mr Rowley said, and one through which we can defend our interests. There is no hierarchy of Governments in devolution; there is a hierarchy of Parliaments. We have responsibility for the Scottish NHS and we should be able to speak up for it and defend it in the negotiations, which is what we intend to do. It would be best if the UK Government recognised the need to put in place a structure and was willing to be bound by it in the way that the UK Government expects us to be bound by it. We certainly want that to happen.

Willie Rennie (North East Fife) (LD): In this sad moment of division, it is disappointing that the cabinet secretary is refusing to co-operate in Scotland's interest unless the UK Government agrees to another divisive independence referendum. I do not accept that the SNP has the support of the majority of people for a referendum. *[Interruption.]*

The Deputy Presiding Officer: Just a minute. We heard the cabinet secretary, and we should hear everybody else. Please continue, Mr Rennie.

Willie Rennie: Thank you, Presiding Officer.

I do not accept that the SNP has the support of the majority of people for another divisive independence referendum. Will the cabinet secretary therefore remove the SNP's referendum boulder so that we might have a chance of co-operation and partnership as we enter the trade negotiations?

Michael Russell: The member's misrepresentation of my position is as bad as that from Donald Cameron, but that is not surprising because, alas, they are both Tories of the same

mould, as we know from Mr Rennie's statements yesterday.

We are endeavouring to find a solution so that we can get the right structure to move forward, and we have made proposals on that. I hope that those proposals can take us there. However, it would be a pointless negotiation if I simply said, "That's it—you do what you want." That might be how Willie Rennie negotiates, but it is not how the Scottish Government negotiates.

Tom Arthur (Renfrewshire South) (SNP): Ahead of the 2014 referendum, when the European Commission was asked about an independent Scotland's membership of the European Union, its response was to say, in effect, that it does not comment on the internal affairs of a member state. From 11 pm tomorrow, the UK will no longer be a member state. Given the good will towards Scotland that clearly exists across Europe, what potential is there for the Scottish Government and political parties to engage more closely with our European friends and neighbours on a future trade deal and on Scotland's return to the EU as an independent country?

Michael Russell: It is clear from all that we have seen this week that there is a huge well of support and sympathy for Scotland because of the position in which we find ourselves. The important thing is for us to move forward in a legitimate, constructive and constitutional way, recognising how we can re-enter the EU. The EU will never say to any country, "Come away in; it doesn't matter who you are—just join in." There is a process to be gone through, and we will go through it. However, having had some experience of 2014 and having seen the EU at close quarters in the past few years, I know that there has been a sea change in attitude. I am absolutely certain that we will be able to negotiate a beneficial way for Scotland to re-enter the EU.

Adam Tomkins (Glasgow) (Con): The cabinet secretary claims that he has engaged constructively with the United Kingdom ministers. In his trade paper, he demanded no fewer than five vetoes over international trade, which is a reserved matter. How is that constructive engagement?

Michael Russell: I do not think that anybody should have a veto. If there is no veto applied and no veto from the UK, there should be no veto from anybody else. However, Mr Tomkins is supporting a system whereby the UK Government and his mates in the Tory party have a veto on everything that we do and we have no protection at all. That does not strike me as a negotiating tactic; it strikes me as a surrender to the UK Tory party. No doubt, Mr Tomkins thinks that that is a good idea, but very few others in Scotland think so.

Gillian Martin (Aberdeenshire East) (SNP): Scotland's working-age population risks being plunged into decline by hostile Tory immigration policies. The Prime Minister describes the Scottish Government's immigration proposals, which have been backed by expert organisations, as "fanciful and deranged". Can the cabinet secretary tell me whether, in JMC meetings, the UK Government has ever accepted the case for a migration policy that is tailored to Scotland's particular needs?

Michael Russell: We have provided an enormous amount of information to the UK Government on a vast range of subjects—I am holding just some of the papers that we have published—and we have given it lots of information on migration and Scotland's specific needs. There has been no indication of a change of attitude.

I want to touch on the words that Boris Johnson used—"absolutely fanciful and deranged"—about the paper that he had not read. The people who are "fanciful and deranged" would include, then, the former Conservative MP for Stirling, Mr Kerr, who said that they were "worth looking at", the writer of a leading article in *The Times*, the president of the Convention of Scottish Local Authorities, the policy chair of the Federation of Small Businesses, the chief executive of the Scottish Council for Development and Industry, the director of Reform Scotland, the Royal Society of Edinburgh, the director of Universities Scotland, the public affairs manager of NFU Scotland and the director of the David Hume Institute, all of whom have supported the publication of our proposals—although not necessarily each individual proposal—and the views that we have put forward. It is not just the SNP—we are obviously deranged—but those people who, according to the Prime Minister, are "fanciful and deranged". We have, unfortunately, a deranged Prime Minister who thinks that.

Claire Baker (Mid Scotland and Fife) (Lab): We have to rely on reports from the Scottish Government and the UK Government about what happens. We are entering tough negotiations. Following the recent JMC meeting, Michael Gove said that the Scottish representatives were stressing

"the importance of making sure that we're outside the common fisheries policy."

Does the cabinet secretary acknowledge that, if Scotland was to re-enter the EU as an independent nation, we would have to accept the common fisheries policy?

Michael Russell: What I accept is that there is a process of negotiation to be done on fishing interests and fishing rights. The attitude of the UK Government at the moment is unrealistic in that

regard. Obviously, there have to be changes, and it is the Scottish Government, and this party, that has argued over many years for changes to the common fisheries policy. I wish that we had been supported by Labour on that matter. We talked about the way that the CFP needed to change long before the Tories did, because the Tories were enforcing the CFP. That is the reality.

Joan McAlpine (South Scotland) (SNP): This Parliament's Culture, Tourism, Europe and External Affairs Committee wrote to the UK Government asking for information on what will replace the €940 million that Scotland will lose with the end of the European structural and social funds, which support everything from training young people, to small business loans and support for the disabled. Does the cabinet secretary agree that those funds must be replaced in full and that the Scottish Parliament must have democratic oversight of how they are distributed?

Michael Russell: I agree that a very worrying situation is developing. If it is true that a final decision on all these matters has to be reached by the end of this year, there are now just 11 months to put in place a shared prosperity fund. As a former environment minister, I was involved when one type of Scottish rural development programme funding moved to another type, and that took 18 months to resolve. I do not think—[*Interruption.*]

Mr Tomkins, of course, wants to defend that. He would defend anything that the Tories did, no matter what it was. The Tories will impoverish the third sector, but Mr Tomkins will be in favour of that, because it is the Tories who are doing it. It is an extraordinary position for him to find himself in. It is intellectual gymnastics that, I must say, are not worthy of him in any way.

The reality of the situation is that there will be many bodies that will suffer greatly, because the UK Government has made as much a mess of this, as it has of all its other responsibilities. We will do our very best to protect the third sector and rural Scotland against that but, unfortunately, the UK Government is doing something absolutely unconscionable in terms of the damage that it will cause.

The Deputy Presiding Officer: I will try to get the last few questions in, if they are short.

Jamie Greene (West Scotland) (Con): It has been 24 short hours since the Scottish Government introduced a debate on the constitution, but 24 long months since it introduced one on education. Does that not sum up perfectly the priorities of Mr Russell and his party? I ask this very simply: why does the Scottish Government continue to refuse to accept that the Scottish people voted to remain part of the UK? Would that not be the democratic thing to do?

Michael Russell: This Parliament did not last debate education two years ago; that is another—I suppose that I cannot use the word, but that is what it is. That is another one from the Prime Minister. It is a fact that this Parliament debated education two weeks ago, so Jamie Greene falls on the first part of his question.

On the second part, Jamie Greene may well have been hiding somewhere for the past five years, but Brexit changed everything. Indeed, tomorrow changes everything. There has been a material change in circumstances.

I know that the Tories will not apologise for what they are doing, because they would never apologise for the damage that they are doing, but Jamie Greene must realise that things have changed profoundly since 2014. Many of the people he knows will say that to him—he is just not prepared to listen to them.

Rona Mackay (Strathkelvin and Bearsden) (SNP): I am keen to hear the cabinet secretary's response to the views of senior members of the UK Conservative Party who are of the opinion that,

"It doesn't matter one jot what the Scottish Parliament has decided".

Michael Russell: I deeply regret that, because I think that the Parliaments and Governments of these islands should be trying to work constructively together. However, those UK Conservative Party members are encouraged by the attitude of the Scottish Conservatives. That is regrettable, because the Scottish Conservatives want to roll over and accept anything that they are told to do. I suspect that members of the UK Government judge this Parliament by the Scottish Conservatives. They should not do that, because they will find that the members on the SNP benches are made of far tougher stuff.

Drugs and Alcohol

The Deputy Presiding Officer (Christine Grahame): The next item of business is a debate on motion S5M-20635, in the name of Joe Fitzpatrick, on drugs and alcohol: preventing and reducing harms. I call Joe Fitzpatrick to speak to and move the motion.

14:52

The Minister for Public Health, Sport and Wellbeing (Joe FitzPatrick): November 2018 saw the publication of two key strategy documents that were aimed at reducing the harm that is associated with alcohol and drugs. Those documents were: "Rights, Respect and Recovery" and the "Alcohol Framework 2018". A year on, there is much that we can reflect on, learn from and celebrate. However, we can also agree that there is much that we, as a country, still need to do. Reducing problematic drug and alcohol use, and the associated harms and deaths, remains one of the most difficult challenges that we face.

Levels of alcohol-related harm remain far too high. In 2018, adults in Scotland drank an average of 19 units per week—some 36 per cent more than the low-risk guideline of 14 units per week. There were 1,136 alcohol-specific deaths in 2018—an average of 22 deaths every week.

On drugs, the story is even more stark, with 2018 having seen the highest number of drug-related deaths ever recorded. I have stated on numerous occasions that each and every one of those tragic deaths is ultimately avoidable.

We have also seen a significant rise in the number of hospital stays related to drug use, while the number of alcohol-related admissions remains at a similar level to that seen in 2017-18.

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

Joe FitzPatrick: I am going to make some progress, but I will come back to the member.

Tackling the harms has to include addressing the underlying reasons for those addictions. Previously, we have focused too much on addressing the substances rather than the individual. Going forward, we must be more person centred in all approaches to treatment, but there are contributory factors that remain outwith an individual's control. We know that people who experience socioeconomic disadvantage experience problematic use. The recent burden of disease study found that the overall burden for drug use disorders was 17 times higher in deprived areas. Both of our strategies identified that tackling poverty and inequality is central to reducing harmful use of alcohol and drugs.

Suffering adverse childhood experiences also significantly increases the likelihood of lifetime illicit drug use and drug dependency, and it increases the chances of early alcohol use. The evidence for that is clear.

Alex Cole-Hamilton (Edinburgh Western) (LD): Will the minister take an intervention?

Joe FitzPatrick: I am going to make some progress. I will come back to the member if there is time.

Understanding and addressing the impact of adverse childhood experiences is crucial to safeguarding children's current mental and physical health and wellbeing. We have made a commitment to develop trauma-informed approaches in services, which will ensure that workers and staff have the necessary training in and understanding of these complex issues. Our approach on alcohol is rooted in the World Health Organization's "best buys" of affordability, availability and attractiveness.

Scotland is a global leader on alcohol policy—we have delivered 915,000 alcohol brief interventions since 2008, we have legislated to ban irresponsible promotions and we have introduced a lower drink-driving limit. With support from across the chamber, we also introduced minimum unit pricing, which was a world first.

David Stewart (Highlands and Islands) (Lab): Will the minister give way?

Joe FitzPatrick: As I said, I will make progress and, if there is time, I will give way once I have got through the important matters that I have to cover.

On Tuesday, NHS Health Scotland published the first full year of off-trade sales data since minimum unit pricing was introduced. The data are hugely encouraging and show a 3.6 per cent drop in sales per adult. That reduction in consumption marks real progress, which I am sure the Parliament will welcome. I have heard calls from some members for a higher price to be set. I will keep that under review alongside all emerging evidence.

Tackling attractiveness is also vital if we are to reduce consumption and harms. Our count 14 awareness-raising campaign launched its second phase last week, and I urge all MSPs to promote it and amplify its message—which is to keep risks low by staying within the maximum of 14 units per week. The evidence is clear that alcohol advertising being seen by children and young people is associated with their starting to drink alcohol or, among young people who already drink, their drinking more alcohol. We know that the earlier a young person begins to drink alcohol, the more likely they are to drink in ways that will be risky later in life.

To address that, the framework contains two significant actions to restrict alcohol marketing: pressing the UK Government to restrict television and cinema advertising of alcohol, and consulting on a range of measures within our devolved powers, including mandatory restrictions on alcohol marketing.

Jenny Marra (North East Scotland) (Lab): Will the minister give way on that point?

Joe FitzPatrick: As I said, I want to make progress. I want to update the chamber on the task force's work, which is the next item that I will cover.

I asked the Young Scot health panel to take forward the findings of the Children's Parliament report, which was published last year, and it expects to report in the spring. As is set out in our alcohol framework, I will also bring forward a consultation on the issue, which I plan to publish later this year.

We will continue to take a public health approach on drug use and the current emergency that we have around drug-related deaths. That means examining the evidence on what we know works and what will help to keep people alive. There is no shortage of evidence on the topic; in fact, the past few months have seen the publication of a number of reports that have highlighted the issues. Those reports all note the challenges that Scotland faces and make recommendations on what we could be doing.

However, they all agree that there is no single solution to the problem—there is no silver bullet. Instead, what is required is a multi-layered approach from our health and social care sector and beyond. The need for a multi-disciplinary response is reflected in the make-up of our drug deaths task force—a membership that I selected specifically to effect change in key areas where new action is required.

Neil Findlay: Will the minister take an intervention?

Joe FitzPatrick: As I said, I will outline some of the work of the task force, which I know members are keen to hear about. There will be plenty of time for debate later.

The task force will continue to develop pieces of work that will directly address the current number of drug deaths. In the short term, it has focused on making sure that, where possible, we provide people with the tools that they require to keep them alive, which, in relation to overdose deaths, is the drug naloxone. There has been a significant push to increase the availability of that drug, which can reverse the effects of an overdose. For example, yesterday, I announced the funding of a pilot with the Scottish Ambulance Service, which

will allow it to trial distribution of naloxone to individuals following a non-fatal overdose. If that trial is successful, we expect that practice to become the norm and that it will be rolled out across Scotland.

Furthermore, the chair of the task force has been working with the chief pharmaceutical officer on a proposal to train all community pharmacists in the administration of naloxone and to have naloxone available if requested, thereby providing a potential life-saving service should they be approached in an emergency.

In December, I wrote to naloxone leads in health boards, requesting that they contact homelessness services to ensure that naloxone is made available to the shelters and facilities that are being used by some of our most vulnerable people during the coldest months of the year. Again, that was to ensure that kits, peer support and appropriate training are accessible when required.

The chair of the task force and I also wrote to alcohol and drug partnerships and integration authorities to provide them with the task force's first set of formal recommendations for reducing drug deaths. We need to see those recommendations in local strategies for 2020-21. The recommendations cover targeted distribution of naloxone, improvements to medication-assisted treatment and immediate responses to non-fatal overdoses.

The task force is also working on a number of longer-term projects, including producing a set of national standards for the delivery of medication-assisted treatment. That work will help to reduce the variation in how services administer MAT, and it is backed up by strong evidence. The standards will give people choice in the type and dose of their medication as well as access to same-day prescribing of MAT, which is something that I am asked about regularly. That will mean not limiting people to methadone but also including buprenorphine and Suboxone.

I will respond to the amendments in my closing remarks, but I note that, in relation to the first part of Alex Cole-Hamilton's amendment, the sub-group will also look at diamorphine-assisted treatment and will be able to recommend whether the current pilot in Glasgow should be extended and rolled out.

Another focus for the task force is the role of our justice system, recognising that there is more that we can do within and through the justice system to improve outcomes for individuals in appropriate cases. Both Police Scotland and the Crown Office and Procurator Fiscal Service are task force members, and the Lord Advocate fully supports its work.

People who experience problematic drug use are unwell and need treatment, care and an end to the isolation that drug use can bring. In Scotland, we continue to develop innovative—

Alex Cole-Hamilton: Will the minister take an intervention?

Joe FitzPatrick: Time is limited, and I am covering the actions of the task force—there is a lot to get through.

The Deputy Presiding Officer: Actually, there is some time in hand—for all members—for interventions.

Joe FitzPatrick: I think that time is going to be tight for my speech. If there is time—

The Deputy Presiding Officer: Do not look so pleased, Mr Cole-Hamilton.

Joe FitzPatrick: We continue to develop initiatives to enable people—

The Deputy Presiding Officer: Bear with me, minister. It is a matter for members, but I do not want members all round the chamber to feel that they are under time pressure, because there is some time in hand in the debate.

Joe FitzPatrick: Presiding Officer, that is good, but my challenge is to get through the range of actions that the task force is taking, because that is what I want to update the chamber on.

In Scotland, we continue to develop innovative schemes to enable people who come to the attention of the criminal justice system to be referred to the support services that they need. That is similar to initiatives that I have seen recently in Durham. I will not shy away from the fact that my party has chosen to view drug use as a health issue rather than a criminal offence. I know that that position is not shared by everyone in the chamber, but the international evidence for it is overwhelming.

The additional stigma that is created by criminalisation does not work, because it hampers personal change, reinforces isolation and can prevent people from accessing the help that they need. In British Columbia and Portugal, we see an appreciation of that set out in a grounded public health approach that is coupled with a sense of emergency and awareness of the need to bring compassion into a system that was designed to punish. The Misuse of Drugs Act 1971 is not fit for purpose because it is designed for a different time and a different purpose.

Alongside the task force's work, we are continuing to deliver our strategy. We have published a partnership delivery framework that sets out how we work with partners and an action plan to deliver the strategy. The strategy asks services to adapt to target those who are most in

need and deliver services that address their specific circumstances. It is built on an eight-point treatment plan for ADPs that will improve access to effective services and interventions, including through assertive outreach and other harm-reduction interventions for those at risk.

I have been on a number of visits to a range of treatment providers, and I have seen some fantastic work. However, one of the main things to have struck me is the need for variety, because no one approach will work for everyone. I hear regularly about the need for more residential rehabilitation—I note the reference to that in the Conservative Party's amendment—and we are mapping current provision and trying to scope the level of demand. I acknowledge the call for additional resource for that service, to make that option available to more people.

David Stewart: Will the minister take an intervention?

The Deputy Presiding Officer: No, the minister—

Joe FitzPatrick: I am really tight for time.

The Deputy Presiding Officer: Bear with me. Minister, you really must conclude.

Joe FitzPatrick: I am almost there, Presiding Officer.

We need to get that mapping done and get evidence of the demand, as we need to know that we are using resources in the most appropriate way. We remain committed to ensuring that recovery is at the heart of service provision and that we have encouraged every ADP to develop a recovery-orientated care system not only for alcohol and drugs services but for housing, prison and employability services.

We have made commitments to improve—

The Deputy Presiding Officer: I am sorry, minister, but you must move the motion. You are over time by nearly two minutes.

Joe FitzPatrick: In moving the motion, I emphasise that the harms of alcohol and other drugs impact on us all. It is really important that we work together on this vital work, for the benefit of families and communities. I appreciate that, although parties across the chamber have different positions, we all hold heartfelt views on the need to make a difference.

I move,

That the Parliament believes that Scotland faces a public health emergency in terms of drug-related deaths, and that addressing this issue requires a public health-led approach; agrees that reducing the harms caused by alcohol and other drugs requires concerted action at all levels of public services and society; recognises that adverse childhood experiences and health inequalities both contribute to

alcohol and drug-related deaths, and that stigma remains a significant barrier to people seeking treatment and support; welcomes the work to date of the Drug Deaths Taskforce, including its efforts to improve access and distribution of naloxone, optimised use of medically-assisted treatment, and piloting assertive outreach to support the most vulnerable; notes that the current Misuse of Drugs Act 1971 is not fit for purpose and poses a barrier to a public health-led approach, which has shown benefits in Portugal, British Columbia and elsewhere, and therefore calls on the UK Government to reform the Act or devolve powers to allow this Parliament to take further action to save lives.

15:05

Miles Briggs (Lothian) (Con): Last year, 1,187 people died. I say to the minister that that is the evidence.

The last time that the issue of drugs was debated in Parliament in the Government's debating time was on 8 November 2012. It is thanks only to Opposition parties using our debating time that we have been able to discuss drug deaths or force Scottish National Party ministers to acknowledge that Scotland is facing a drug deaths emergency.

Every life lost to drug addiction is a tragedy. I know too many families in Edinburgh and across my Lothian region who have been affected by drugs and by those who prey on people living with addictions.

Scotland has seen an escalation of the drug deaths crisis over the past 10 years. Although I have welcomed the establishment of the drug deaths task force, we need to be honest and recognise that we need a radical new approach if we are to turn around the situation.

Yesterday, the task force outlined limited recommendations. Those are welcome, but ministers need to understand that we must have a root-and-branch rethink of drug rehab services. Like Monica Lennon, I consider that it was a mistake not to have cross-party involvement in the task force. To date, I have heard nothing that suggests that SNP ministers are developing the new approach that we need. I just hope that this is not another lost opportunity to tackle the crisis.

I want to make this debate about delivering something: a new drug rehab bed fund to start the work to give people hope and develop a new approach. It is time for SNP ministers and this Parliament to be totally honest. Scotland's drug and alcohol partnerships have been underfunded for 20 years—they are the Cinderella service of our national health service. The cuts most recently made by ministers have significantly destabilised the sector. The pain is still being felt today, with vital third sector services being closed as we speak. Right in the middle of a drug deaths emergency, the fragile support is being limited and services are being removed.

I have tried to work with SNP ministers since my election to warn them of the developing crisis and to offer workable suggestions and ideas. This debate should be about finding solutions and using the powers and the budgets that the Government has to do this work. The starting principle should be the proper funding of drug support services, so that people with addictions can get the support that they need. That is what my amendment calls for. Next week, the budget comes to Parliament. Tonight, the Scottish Parliament can call on the Scottish Government to make available £15.4 million to properly fund residential rehabilitation beds.

The sad truth is that, over the past decade, the number of rehab beds has been slashed. In 2007, when this Government came to power, 352 beds were available to drug treatment services; today, there are just 70. If there is one thing that we know, it is that, in the past decade, the dramatic reduction in beds has coincided with the explosion in drug deaths. Today, that must end, and a new approach to rehab and national strategy should be developed by ministers.

Over the summer recess, I undertook visits to listen to front-line workers in drug and addiction services in all parts of Scotland. From speaking to services users who have their families engaged and are trying to get their lives back together, it was abundantly clear to me, as the minister has outlined, that access to services is a postcode lottery.

I was hugely impressed by what I saw at the safe as houses project in West Dunbartonshire. That is genuinely the only service that I have seen that truly embeds the principle of wraparound care for individuals. That needs to be embedded in all services.

For people living with addictions whom I have met, one of the key aspects to their lives is, as the minister mentioned, childhood trauma and ACEs, often stemming from their being sexually abused. For many, because of their zero self-worth or guilt, or because of their simply using drugs as a coping mechanism, substance misuse quickly spirals out of control.

We often hear stories in the chamber—I make no apologies for raising them—of the crisis that our mental health services face. We need bespoke substance misuse mental health services for those who need them, and they need to be developed as soon as possible. Only the third sector has the capacity to achieve that.

Over 30 years, we have built a system that is based on sustaining addiction, which does not try to address the underlying reasons for addiction. We need a radical new approach to access to mental health services. Let us be honest: that

capacity is not in the NHS, so we need funding for the third sector.

We all want action that turns the current situation around, which even ministers accept is an emergency. If SNP ministers genuinely want a transformational approach—I hope that they do—we need to take forward more than what has been outlined today. We need an approach that covers drug and alcohol abuse, treatment, education and recovery. Only then can we, as a country, deliver the change that will help to save lives now and prevent a future generation of drug deaths and substance abuse destroying individuals, families and communities.

Regardless of party politics, we all want this unacceptable situation in Scotland turned around. That will take leadership and an honest approach to understanding that the services that we hope can address substance misuse in communities around Scotland are broken.

I move amendment S5M-20635.1, to leave out from “notes” to end and insert:

“, and calls on the Scottish Government to provide £15.4 million for residential rehabilitation beds in the upcoming Scottish Budget.”

15:11

Monica Lennon (Central Scotland) (Lab): I wish that we did not need to have this debate. Nothing that we can say will heal the hearts of people who are affected by the harms and losses that we are discussing. Every life that is lost to drugs or alcohol is a devastating tragedy. Families have heard politicians express sympathy for their loss many times. We respond with task forces, summits and strategies; in reply, people warn us, “You keep talking; we keep dying”.

I am not embarrassed to admit that I feel frightened and overwhelmed by the scale of this public health emergency, and I am not convinced that we even know its full extent. It is not the fault of one Government, one public body or one law or policy. The blame game must end today. We will not succeed in preventing and tackling the harms that are caused by alcohol and drugs by stubbornly sticking to our fixed party positions. We need to make urgent changes at UK and Scotland levels and in all our communities.

The Scottish Government motion is right to call for reform of the Misuse of Drugs Act 1971, and it is regrettable that the Conservatives have lodged an amendment that would delete those words, making it impossible for us to vote with them. That is deeply frustrating, because the Conservative amendment rightly calls for substantial investment in residential rehabilitation.

My amendment sets out the need for adequate funding. Scottish Labour agrees with the Scottish Government on the need to explore legislative change, but we believe that we can be bolder with the powers that we already have. That is why we support the Liberal Democrat amendment. We back reform and the need for resources. That is the centre ground in the debate.

I think that we all agree on the need to urgently implement measures that will save lives. The evidence shows us what to do. People whose lives are gripped by substance use, those who work with them daily and people who are in various stages of recovery have told us what to do—many times.

When I led a members' business debate in September 2019 on the scale of drug deaths, I pushed for the legal designation of a public health emergency. That was resisted by the Scottish Government and the task force. Four months on, there is recognition in the Government's motion that it is a public health emergency. That acknowledgment is welcome, but a public health emergency demands immediate action.

I agree with Turning Point Scotland that the drug deaths task force is a welcome initiative but that it does not replace the need for agencies to demonstrate the actions that they are taking to reduce deaths.

Urgent and transparent action is needed. Anyone at high risk of a drug-related death must be fast-tracked into treatment and support services within 24 hours. Without that, people will continue to die in huge numbers.

If we are serious, we cannot accept a situation whereby the forensic toxicology service that analyses 90 per cent of Scotland's suspected drug-related deaths is dysfunctional. That families have to wait several months to find out why their loved one died is cruel. Scottish Families Affected by Alcohol and Drugs is supporting people through those agonising waits, but they have already suffered enough trauma. They do not deserve that additional distress.

The Scottish Drugs Forum is right to raise concerns about the potential impact of delayed toxicology and post-mortem reporting on the publication of official annual figures. We cannot afford to have huge gaps in knowledge about trends in substance use. I am sorry to say that previous assurances from the Lord Advocate have amounted to nothing. That is what happens in the absence of a clear, nationally co-ordinated response to this public health emergency.

Alex Cole-Hamilton: I agree with everything that Monica Lennon has said so far. Does she agree that the delays that are being witnessed as a result of the toxicology reports being delayed are

causing further harm and distress to families who have been affected by drug deaths?

Monica Lennon: Absolutely. It is very upsetting. I am in touch with a number of families and I cannot believe that they are in that situation.

Joe FitzPatrick has been in his post since June 2018. Despite him not taking interventions today, I have found him to be engaging and receptive to both criticism and ideas, but no minister should be expected to tackle these complex and deep-rooted challenges on their own. A public health approach is crucial, as is cross-portfolio action. I say to the First Minister and all of her Cabinet, which includes the Lord Advocate, that they must step up, share the responsibility and ensure that every part of Government that can make a difference, no matter how small, is actively engaged in measures to prevent and reduce alcohol and drug harms.

My colleague Jenny Marra will use her time in this debate to talk about the drastic situation in Dundee. The Dundee drugs commission has made several important recommendations, but implementation has been too slow. Why do we continue to move at a snail's pace when people's lives are at risk?

The forthcoming summit in February is an important opportunity. The recommendations of the Scottish Affairs Committee and the Health and Social Care Committee are rooted in international evidence, and the UK Government should accept them. As a minimum, safe consumption rooms should be piloted in Glasgow, where rising HIV infection rates are an additional risk factor, and in Dundee, which is the city with the highest drug death rate in Europe. Our amendment highlights where funding has been cut—not to point fingers, but to confront the consequences and ensure that we make better choices in the future.

I hope that today's debate will lead to immediate action to save lives and give people hope.

I move amendment S5M-20635.3, to insert after the first "public health-led approach,":

"acknowledges that there were 1,187 drug-related deaths and 1,136 alcohol-related deaths in 2018; is concerned by reports that the number of drug-related deaths could increase further for 2019; considers up-to-date information and data to be crucial for understanding the extent and cause of drug-related deaths, as well as informing preventative interventions from public services; believes delays to forensic toxicology reports for deaths reported to the Crown Office and Procurator Fiscal Service are therefore unacceptable; recognises the role of frontline staff, volunteers, families and the wider recovery community in supporting people affected by substance misuse; affirms the need for adequate funding of treatment and recovery services following the £40 million cumulative real terms reduction in alcohol and drug partnerships funding between 2014-15 and 2018-19, which negatively impacted the provision and capacity of essential addiction services;"

15:17

Alex Cole-Hamilton (Edinburgh Western) (LD): I welcome this debate. It is an example of the business that the Parliament should be focusing on, rather than having debates about flags and the constitution. However, it is seven years too late. Much water has flowed under the bridge since the Parliament previously debated the drugs crisis in Government time, and the number of drug deaths in Scotland is soaring.

As Miles Briggs said, there were more than 1,000 drug deaths in Scotland in 2018. That is more than twice the figure a decade ago. We have the worst rate in Europe and the worst rate in the developed world. The Government must accept a large part of the blame for that. Despite the insistence that blame should lie in part with the UK Government, I say to the minister that our drug deaths are twice those in England.

The Scottish Affairs Committee said recently that the Scottish Government can do more with its existing powers. Instead, the Government decided in 2015 to make a 23 per cent cut to alcohol and drug partnership funding, which lasted for two years. That has played a pivotal role in our poor performance in terms of drug mortality rates. All told, it represented two years in which the budget for drug and alcohol services in our nation's capital was reduced by £1.3 million each year. Dr Emily Tweed highlighted to the Scottish Affairs Committee that such funding cuts result in

"the withdrawal of services, reduced provision, under-staffing or under-skilled staffing, and lack of continuity in relationships for clients."

Something has to change, and it has to happen now.

The monetary commitment from the Government, to restore cuts that had been imposed in previous years, is a start, but I am deeply alarmed that none of the Dundee drugs commission's recommendations, published back in August of last year, has been taken forward. Same-day prescriptions for methadone in Dundee should have been implemented immediately following expert recommendation. There are still only two general practices that provide on-the-day prescriptions; most patients wait for about three weeks. It is simply not good enough.

Similarly, the Glasgow facility has been given the backing of the Home Office to treat patients with pharmaceutical-grade heroin, but it is not just about radical provision of heroin by NHS Scotland. Twice-a-day visits mean that on-going relationships are created with nurses who can introduce patients to onsite physical and mental health checks and treatments. That is radical. From international evidence, we know that it works. Yet, in the two years that it will take to

evaluate the scheme, a further 2,000 people will die.

As we know, other parts of Scotland also have huge problems with heroin. I would be interested to hear from the minister, in his closing remarks, how the Government will establish proposals for a Scotland-wide network of facilities, instead of a single pilot in one city.

The Government's failures on drugs and alcohol, and its myopic and savage cuts to funding, will cast a long shadow. We do not have to look far beyond the walls of the parliamentary chamber to see evidence of that. Figures from September 2019 show that NHS Lothian has consistently breached the waiting time target for alcohol and drug treatment. The Scottish Government's local delivery plan standard states that 90 per cent of people should be waiting no longer than three weeks for treatment. That has never been met in Lothian. I would appreciate a commitment today that the Government will provide an above-inflation expansion of support for drug and alcohol services, to make up for years of cuts.

However, it is not only on drug treatment that the Government is failing. Families across Scotland are experiencing prolonged, painful waits for toxicology reports following the death of a loved one. They have contacted me; they have contacted all of us. Since February, around 2,000 reports have been delayed because of a staff shortage at the University of Glasgow. That is causing prolonged agony for families who have suffered the most unimaginable loss. I am certain that the families will have contacted the minister and the cabinet secretary to impart the abject distress that they feel. Each of them has a different story to tell, with the same theme. Once again, families are paying the price for the cuts that have been made to toxicology services.

The impact of such delays in confirming the cause of death can be profound on those who have lost a loved one. We are depriving them not only of answers, but of closure, too. Will the minister, in his closing remarks, give details of the Scottish Government's attempts to remedy the situation?

I am pleased that the Scottish Government is beginning to see Scotland's drugs crisis as a public health issue. I welcome that; my party has been calling for it for some time. The UK Government continues to treat drugs as a criminal justice issue. That perpetuates the problem, and enhances stigma and discrimination. As evidence has shown, such an approach is counter-productive. Accordingly, Liberal Democrats believe that the response must be framed through the lens of health rather than justice.

Unfortunately, the shift in focus from justice to health is evident only in part. In 2018, more people were imprisoned for possession of drugs for personal use than were given treatment orders. The political rhetoric is simply not percolating through. If the Scottish Government wants to call for greater powers to tackle the drugs crisis, it must start by showing that it is using its current powers effectively to do everything that it can to relieve services. That includes properly funding health services, and recognising the profound link between unresolved childhood trauma and adult drug and alcohol misuse.

I welcome very much the remarks that the minister made at the start of the debate. We need to heed the recommendations of former chief medical officer Sir Harry Burns, who said, in his review of NHS targets, that the one target that we are not capturing in the NHS is the prevalence of adverse childhood experiences. Without measuring those, we cannot get help to the children and young adults who have suffered them. For as long as we ignore that challenge in our society, every aspect of the strategies that we deploy will exist only to fight fires that have been burning in the hearts and minds of so many fractured people for so long.

The Deputy Presiding Officer: I do not think that you moved your amendment. I like to be technical.

Alex Cole-Hamilton: I move amendment S5M-20635.2, to insert at end:

“, for example, by extending the involvement of the Scottish Government in the development of UK-wide policy frameworks on drugs; agrees with the Scottish Affairs Committee that there is undoubtedly more that the Scottish Government can do within its existing powers to address problem drug use, and calls on the Scottish Government to coordinate a plan for a Scotland-wide network of heroin-assisted treatment facilities, divert people caught in possession of drugs for personal use into treatment and cease imprisonment in these cases, helping save lives.”

15:24

Alison Johnstone (Lothian) (Green): I extend my thanks to all the organisations that provided briefings for today and I welcome the opportunity to debate this issue in Parliament. Too often, it is the most marginalised and vulnerable people in society who experience alcohol and substance misuse, so it is all the more important that we consider their needs, rights and experiences.

The Scottish Greens have long argued that drug-related deaths are a public health, not a criminal justice, issue. The Misuse of Drugs Act 1971 is outdated and must be overhauled if we are to minimise harm and tackle what has become an epidemic. Scotland is in the midst of a public health emergency; 1,187 people died of drug-

related causes in 2018—1,187 entirely preventable, unnecessary deaths. That is an emergency.

Behind all the statistics are the human and social costs. Drug and alcohol dependence represents trauma experienced by individuals and their friends and families, not to mention wasted individual potential and opportunity. We continue to fail the people who are affected by drug and alcohol misuse at great cost to them, but also to society at large.

It is a social justice issue. There is a well-established link between deprivation and alcohol and drug addiction. It is our collective responsibility to tackle the issue and to reach those people, who are often deemed unreachable. They are not unreachable; we simply have to try harder.

The motion rightly mentions stigma as a barrier to treatment. Pejorative terms such as junkie are hugely reductive and harmful, but they are still in common use today, too often in the media, which seeks to demonise people with substance misuse issues. We would not treat another health issue in that way. The systematic dehumanisation of drug users is nothing short of scandalous and I have no doubt that it has contributed to the high figure that we are faced with today.

If we are serious about tackling stigma, we must lead by example. Drug dependence is currently excluded from the Equality Act 2010, despite it being recognised as a health condition. The Scottish Affairs Committee, in its report on problem drug use, concluded that

“this can have damaging real-life consequences for many people who use drugs—often by preventing them fully accessing recovery services.”

That is a tragedy. The committee also called on the UK Government to immediately review the decision to exempt drug dependence from equality legislation and to assess the impact that the decision has on people who use drugs. I echo that call today.

Great work is being done to reduce stigma more locally, however, including around illnesses that are frequently associated with drug use. I, along with others in the chamber, am a hepatitis C parliamentary champion and I have seen at first hand the considerable efforts that are being made to engage with people who have, or are at risk of contracting, hepatitis C.

I have spoken before in the chamber about the excellent work that is being undertaken by the Edinburgh Access Practice. However, it remains the case that while an estimated 21,000 people in Scotland have hepatitis C, around 50 per cent of them remain undiagnosed. It is clear that efforts to tackle stigma and improve outreach must focus on

reaching people who may have contracted diseases that are wrongly stigmatised, such as hepatitis C or HIV.

It is vital that we continue to highlight the impact of alcohol misuse on our society. Minimum unit pricing was a positive step and studies are already beginning to show its successes, but alcohol dependency still pervades Scotland. One in four people drink at hazardous or harmful levels and there were 1,136 alcohol-specific deaths in 2018. There is much still to be done and, as has been mentioned previously, action on advertising is key.

Jenny Marra: I will ask the question that I wanted to ask the minister. Does Alison Johnstone think that plain packaging of alcohol in Scotland is a good idea, making alcohol less attractive, as the minister said?

Alison Johnstone: It is an absolutely splendid idea and one that we need to look at quickly and pursue. We only have to look at the marketing budgets of companies that produce alcohol to know how important they think the look of it is, particularly to young people.

Members may remember Professor David Nutt, the former UK Government drugs adviser, who was unceremoniously sacked in 2009. He has consistently argued that alcohol is more harmful than some class B and even class A drugs. We cannot afford to ignore lived experience or the advice of experts such as Professor Nutt, no matter how uncomfortable it makes us.

Alcohol Focus Scotland has highlighted the availability of alcohol as a key issue. Here in Scotland, alcohol is really easy to obtain, which means that regular alcohol consumption is a normal part of everyday life. There are approximately 16,700 premises licences in force in Scotland—that is 16 times the number of general practitioner practices. The alcohol licensing system is the main method of regulating the availability of alcohol, yet licensing boards approve approximately 97 per cent of licence applications, and the total number of licences is increasing. The Scottish Government has committed to reviewing and improving licensing, and I urge it to follow through on that commitment, because the current system is not serving the interests of Scotland's people.

I appreciate that the Scottish Government is continuing its attempts to engage with the UK Government on drug-related deaths, and I eagerly await the outcome of the summit that is to be held in Glasgow on 27 February. However, as Alex Cole-Hamilton's amendment states, there are steps that can be taken now. I welcome the three-month trial of paramedics supplying take-home kits of naloxone, but late-stage interventions, however welcome, important and effective they

are, cannot be the only answer. We need to engage with people long before they reach the stage of near-fatal overdose.

Presiding Officer, I appreciate that I am over time, so I will conclude my remarks.

The Deputy Presiding Officer: Well, I made allowances for the fact that you took an intervention. We now have a little bit of time in hand for interventions.

15:31

Shona Robison (Dundee City East) (SNP): I welcome the debate and hope that it will provide an opportunity to find areas of agreement rather than areas of division, to agree that there are no simple solutions to what are complex problems and to reject any infantilising of the issue. There is no single solution; rehab beds and safe consumption rooms are needed, along with many other changes.

As others have said, we need to be honest with ourselves and admit that, over the Parliament's 20 years under Governments of different political colours, we have not managed to get to grips with the drugs issue. To date, maybe we have been too timid—I include myself in that—but I believe that that is changing. We are now openly discussing some very radical and controversial drug treatment models, such as those that are used in Portugal and British Colombia, and I am not sure that that would have been the case a few years ago. That is to be welcomed, and I pay tribute to Joe FitzPatrick for pursuing that approach.

Drug and alcohol harm affects all parts of Scotland but, as we know, Dundee has been particularly badly affected by the issue, and the number of drug deaths is at the forefront of our minds, as the minister outlined in his opening speech. We therefore need to face the challenges of drug and alcohol abuse head on and take the lead in identifying how we can be more effective in implementing new approaches to the issue.

Back in August last year, the Dundee drugs commission published its report, "Responding to Drug Use with Kindness, Compassion and Hope", which did not shirk from identifying weaknesses in local systems and making a number of challenging recommendations. The implementation of those recommendations is an on-going process. In common with many other members, I would like that to happen more quickly, but I am encouraged that progress is being made, and I hope that the minister will take time to reflect on those positive changes and feed them into the Scottish Government's task force.

I turn to what I think are areas of significant progress. Dundee alcohol and drug partnership

produced an action plan for change, which has led to some highly encouraging developments in practice. Last November, a test of change was introduced to identify and establish a fast and effective multi-agency response to all non-fatal overdoses in Dundee. That new approach includes sharing information on non-fatal overdoses with the Scottish Ambulance Service and Police Scotland on a daily basis. The daily meetings involve staff from relevant statutory and third sector services discussing the cases and developing a plan; they also involve people taking lead responsibility for the actions to be taken in relation to each individual, and outreach workers attempting to contact people who are not known to services to offer advice and support so that they can engage with appropriate services. That work is hugely important, because we know that such people are the most at-risk group.

Alex Cole-Hamilton: The member has spoken eloquently about the ADP in her area. Does she regret her Government's decision to cut 23 per cent of ADP funding?

Shona Robison: There are ADPs that underspend and ADPs that overspend. The performance of ADPs is hugely variable. The first thing that we need to agree is what services are needed and then we must fund the services that actually work. That is what today's debate is about. The services must be adequately funded, but first we need to get what we are funding right—it must be evidence based and it must work.

I want to talk about same-day prescribing, which Alex Cole-Hamilton mentioned a few minutes ago. Following the test of change back in October 2019, same-day prescribing has now been fully implemented across the city. That involves the Dundee integrated substance misuse service running direct access drop-in assessment clinics, where people receive a comprehensive assessment of their substance use and other aspects of their lives and social circumstances.

Lifesaving training on overdose awareness and naloxone kits are available, and people are offered screening for blood-borne viruses. Support plans for welfare benefits and housing support are also developed if they are needed. That joined-up approach has been extremely successful and should serve as a model for the rest of Scotland.

Unplanned discharges, in which people simply stop taking their treatment or attending services, can lead many people to spiral back into addiction.

I am interested in the use of buprenorphine, which has the advantage of being a long-lasting injection that requires only monthly administration. I understand that it is used primarily when methadone is unsuitable, but I wonder whether the minister and the Government plan to look into the

possible advantages of using buprenorphine more widely.

Some progress has been made, but there is much more still to be done. We need to keep up the pressure to ensure that the momentum for change continues. I will certainly be doing that.

I turn briefly to alcohol misuse and the emerging evidence of the benefits of minimum unit pricing—a policy that is very close to my heart. If minimum unit pricing tells us anything, it tells us that, when we are bold and take risks with public health approaches, we will see the benefits. That is what we need to apply to the drugs issue.

It is encouraging that the Government's policy on minimum unit pricing appears to be bearing fruit. The reduction in alcohol sales is welcome and, I hope, is one step on the road to resetting our relationship with alcohol. I am also encouraged by research that indicates that the health gains that are anticipated by a reduction in consumption will be greatest for those who suffer the greatest harm: hazardous and harmful drinkers in poverty.

Finally, I am encouraged that positive steps are being taken and by the apparent consensus that we have across the chamber to work together to tackle the issues and to take more radical steps in both drug and alcohol policies.

15:37

Brian Whittle (South Scotland) (Con): I welcome the opportunity to speak once again in a debate on the escalating addiction crisis in Scotland. I wish that I had a little more time to get in all the things that I want to say. As other members have said, it is really important that we try to keep the issue outside the political arena and away from political posturing.

In tackling addiction issues, we must consider how we can ensure a person-centred care approach is taken to those who are caught in addiction, as the minister mentioned. However, we must also consider the long-term goal of preventing people from falling into the addiction trap. To be effective in those objectives, it is crucial that the causes of addiction are recognised and that we accept that there is no blanket policy or silver bullet. Everyone with an addiction has a unique story, so the treatment framework should reflect that.

The conference "A Matter of Life and Death" was attended by some 110 organisations that are associated with the prevention and treatment of drug and alcohol abuse, including the chair of the task force. According to the conference's conclusions, the main causes of drug and alcohol misuse include: marginalisation and exclusion; a

lack of social structure; poor relationships; lack of protective factors; self-medication associated with masking the pain of ACEs and previous trauma; stigma; self-deprecation; barriers to achieving; and homelessness. Deprivation and inequality make all those things more acute and can lead to a situation in which it is more likely that the person has an inability to access quality treatment and help, a lack of access to general community services, an unmet complex health need and a lack of an effective support structure.

During a round-table discussion at the conference, we talked about how we expect those caught in addiction to travel to a limited number of outlets to access their methadone or other medication. I found out that there is a bus that travels into Kilmarnock that locals call “the heroin bus”. To get their medication, people have to go to the town centre. The question was therefore asked, “Why not take the service to them?” I bring that suggestion to the chamber because not only could a mobile pharmacy make access easier, but it could offer many other services, such as testing for hepatitis and HIV, or even providing the blood test for stage 1 and stage 2 lung cancer, which is another of the big killers among those in the lower quintiles of the Scottish index of multiple deprivation. I am simply asking the question.

Once someone has a drug problem, they also have more limited means to escape poverty. The chances of obtaining paid employment are much reduced by problem drug use or being in treatment and recovery. Having a criminal record, the lack of an employment history and the stigma of having, or having had, a substance misuse problem all play their part. Therefore, it stands to reason that resource should be allocated prior to addiction—that has to be the most cost-effective investment. Simply put, we know the areas that have the most problems, so how can we ensure that solutions and investment are targeted at them? If there are fewer community resources in those areas, we should develop resources to fit the communities. The systematic demise of community assets has to stop, because it is at such facilities that access to activities and inclusion is likely to take place. I have said many times in the chamber that the school estate is massively underutilised, and it is there that we could create the community cohesion that is an essential element of prevention.

A couple of Fridays ago, I was in the Kilmarnock recovery cafe, which is open on a Friday between 5 and 7. It serves a three-course meal for £2 and is run by people who are in recovery. There were 74 people in the cafe and the overwhelming feeling there was one of hope. Here were people gaining control of their lives and their addictions—people with a sense of purpose and belonging.

Mark, who runs the cafe, would love to take that model out into the surrounding communities every day. He would like to offer a 24/7 service for those in need; indeed, he would like to offer recovery beds. However, like many third sector organisations, the cafe operates on a shoestring. Mark is applying for funding to expand the service, so I ask the minister why the Scottish Government does not partner operations such as the cafe. They are incredibly successful, and they are where the hardest-to-reach people will be.

There are many services out there for those in the social care or criminal justice systems, or for those who are on the periphery of those systems. We need to give access to such services to those who currently do not know how to access them or who are wary of services, and we need to do so in a way that suits their needs.

As a rule, addicts need an incentive to quit—an incentive to take the first step. When someone is sitting doing nothing all day and has little money and no work, and little means of getting work, a hit is an out from a bleak reality. I suggest to members that they listen to stories from the participants in the homeless world cup and think about how that opportunity for inclusion can be the incentive that is needed to get someone on the path to recovery.

A conduit to services such as the recovery cafe in Kilmarnock is required, because established centres are the most likely entry point for those who are not already in the system. I am arguing for better—

Alison Johnstone: Will the member take an intervention?

Brian Whittle: Do I have time?

The Deputy Presiding Officer (Linda Fabiani): Only if you finish straight away afterwards.

Brian Whittle: Sorry—I need to finish this bit.

I am arguing for better, consistent funding for those established organisations. I am also arguing that they should be linked to existing services, which would be more effective for the service user, less expensive and have a far greater likelihood of success. Recognising their value in the system is crucial.

Once a person gets into the system via places such as the recovery cafe, there has to be continuing pathway of options, such as access to other specialised third sector organisations, with NHS services, housing advice and Department for Work and Pensions advice on site. I think that social services would be willing participants if we could free up resource over and above what they get for their current case loads.

The Scottish Government seems set on creating new solutions—especially solutions over which it has little control. I say to the Government that if it invests in solutions that are already working and connects those services in a cohesive and progressive plan, it might find that its influence over those elements that it deems to be outwith its control would be greatly enhanced. The Government should stop hiding behind elements of policy over which it currently has little influence and invest in the multitude of proven options that are within its sphere of control.

15:44

Kenneth Gibson (Cunninghame North) (SNP): I am pleased that the Government has brought forward a debate on such a vitally important subject this afternoon.

We must protect children and young people from the marketing of health-harming products, especially alcohol. As co-convener—along with Brian Whittle and David Stewart—of the cross-party group on improving Scotland's health: 2021 and beyond, I was struck by evidence that showed that young people recall examples of alcohol marketing and can identify alcohol brands, and that exposure to alcohol marketing is associated with increased consumption, higher-risk drinking, susceptibility to drink and brand knowledge among young people. Half of the young people who were surveyed had seen at least 32 instances of alcohol marketing in a month—one or more a day. That is too high.

Further disturbing evidence came from a study that Alcohol Focus Scotland conducted in 2015, which found that 10 and 11-year-olds were more familiar with certain beer brands than leading brands of crisps and ice cream.

Alcohol marketing is particularly prominent in sport, as brands are often high-profile sponsors of major events that are viewed by millions of adults and children. It is easy to see why clubs are attracted to the income that alcohol sponsorship provides, but marketing drives consumption and harm and there should be no place for alcohol marketing in sport. Tobacco sports sponsorship was banned 15 years ago and it is now unimaginable for any high-profile team to be brand ambassadors for tobacco, so why is that acceptable when it comes to alcohol? I am delighted that Scottish women's football rejected health-harming sponsorship. I wish that the wider sporting community would follow that admirable example.

Alcohol marketing reduces the age at which young people start drinking and increases the likelihood that they will drink, and, if they already drink, the amount of alcohol that they consume.

With its progressive approach to preventing alcohol harm, Scotland has led the way internationally and continues to do so through its current framework, the "Alcohol Framework 2018".

Pioneering measures have already shown positive effects in reducing harm. As has been recounted, earlier this week NHS Scotland published research showing that, during the first year of minimum unit pricing, the amount of alcohol sold in Scotland fell, whereas south of the border, where there is no such policy, sales increased. Modelling shows that minimum unit pricing is expected to save 392 lives in the first five years of implementation. Health gains are anticipated to be greatest for those who suffer the greatest harm—hazardous and harmful drinkers in poverty.

We have long recognised that drink driving is unacceptable, and Scotland's stringent road safety laws were further strengthened by the SNP Government's introduction of drug-driving limits and roadside testing in October last year. A zero tolerance approach to the eight drugs that are most associated with illegal use, which include cannabis, heroin and cocaine, makes it easier to hold drug drivers to account, as there is no longer a requirement to prove that someone was driving in an impaired manner.

Behind every statistic on alcohol and drug-related deaths, there are people, families and communities who are deeply affected by tragedy. That was brought home to me last week at the North Ayrshire summit on drug-related deaths in Saltcoats, where I joined the emergency services, third sector representatives, councillors, drug-experienced recovery development workers and others who are dedicated to reducing drug fatalities. With speakers including Catriona Matheson, chair of the SNP Government's drug death task force, the event was informative and, at times, very moving. Ordinary boys and girls were shown in everyday settings, such as school, play or home—they once had hopes and ambitions, but we were shown the devastating impact that their subsequent addiction and deaths had on their families and communities.

We face a drug deaths emergency. A reformed addict said to those who were gathered at Saltcoats that finding addicts is easy. Most live in ordinary homes and are registered as tenants or for council tax. Engaging them in services is the difficulty. For that to happen, it is crucial to recognise the often horrific, damaged lives that many endured as children, and to remove the stigma from addiction.

Naloxone has a key role to play. As part of a pilot scheme in Glasgow, ambulance paramedics are to give patients who are at risk of a drug overdose medication that could save their lives.

Scotland's drug deaths task force is funding the three-month take-home naloxone trial, in which people who are treated by paramedics for a non-fatal overdose and who do not want to go to hospital will be given a naloxone kit to take home.

Monica Lennon: I agree with Kenneth Gibson's comment about naloxone and the ambulance service. Does he share my concern that the Scottish Police Federation appears reluctant for officers to be trained on naloxone use and that we need to see more progress in that area between the Scottish police service and the Government?

Kenneth Gibson: Yes, I agree with Monica Lennon on that. We were strongly advised that as many professional groups as possible that have direct contact with people who misuse opioid products should be trained on naloxone. That should include the emergency services, including, of course, the police force. I thank Monica Lennon for raising that important point.

Naloxone training will be given on how to use the drug, which can reverse the effect of an opioid overdose. The medication can also be used in the event of any future overdose before the ambulance arrives, reducing the risk of death—and of course the police are often first on the scene.

Five hundred kits have been provided for the pilot and, if successful, the measure could be made permanent and extended to other areas of Glasgow and Scotland. Having naloxone available can—and does—save lives. Around half of those whose death was drug related had also suffered a non-fatal overdose at an earlier point.

The SNP Government supports the embedding of naloxone provision in NHS board areas, and now works closely with local partners to ensure that naloxone provision remains a priority and is accessible to those who most need it. I know that there are people in North Ayrshire who would benefit from that life-saving measure. I look forward to the outcome of the pilot and to naloxone provision being widened, if—as I anticipate—the pilot is successful.

Harm reduction is vital, whether through the provision of clean needles or methadone, or through the three priorities that the European Monitoring Centre for Drugs and Drug Addiction advocates in order to reduce deaths. The first priority is the establishment of consumption rooms. There are 87 consumption rooms in operation across European Union countries, but UK Tory Government has set itself against them. The other priorities are improving bystander response when an overdose takes place and, of course, developing take-home naloxone policies, which I mentioned.

We should remember that an overdose of over-the-counter and prescription drugs—from pain killers such as paracetamol to sleeping pills such as zopiclone—can also kill. Indeed, the deaths of many high-profile celebrities—from Michael Jackson to Prince—were the result of an overdose of prescribed medication. It is therefore important that patients are made fully aware of the potential impact of overdose and that they are not provided with too many tablets in one prescription.

The Deputy Presiding Officer: Come to a close, please.

Kenneth Gibson: As over-the-counter tablets are more difficult to manage, warnings should be made more obvious.

15:51

Neil Findlay (Lothian) (Lab): I will focus my remarks on drugs, since we have not debated the subject in this Parliament since 2012.

I found the minister's conduct earlier, in the form of his failing to engage with members who wanted to engage on this serious issue—one that has killed thousands of our constituents across the country—absolutely shameful.

Joe FitzPatrick: Will the member give way?

Neil Findlay: Carry on, please do.

Joe FitzPatrick: I want to make the point that—*[Interruption.]*

The Deputy Presiding Officer: Excuse me—I am here. I call Joe FitzPatrick.

Joe FitzPatrick: I am sorry, Presiding Officer. I will close the debate and I will be absolutely happy to take interventions at that point. I had a lot of information to get through in my opening speech. However, if Neil Findlay has a particular question for me now, I will respond now.

Neil Findlay: That is quite all right. The minister can hear the tone of the debate. I think that he can understand why people in the chamber are unhappy with his conduct.

I will make a number of practical suggestions for change that are based on my experience of speaking to people who have been through addiction; their families, who are desperate for help; and those who are trying to provide support in underfunded and underresourced services. The suggestions are theirs, not mine.

This is their list. First, we should follow what some of the most progressive police and crime commissioners are doing in England and Wales, where offenders who have been involved with drugs sign a contract to undergo mental health and other treatment, and that help is offered consistently to address their drug use.

Secondly, we should bring together police, community and public health funding to deliver practical outcomes for those who are in need. Thirdly, we should set up mental health teams in police stations—that was the top ask from the police officers I spent time with over the summer. Fourthly, we should allow drug users who have not responded to other forms of treatment to be prescribed heroin in a medical setting. Fifthly, we should, yes, extend naloxone. However, it must be funded, minister—the complaints that I get back say that the funding is not following it.

Sixthly, we must establish early warning programmes to alert people about new drugs or risky behaviours on the streets, so that we can intervene early. Seventhly, we must stop cutting alcohol and drug budgets, and invest in treatment and mental health services. In my opinion, a few years ago, a political decision—Mr Whittle—by the then cabinet secretary, Shona Robison, who has already spoken in the debate, to cut ADP budgets cost lives. It was utter fantasy, what the cabinet secretary said at the time about integration joint boards somehow being able to find some magic beans to fill the gap. That was a cruel fantasy that was peddled. I notice that Shona Robison took no responsibility for her actions when she spoke.

Eighthly, we should test ecstasy and other drugs at festivals, concerts and gatherings to reduce harms and deaths, and to educate users. At the Elrow Town music festival at the Royal Highland showground last year, Police Scotland issued a warning before the event. It said:

“Please remember that you will be subject to a search before entering the venue and if you are found to have ... drugs ...”

you

“may face a criminal record. We have detection search dogs supporting the operation who have very keen noses!”

That is not a harm reduction or education approach; it simply drives more risky and life-threatening behaviour. We need to stop criminalising and jailing people for drugs use and instead treat them. We need to take action on benzodiazepines and other antidepressants, with a long-term gradualist approach to reduce unnecessary overprescription and overconsumption where that is appropriate. We need to stop people being displaced on to the streets to take street versions. Last year, 6 million items of antidepressants were prescribed, in a nation of 5 million people. Prescription and street benzos are a huge problem.

Brian Whittle: I cannot disagree with a lot of what the member has said, but he has not yet got to the other side of the coin, which is about how we prevent people from getting involved in drug

culture in the first place. That is a key element, too.

Neil Findlay: Mr Whittle mentioned in his opening comments that he does not want the issue to be politicised, but it has to be politicised, because it is the political choices that Governments make, such as austerity, that drive people into the poverty and inequality that result in the downstream effect of their getting involved in drug and alcohol use. Whether we like it or not, it is a political issue.

We must extend the provision of mental health crisis centres such as the Penumbra one in Leith, which provides emergency crisis accommodation and a safe place for respite. That is the only one of its kind in the whole of Scotland. We need a network to be rolled out across the country. We need to get people off the streets and into accommodation with support. The HIV outbreak in Glasgow predominantly affects homeless drug users. We need to stop discharging people from hospital on to the streets with nowhere to go and no follow-up care—and, by the way, that includes people with any condition. We need to stop allowing people to drop out of the treatment system, because they are the ones who are most at risk of death.

We need to end the cuts to youth work, housing support, community education, voluntary sector funding and social work. All those cuts impact on the drugs crisis. Those services are the ones that civilise us as a society, and it is no surprise that the number of drugs deaths has increased as those services have declined. We need to extend projects such as Aid & Abet in Edinburgh, which works with offenders and young people, and we must provide the residential rehab that members have spoken about. People with deep pockets can go to the Priory to get intense successful residential treatment for their condition. We need the same for people without deep pockets.

If this crisis was impacting on cattle, sheep or chickens, or if it was affecting the people of Morningside, Bridge of Allan, Jordanhill or Bearsden, things would have changed a long time ago. However, it is not; it is a crisis affecting the homeless, the poor and people in housing schemes and in former industrial towns and villages across Scotland. It affects the weak and the vulnerable—people who it is easy for politicians and those in power to ignore. It is a class issue, and it is to our collective shame that good, decent working-class families are being failed by the system.

The Deputy Presiding Officer: All speakers so far have gone over time, so we are running short of time. Speeches should be of absolutely no more than six minutes from now on.

15:58

Ruth Maguire (Cunninghame South) (SNP):

Too many friends, family members and neighbours have been lost to an avoidable early death caused by substance misuse. We are all impacted by problematic drug and alcohol use, and it is in all our interest to work together to prevent and reduce harm and to support recovery.

In 2018, 38 lives were lost in North Ayrshire as a result of drugs, and it is expected that the figure will be higher in 2019, so I will focus my remarks on drugs deaths. No one person, Government or organisation and no single intervention can end this tragedy of preventable and avoidable death. It is a tragedy. It is right to ask whether our collective response would be quicker and better if the same number of accidental deaths or poisonings was being caused by something else. In relation to the actions that we are taking, we need to ask that question of ourselves and of our Governments, IJBs, ADPs and health boards. If we are serious about the lives of those at risk—I believe that colleagues in the chamber are—we must show by our actions as well as our words that the lives that we are talking about are important and worth saving.

What Scotland faces in terms of drugs deaths is an emergency. I welcome the Scottish Government's acknowledgement of that and its recognition that more can and must be done to improve the quality and provision of our services.

To save lives and prevent avoidable deaths, we must meet people where they are. We must treat all individuals with dignity, compassion and respect, and without judgment. We must do everything in our power to make things safer, using policy and practice for which we have evidence that they work. Harm reduction is important.

Yesterday, I was pleased to welcome the Scottish Government's announcement that the drug deaths task force will support a three-month trial that will provide 500 naloxone kits to the Scottish Ambulance Service. The Scottish Ambulance Service already responds to many potentially fatal opioid overdoses by directly administering naloxone to reverse the overdose and save a life. The additional step of supplying take-home kits is very positive.

In 2019, 514 naloxone kits were handed out in North Ayrshire, and it has been reported that 45 lives have been saved. North Ayrshire Council is training additional community development staff to administer the life-saving drug—action that should be commended.

I thank Scottish Families Affected by Alcohol and Drugs not just for its good work but for its briefing. I add my voice in support of the asks of its

family reference group. It considers naloxone to be a critical part of saving lives and asks that all workers coming into contact with individuals who are at risk should carry naloxone and be trained in its use. I agree. Police, the fire service, the Ambulance Service, housing and homelessness workers, and primary care and pharmacy services are all well placed to save lives.

I understand the reticence that some non-healthcare workers may have felt previously, as it used to be the case that naloxone had to be injected, which caused some concern. However, there is now a nasal application, which I hope removes that barrier. Those tasked with protecting lives in Scotland can also be life savers.

Although I recognise the need for local flexibility, I also concur with the ask that any postcode lottery in provision is removed. If housing officers in Ayrshire can save lives administering naloxone—and they have—those skills, procedures and processes should be replicated across Scotland. The sharing of knowledge, skills and best practice is essential. If drop-in access and same-day prescribing can be offered and work in one part of the country, that absolutely should be replicated elsewhere. It should not be easier to buy dangerous street drugs than it is to get safe treatment.

Truly person-centred treatment will meet people where they are, recognise the barriers that are in their way, and remove them. Providing same-day, flexible drop-in appointments along with scheduled appointments seems sensible. We must recognise that systems that work fine for one group can actually disadvantage others.

My party and others have rightly made much of the damage that punitive sanction regimes in the benefits system exact on people, so I was horrified to learn that they might be part of the system of drug treatment. That should be stopped immediately. Withdrawal of treatment for missing an appointment is outrageous. It does not sound person centred—that is me being kind—and it is not empowering, kind, compassionate or respectful. I know that the minister has those values, so I ask that he shares in his closing speech what action he will take to end the practice of punitive sanctions in drug treatment.

Lives are being saved and services are being delivered now by kind, compassionate, professional workers who share our pain and distress at the rising number of deaths. Importantly, we also have in our communities people who are in recovery who are supporting their peers to have hope and purpose in their lives. Let us listen to them, let us learn and, most importantly, let us act with urgency and immediately make the changes that we know will save lives—lives that are worth saving.

16:04

Michelle Ballantyne (South Scotland) (Con):

In 2016, I gave evidence at a drug death inquiry for a young man who was just 16. During that evidence session, we talked a lot about what needed to change, what we could do and how we could do it.

The problem is that we have not done it, and we need to move forward.

I am going to talk about drugs, but I include alcohol in what I am about to say because alcohol is the drug that is most abused in this country. It causes the most deaths and the most problems, so let us talk about alcohol and drugs together.

To address drug and alcohol problems, we need to understand that the first thing that people need to be is motivated to change. The day that a person decides that they want to change, services must be available to them. It is no good if someone rings up a service and is told that they will be put on a waiting list and will be seen in three, four or six weeks. They need to be seen that day, because it is on that day that the person is in the right place to address the issues that they face.

Services have to be funded properly and available when and where people need them.

David Stewart: I know that the member has a very strong background in this issue.

Does she share my view that it is time that we implement a social responsibility levy on the windfall profits of large alcohol retailers, so that more alcohol treatment centres can be funded across Scotland?

Michelle Ballantyne: The member has missed one thing in his intervention. Many alcohol retailers already fund a lot of treatments. The Robertson Trust is a huge funder of treatment and support. The service that I was part of received a lot of money from the Robertson Trust, and all that money came from alcohol sales.

We have to be careful that we do not use a penal approach when we are already getting a lot of services. In fact, Diageo offered me a lot of money to put support services in schools. It was the education system that told me that I could not use money from alcohol sales to support a system in schools that would prevent alcohol abuse. Some things do not tie up well; we need to be very careful about how we look at that.

There are a couple of things that have been interesting in the debate. One of those is that we need to recognise that substance misuse is a symptom of other problems. If we understand that properly, we are more likely to be able to change

things. We have to address the things that lie underneath substance misuse.

Many years ago, when I was developing services, one of the things that became very stark is that we could almost not talk about drugs and solve the problem. What we have to talk about is what people's vulnerabilities are, why they have low self-esteem, the ACEs that have affected their life, the loneliness and the peer pressure. Those are the things that we need to get a handle on.

Alison Johnstone: One thing that has been absent in this debate—which has been largely consensual, but action still has to be taken—is the fact that the Scottish Conservatives' wider UK party has taken billions of pounds out of the welfare system that so many of our most vulnerable citizens rely on. Michelle Ballantyne must agree that that is having an impact.

Michelle Ballantyne: I was working in the drug and alcohol system before the changes to welfare took place, so I know that it is not as simple as that.

The problem with substance abuse is that it crosses all boundaries. I heard very clearly what the member said earlier about how it affects only working class families. I can tell her that it absolutely does not—it crosses all boundaries. However, we have to bear in mind that quite often the substance abuse comes after the poverty. Drug abuse does not cause homelessness; homelessness often causes drug abuse. There are definitely connections; we need to be aware of that.

I want to talk about effective treatment, because that is really what we are considering. What is effective? First, there should be early intervention and prevention. We absolutely need to upstream some money to talk about early intervention and prevention. We need to ensure that young people are not taking steps down the route that we are trying to prevent them from going down. We need to ensure that their esteem is high, and that they value themselves. We need to ensure that they get a good education and have opportunities, so that they do not end up going down the route of drowning their sorrows.

We also need to recognise that more than two thirds of children who live in substance-misusing households will go on to misuse. Therefore, if we park people as productive drug users and accept that a methadone programme is okay for them—year in, year out—we are confining their children to becoming substance misusers down the line.

Methadone was introduced to titrate people off drugs. It was never meant to be a long-term treatment. Last week, I was sitting down with a drug user at the food bank. He has been on methadone for 11 years, and he has lost his

house. He said to me, "Well, I need to get a job first. I'll need to get housing and then I'll look at my drug misuse." There is some sense in that, and the housing first programme is a positive move, in that we need to get people into stable positions so that we can address their problems.

The Deputy Presiding Officer: Please come to a close.

Michelle Ballantyne: I will quickly mention rehab beds. One of the problems with rehab beds is that quite often they are in psychiatric units. That is not appropriate; they need to be in appropriate places. I took a young person to a rehab bed—

The Deputy Presiding Officer: You must come to a close.

Michelle Ballantyne: They could let anybody in. They could not restrict who arrived, and guess who arrived on day 2—their drug dealer. We have to think carefully about what we do and how we do it—that is my plea.

16:10

Bob Doris (Glasgow Maryhill and Springburn) (SNP): I know only too well the blight that the drug deaths crisis has had on the communities that I represent, and how it has destroyed too many families and unfairly stigmatised too many communities. Communities that are blighted by drugs are not second class or third rate—they are dignified and resilient, but they need all our help.

I welcome the pilot of the use of naloxone, which was announced yesterday by the minister, in Springburn in my constituency. As we know, the Scottish Ambulance Service will now not just use naloxone to seek to save those who suffer a heroin overdose but, crucially, it will also provide naloxone kits to survivors and their families and train them on how to use them should another overdose occur. I am confident that that is the right thing to do and that it will save lives in my constituency and beyond, and I welcome it.

One of the main risk factors for dying of an overdose is an earlier non-fatal overdose. As Shona Robison said, we must ask what support is available for those vulnerable individuals following a near-fatal overdose, not just wait for the next one. We must ask what interventions there can be at that point.

We know that addiction services are under strain, and that that makes it far more difficult to offer the personalised approach to supporting those in addiction or seeking recovery, which the minister referred to and which we all support. Of course that has to be addressed.

I want to make sure that any strategy that we have, such as the three-month naloxone strategy, is quickly rolled out. I think that, intuitively, we all know that that will be successful. I make the point that it is not just about doing the right thing; it is about the pace of delivery.

I will say a bit about the pathways to recovery, preferably before people get to the stage where they are overdosing on heroin. I will talk about rehab beds, which are one way to recovery. I saw an interesting comment on social media ahead of this afternoon debate, which was a challenge to the Scottish Government. The essence of the comment suggested that we should conduct research into the impact of the fall in the number of rehabilitation beds and related services for those living with addiction.

I have a suggestion for the minister on how to conduct that research: identify some key locations in Scotland, including Glasgow; secure additional rehab beds—of course we need more—and ensure that those beds are fully funded; and work with those who deliver services and those who have lived experience to jointly agree a suitable referral pathway, to allow those seeking recovery to secure those beds in the most sensitive and appropriate way.

That is quite similar to what we are trying to do in relation to housing first—I hope that it will be revolutionary—in providing wraparound support at the earliest point.

Miles Briggs: Will the member take an intervention on that point?

Bob Doris: Do I have time, Presiding Officer?

The Deputy Presiding Officer: That is up to you, but you cannot go beyond six minutes.

Bob Doris: In that case, I apologise to the member for not taking the intervention.

There is a political consensus in the chamber that we should have additional rehab beds, whether we put numbers on it or not.

There is political consensus in the chamber that we should see funding increases, even if we are not necessarily putting numbers on that. That political consensus exists, but the time that we need it is when the Scottish Government sets its budgets. We all know the political reality in that regard: a minority Government has to make deals and accommodations.

When those deals are being made, lots of demands will be made by every party—that is the stuff of politics. I say to my Government and to all the Opposition parties that, if we are to have a national consensus on this, we should make sure that the absolute deal is about more money for addiction services and for rehab beds. However,

parties should not then find an excuse for not supporting the budget. Let us try to come together as a Parliament to do that.

Michelle Ballantyne: Will the member take an intervention?

Bob Doris: I am sorry, but I do not have the time.

I will say a bit about the enhanced drug treatment service in Glasgow. Starting it was another positive step; up to 50 people who are drug addicts are using medical-grade heroin and are getting additional counselling support, housing support and benefit support. It is great that the programme is happening, but it is far too small and is just a drop in the ocean.

I have not been party political during the debate and I do not want to start now, but that approach surely has to be a precursor to having safe consumption rooms. Turning up twice a day, seven days a week to take part in that programme ain't gonnae happen for many vulnerable people. Let us build up trust with those people who sustain their drug use and get them into recovery by having safe consumption rooms, whether through the powers of the Scottish Parliament or with the approval of the UK Government—let us just do it.

Let us have a drugs summit that looks to see what we can do in the Scottish Parliament and at a UK level to improve the lives of those whose lives have been blighted by drugs. We should come together and do that. Can we also have people from the faith-based community involved in the drug deaths summit? I think that that is important and I suggest that the Rev Brian Casey from Springburn would be well placed to fulfil that role.

16:16

Jenny Marra (North East Scotland) (Lab): Nobody thinks, or is suggesting to the minister today, that this problem is easy to solve. The minister and I come from the same city and we both know that the problem has been building up over many years and has blighted the lives of people with whom we grew up and went to school. The people in our communities do not think that there are easy answers to the problem either, but they know that what is happening now is not working and that we need to try different things. There has been huge delay, though, which is what I will talk about in my speech.

We cannot deny the scale of the problem. Scotland has the highest drug death rate in the world and no amount of hyperbole in the chamber will ease the pain of mothers and fathers across Scotland watching their children's lives wasted away by drugs. In August last year, the Dundee drugs commission published its report. It was a

challenging report, which is written by families and experts after lots of evidence and consideration, and it published 10 immediate recommendations. Nearly six months later, very few of those immediate recommendations have been implemented—I think that there has been initial progress on one. We hear that work has started, but there are few concrete steps forward yet. The situation is urgent, because drugs workers in our city and across Scotland predict that the tally of drugs deaths in Dundee and Scotland will rise again this year.

Why have those recommendations not yet become reality? I believe, after talking to drugs workers and commissioners in the city, that the institutions that exist to treat and support drug users are not flexible enough and are lacking the leadership that is required to drive the changes through. For instance, one of the immediate recommendations in Dundee was to try to bring together drugs and mental health services, but nobody has been appointed to oversee that work. How can that change happen if no one person is tasked with driving the change?

We know that the national task force is doing its work, but I ask the minister whether he is not satisfied with some of the suggestions that have already come forward, for example from the Dundee drugs commission. How long can we wait to start trying new things, new ways of working? How long must the conversation and analysis go on, given that much of it has been said and done already and that people believe that there are workable solutions already on the minister's desk?

I will give an example. Problem drug users in Dundee are known locally as ISMs—that is a reference to the integrated substance misuse service, the drug centre where patients are referred to a psychiatrist. The minister already has evidence on his desk recommending that that high-tariff, expensive way of treating patients is not always necessary. One recommendation is that more drugs workers on the ground working with families in their homes and encouraging people into treatment would be a more effective use of some of the money that is spent on that service.

Michelle Ballantyne: Will the member take an intervention?

Jenny Marra: Not right now. Sorry.

We have 10 recommendations for immediate action from the commission. What exactly are we waiting for? We do not have time to wait, and I will tell members why. Recently, I had a stark reminder of the situation in Dundee, when I heard about a young girl who was taken into care after her dad died of drug use. Unless we take radical action to stabilise the lives of men and women my age who have children, we will have more and

more children left without parents in our city and across our country, with all the subsequent trauma and vulnerability in their lives, including vulnerability to addiction, that that brings.

An important debating point, which has also been an important life-saving matter in Dundee, is same-day prescribing. I was interested to hear Shona Robison say that that has been fully implemented. That is not my understanding. I understand that a very small group of people are still part of a test for change. However, the clinically qualified commissioner on the Dundee drugs commission said that that test for change is not necessary, because the clinical evidence for same-day prescribing already exists. Indeed, same-day prescribing happens in Lothian. Therefore, at best, we have a huge and unnecessary delay to implementing that life-saving policy in Dundee.

The involvement of that small group of people allows the Dundee partnership to say that it is making the required changes. However, the Dundee drugs commission said clearly to the minister that the real change will come when faster access is achieved, same-day prescribing is available across the city and GPs are involved. None of that is happening. The change will happen when people who present and are willing to get treatment, can get that treatment in two, three or four days, rather than, as Michelle Ballantyne said, the weeks and months that the majority of people in Dundee must wait.

I take the opportunity today to recognise the work that my colleague Monica Lennon has done on the delays to forensic toxicology reports. She has told us about the heartache to the families. That is the most important point. However, another consequence of those delays is that the police cannot track day-to-day or week-to-week trends in drug consumption on our streets and in our homes, which would allow them to know and prevent what is happening. We must consider that aspect, too.

My remarks have focused on the delay and the continual conversations that are delaying much-needed action. I urge the minister to do a desk assessment on Monday morning of all the recommendations that he has received and just try to get on with some of them. I also call on the minister for more debating time on this topic in the chamber. We have not even scratched the surface when it comes to the issue of drugs, and we have given only a small amount of time to discuss alcohol. We need at least a month to debate the issues, so having a week would be very welcome.

16:23

Fulton MacGregor (Coatbridge and Chryston) (SNP): I welcome the Government bringing forward this debate because, as we have heard today, there is no ignoring the fact that we continue to face a public health emergency. The number of drug-related deaths increased by 27 per cent in 2018; it has more than doubled in the past five years. Let us be honest: we must also take into account the likelihood that that number misses many deaths from suicide, illness or infection related to drug use. However, I can confidently stand here and say that the Government takes the problem seriously, as we have been hearing, and has undertaken a wide range of actions to address the issue and, ultimately, to decrease the number of drug-related deaths.

As has been mentioned, a dedicated task force has been set up to recommend steps that will reduce the harms that are caused by drugs. I am delighted that the Scottish Government has invested almost £800 million to tackle problem alcohol and drug use since 2008.

I highlight the importance of a report by the Scottish Affairs Committee, which strongly suggests that we should amend the law to allow a range of response that are public health focused. It outlines evidence to show that the UK Government's current approach to drugs is not evidence based and is therefore ineffective. The Scottish Government will continue to urge the out-of-touch Tory UK Government to take action as quickly as possible and to provide the most adequate solution for the problem, which is to devolve power to Scotland.

Brian Whittle: Will Fulton MacGregor give way on that point?

Fulton MacGregor: Not at the moment.

The UK Government routinely accepts recommendations that are in favour of tightening drug law but rejects those that are in favour of liberalisation. Drug abuse is not simply a criminal justice matter; there is an array of evidence to show that criminal justice sanctions are counterproductive. That was my experience as a social worker and I worked in the criminal justice sector for some time, which I have spoken about before.

We need to take a health-based approach. One of the most important and simple steps that the UK Government could take right away to reduce harm is to end austerity. It is really quite simple. I respect where Brian Whittle is coming from and I know that he always gives a measured response in debate. He said that we should be looking at the issue on a non-political basis, but I do not see how

we can do that, because austerity is the root of much of the problem.

Given that I have mentioned Mr Whittle, I will take his intervention.

Brian Whittle: If we are going to bring politics into the debate, will Fulton MacGregor explain to me why, with the same rules applying around the whole United Kingdom, people in Scotland are three times more likely to die from drug issues than those in the rest of the UK? How can that possibly be laid at the feet of Westminster? It is time to take control of the issue up here.

Fulton MacGregor: I did not say that the blame should all be laid at the feet of Westminster; I said that austerity was having a major impact. In response to Brian Whittle's question, I note that austerity is having a disproportionate impact on Scottish communities, which perhaps has led to the figures that he suggests. Ending austerity is something that the UK Government could do right now.

As we have heard from many members, there is overwhelming evidence to show that having places where people can consume drugs in a safe environment with sterile equipment while being supervised by medical staff reduces overdoses and lowers rates of infection. It is shocking that the UK Government continues to block that idea, with places such as Dundee, which we have heard a lot about, and Bob Doris's constituency in Glasgow continuing to suffer, despite overwhelming evidence that similar facilities in Portugal, Germany and Canada have reduced the amount of drug-related deaths.

Stuart McMillan (Greenock and Inverclyde) (SNP): Will Fulton MacGregor take an intervention?

Miles Briggs: Will Fulton MacGregor give way?

The Deputy Presiding Officer: Do we have a double act here? Make up your mind, please, Mr MacGregor.

Fulton MacGregor: I give way to Stuart McMillan

Stuart McMillan: I remind members that I am on the management board of Moving On Inverclyde.

Does Fulton MacGregor agree that, although Miles Briggs commented that we should have everything on the table and discussed, the Conservatives do not want to discuss that particular policy which, sadly, will continue to have a negative effect on Scotland?

Fulton MacGregor: I agree. We need everything to be on the table, which I think was the point that Brian Whittle made.

Tomorrow, I will visit the North Lanarkshire addiction recovery team, which is based at Coathill hospital in Coatbridge in my constituency. I have heard great things about that new service and I am looking forward to seeing the support that it offers to those in my constituency who are living with addiction. The service offers a range of interventions that support people to make changes to their lives that can improve their physical, mental and social wellbeing. It is vital that we all support such services to be the best that they can be in tackling this important issue.

The minister and his officials will probably be sick of me again mentioning the fabulous Reach Advocacy Scotland charity, which is based in my constituency. I had planned to say a lot more about the fantastic work that it does in the local area and around Scotland, but I realise that I am running out of time.

We need to think outside the box. I am looking at Monica Lennon and her colleagues in the Labour Party, because we are in the process of getting a new hospital in the Monklands area and there is a discussion about what we can do with the current site. I say to colleagues in the Labour Party that we should have a discussion about what we can do to meet the needs of the area. Perhaps we could have a drug and alcohol rehabilitation service where the current hospital is, instead of focusing on using the site for the new hospital. As I said, we need to think outside the box.

Monica Lennon rose—

The Deputy Presiding Officer: No, Ms Lennon.

Fulton MacGregor: I appreciate that I mentioned Monica Lennon's name, but I will not have time to give way. I apologise about that.

On that note, Presiding Officer, I will close.

The Deputy Presiding Officer: I am glad to hear it. Ms Harper, I have to cut your time. I can give you five minutes.

16:29

Emma Harper (South Scotland) (SNP): Thanks, Presiding Officer. The joys of being last in the open debate.

Too many fathers, mothers, brothers, sisters, sons, daughters and friends have lost their lives from harm caused by drugs and alcohol. I appreciate the detailed speeches that members across the chamber have made in the debate. In my speech, I will focus on some of the work that I have been involved in locally in Ayrshire and Dumfries and Galloway and nationally as deputy convener of the Health and Sport Committee.

Dumfries and Galloway is a large rural area that has many unique challenges with regard to

helping people who are affected by drug and alcohol addiction to access support. Rural challenges need to be included in future policy. I have met Justin Murray, who is leader of NHS Dumfries and Galloway's drugs and alcohol service at Lochside in Dumfries, a few times now, and we have discussed some of the challenges that are faced both by those who live with addiction and by his service, and what could be done differently.

I was interested to hear that an estimated 1,100 to 1,600 of D and G's 148,000 residents have problems with drug use and that, although more people are accessing the drugs and alcohol service, there was a 30 per cent drop in the number of needles that addiction services handed out to those with addiction last year. That means that fewer people were injecting heroin or other injectable drugs than in previous years.

Justin Murray has done some research that shows that many of those people in D and G are moving away from heroin and other injectable drugs and are changing the way that they acquire substances. Previously, people contacted their local dealer, who would then either meet them or deliver the drugs by taxi. Many people are now ordering their illicit substances online—on social media or the dark web—and having the pills, including Xanax, which is a powerful benzodiazepine tranquillizer, delivered to their front door by mail.

Information that has been released by BBC Scotland shows how significant that issue is. Its investigation showed that, in the south of Scotland between 2012 and 2017, controlled substances were recorded as the cause of death on 70 death certificates, while heroin or opiate addiction was recorded as the cause of death on 51 death certificates. It is interesting to note the difference in those statistics.

The worry for Justin Murray—I ask the minister for a reassurance on this—is whether people who suffer from addiction in rural locations such as the south-west are absolutely on the Government's radar and will be looked at as part of the new addiction pathway.

Last year, along with my Health and Sport Committee colleagues Dave Stewart and Brian Whittle, I took part in the Westminster Scottish Affairs Committee's inquiry into drug deaths in Scotland. Its two key aims were to better understand the causes and reasons for drug addiction and drug deaths in Scotland and to recommend action that could be taken to better address drug deaths.

The inquiry heard evidence from numerous experts across drug and alcohol services, including clinicians, academics, counsellors and

those who have lived with addiction. The findings were unanimous and clear, and there were some recommendations on what we need to do in order to truly address the issue. The recommendations, which are also based on international evidence from Spain, France, Italy and Canada, include decriminalising small amounts of drugs for personal use, allowing the establishment of safe consumption rooms and, importantly, treating drug addiction as a public health issue and not as a criminal issue. I encourage members to read the inquiry report, because it was helpful for me.

I will briefly mention a project that I have been working closely with in my South Scotland region.

Neil Findlay: Will the member take an intervention?

Emma Harper: I am sorry, but I do not have time. I have only five minutes because other members went over their time.

River Garden Auchincruive, near Ayr, is a really important place. I visited it with the minister last year and I will be there again soon. It is a great example of work to tackle drug and alcohol harm and help people who have experienced it. The residents start by engaging in a three-month programme, which becomes a three-year programme. They are provided with accommodation, a job and pay. They live on site and work, planting seeds, growing their own fruit and vegetables and nurturing them through the seasons. That is really important. They then use the fruit and vegetables in the on-site cafe, which is open to the public. That helps to reduce the stigma that members have mentioned, including Alison Johnstone. The whole place is supportive of a model that is effective for recovery, and evidence from the San Patrignano community in Italy has shown that that model is worth continuing to support.

Presiding Officer, I know that I am out of time. I thank the Government for pursuing the topic and taking action, and I look forward to the closing remarks.

The Deputy Presiding Officer: Thank you very much for cutting down your speech. Time is very tight for the closing speeches. I call Alex Cole-Hamilton for no more than six minutes.

16:35

Alex Cole-Hamilton: Thank you very much, Presiding Officer. Unsurprisingly, the debate has been very full, involving a lot of empirical evidence, many suggestions and much consensus across the chamber. That is unsurprising because seven years have passed since the Government last used its time to debate the absolute human crisis in our public health sector.

Neil Findlay: So that we do not have to wait another seven years for a Government debate on the subject, does the member agree—and perhaps the minister can refer to this in his summing up—that we should have an annual debate, in Government time, around the publication of the drug death statistics?

Alex Cole-Hamilton: I thank Neil Findlay for his intervention; I would like to associate myself and my party with his exceptional idea.

I start by addressing my amendment; I apologise for forgetting to move it earlier. I know that the Government is nervous about the precise wording of my amendment, in relation to the diversion into treatment and away from prison of people who are caught with drugs that are for personal use.

I do not believe that that would step on the toes of the Lord Advocate. Neither is it my intention that the amendment be prescriptive about how we achieve the suggested new policy position; I do not think that we should interpret it in that way. However, what is needed first, and what we have yet to receive, is the Government's political support for the policy and the principle of diversion. That would require the Government to say that it backs the new approach to people caught with drugs for personal use. It would also require ministers to ensure that diversion services—the treatment and education that people would receive instead of going to prison—are in place.

Section 12 of the Criminal Procedure (Scotland) Act 1995 says that the Lord Advocate can issue guidance to the chief constable about how police officers deal with such situations, but surely he would not do so without guarantees about other alternative support services, or indeed without ministers having voiced their support. That is the intention of my amendment today, and I ask the Government to support it.

The minister's opening remarks were wide ranging. He covered in granular detail the role of the task force. I have met Professor Catriona Matheson. I do not doubt her credentials, nor her passion. However I am anxious that the Government may not act on the task force's recommendations. I ask the minister to make a cast iron commitment that, in so far as it is within the Parliament's competence, the Government will take action based on the evidence of the expert task force that it has established.

I am grateful to Miles Briggs for developing the argument about the link between childhood trauma and drug and alcohol use in later life. They are inextricably linked. What is more, we know that no one is beyond hope of healing from those. Even elderly citizens, traumatised and damaged by

events that happened even half a century ago, can be helped to heal. I echo Mr Briggs's comments about the need for investment around the debate on child and adolescent mental health, and in adult psychiatric services as well.

Monica Lennon was right to link the drugs death crisis to the HIV epidemic that started in Glasgow in 2015 and is still growing. When those vulnerable groups were facing an outbreak of a horrific and highly-contagious infection, this Government cut funding to the services that were fighting to keep them alive.

HIV is just one of the co-morbidities associated with intravenous drug use. I am grateful to Alison Johnstone for raising the prevalence of undetected hepatitis C in our drug-using population. It is incumbent on us all to get people to come forward to be tested and into treatment. It need not be a life sentence.

I intervened in Shona Robison's well-delivered speech that came from the heart; her community is suffering more than most as a result of the crisis. I was dismayed that, even now, some two years after she left ministerial office, she cannot accept the damage that has been caused by a budget cut that amounted to a quarter of all funding. She stated that we need to identify what works, and then fund accordingly. It is hard to identify what works, when a third of the staff are on notification of redundancy.

We have heard several helpful suggestions during the debate. Brian Whittle's suggestion of a mobile pharmacy bears further consideration and Neil Findlay made an important point about linking up police, community and public health funding and bringing them together in the same space so that we are all working in the same direction. Mr Findlay spoke with typical passion on the issue, on which he and I have worked together closely over the past four years; his indignation was righteous and evidence based. It was also right to move the debate on to the issue of benzodiazepines and barbiturate prescribing. I share his perspective on the abject health inequality attached to that issue. I also share some common ground with Michelle Ballantyne on the issue of being parked on methadone. It can be a twilight world. It is a short-term solution for stabilisation, but it can become a life sentence.

If we are to answer the challenge that was held out to us by Jenny Marra—another MSP who has worked tirelessly on the issue for her constituents, who are perhaps blighted by it more than most—that the number of drug deaths is likely to rise, year on year, without further action, we cannot wait another seven years for another debate on the issue.

16:41

Monica Lennon: I think that we all agree that the time available today has been limited and that we need to have a further discussion like this very soon. Reflecting on today's debate, I think that we all agree that actions speak louder than words. However, there is a word that needs to be said, which was missing today. That word is "sorry".

We are sorry that we did not respond to the pain, despair and hopelessness of mother, father, husband, wife, partner, son, daughter, brother, sister, grandchild or friend—some people have lost a number of those people; sorry that we did not see you or listen when you were desperate for our attention, when you were searching for that fast track into treatment or for a safe place that is free from judgment and stigma and for your rights to be respected; and sorry that we score points while you count the dead.

Collectively, we did not act on the warnings, which led to confirmation last summer that Scotland now has the highest rate of drug-related deaths in the world. Alcohol-related deaths also remain at historically high levels; we did not have enough time to discuss that issue fully today.

As everyone has said, we need urgent, nationally co-ordinated action that will lead to an immediate reduction in the devastation that is being heaped upon thousands of Scottish families each year. Jenny Marra is right that the recommendations are sitting on the minister's desk, but the same also applies to UK ministers. Announcements in recent days, particularly on naloxone, are positive. Overall, however, we are light on action and delivery.

Outcomes are not improving. We have heard members talk about their own areas—Ruth Maguire talked about rising numbers of drug deaths in North Ayrshire—but we are seeing pockets of strong leadership in such areas. I pay tribute to Councillor Louise McPhater, who is in the gallery, for her drive and courage. Sadly, Louise lost her beloved sister to a drug-related death. Together with Councillor Joe Cullinane and, indeed, the full council in North Ayrshire, she is giving serious attention to preventing and reducing drug harm in their communities.

Bob Doris mentioned the Rev Brian Casey, who welcomed many of us to Springburn parish church in Bob's constituency. The recommendation that the minister should involve the Rev Brian Casey in the task force was a good one. The visit to Springburn was very poignant. We walked through the streets on a Friday night with candles, behind a group of mothers and grandmothers. Later, inside the church, we could see the grief, worry and loss etched into their faces. It was absolutely heartbreaking.

Many colleagues mentioned the importance of reducing alcohol harm. We heard from Kenneth Gibson, who has done a lot of work in that area, and from Alison Johnstone. There were also some good interventions: David Stewart reminded us that we have a social responsibility levy on the statute books and we should use that, and Jenny Marra suggested plain packaging for alcohol.

I know that Fulton MacGregor did not have time to take my intervention. I would be happy to consider anything in our area of Lanarkshire that would help people in their lives. My immediate concern about the situation in Lanarkshire relates to my inability even to get an out-of-hours emergency phone number for a family who told me that their son had been in hospital, had attempted suicide and was addicted to alcohol and street valium, and that they did not know what to do. I had to sit in NHS Lanarkshire's headquarters for 40 minutes to beg for a phone number. So overstretched is the organisation that it was reluctant even to give that phone number to a member of the Scottish Parliament, in case I shared it with others. We cannot be in that situation. That is why I said earlier that I am frightened.

Fulton MacGregor: Is Monica Lennon hopeful, as I am, that the new drug and alcohol service that is being set up by NHS Lanarkshire will help to alleviate some of her concerns about the experience of her constituents?

Monica Lennon: There is no point of disagreement between me and Fulton MacGregor on that, but I would be happy to speak to him for longer after the debate.

There is not a lot of time left. I am mindful of the fact that today is young carers awareness day. We have talked about families; we must talk more about the impact on young people, particularly young people who might be caring at home for relatives who have alcohol-related brain injury, an issue of which there is very little awareness.

Earlier, I made a point about the need for the entire Scottish Government and the entire Cabinet to take action in this area. I would have liked ministers who have responsibility for education, housing, communities, justice and finance to take part in the debate. I strongly believe that it cannot be left to the health team alone to address the issue. If we are genuine about making trauma-informed responses and understanding adverse childhood experiences, we must have a joined-up approach.

I welcome some of the progress that has been made and the positive reports that we have had. Brian Whittle asked us to avoid political posturing on the issue. I agree, but we cannot escape the fact that there are political choices to be made.

I have not yet received an invitation to the UK-wide summit that is coming to Glasgow; I do not know whether any member has received one. However, I think that we all want to be there, so perhaps the Parliamentary Bureau could suspend Parliament that day so that we can be there with as many of our constituents as possible. We must take action, and we must do so now.

16:47

Annie Wells (Glasgow) (Con): I have listened to all the contributions in the debate, and I am glad that we are finally taking the time to talk about drug deaths at length in the Parliament.

Some in here have said that we do not have the powers to tackle drug deaths. Out there, in the real world, some will say that we do not have the will to do it, and no wonder—the power of this Parliament has not been used.

FAVOR Scotland started a campaign with the simple message, “You keep talking, we keep dying.” That message is bold, powerful and in your face, and it is absolutely spot on. That phrase should make everyone stop and pause. In 2018, 1,187 people died from taking drugs. Who knows when we will find out how many died in 2019?

I can walk along my street and point out the houses where families have been torn apart by drugs. When I have gone to events organised by FAVOR in Springburn and Possil, I have felt humbled standing in those rooms, knowing that I had even the tiniest opportunity to change things.

We must use the powers that we have as MSPs to make a difference here and now. The Parliament can act. We can give people hope. If we all agree on the need for more rehab beds but we do not vote for that, people should never forgive us. Does anyone in the chamber think that we should not provide more rehab beds? I will happily take an intervention on that point.

Monica Lennon: I think that we all support further capacity and investment in rehab. However, as I explained, we cannot support the Conservatives’ amendment because they have brought politics into the debate and have put down a red line. Their amendment would delete a substantial part of the Government motion because they do not want to consider the responsibility of the UK Government. That is not the right way to approach the issue.

We will continue to argue and make the case for that additional funding, which might need to be more than £15.4 million. We will not take any lectures on that point.

Annie Wells: I would say that I was grateful for that intervention, but actually I am quite disappointed by it. I do not see why we cannot all

agree on this topic. I will come to the other points that Monica Lennon raised at the end of my speech.

Bob Doris: Will the member give way?

Annie Wells: No, I will not. I need to make progress.

The Conservative amendment calls for money and rehab beds—that is it. If we cannot unite to back that, I am at a loss. Are we going to sit here and pretend to be a Parliament or are we going to act like one?

We go round in circles on some of the issues. I have heard members from several parties talk today about decriminalisation. Many of the contributions are sincere, but with the same sincerity, I say that when I hear that decriminalisation and consumption rooms are the only solutions and we have to wait for the UK Government’s approval because nothing else will work, it does not confuse me—it angers me. *[Interruption.]*

That is all I have heard.

Neil Findlay: Will the member take an intervention?

Annie Wells: No, I will not.

Twelve years ago, half the number of people died—half. Even then, it was too many, but it has got worse. Something has gone wrong in the past decade and it has been even worse in Scotland than anywhere else in the UK. What has changed? It is not decriminalisation—we did not have that a decade ago. It is not consumption rooms—we did not have them either. However, we had hundreds and hundreds of rehab beds.

There are only 14 beds in Glasgow now. Across Scotland, there are fewer than 70 rehab beds. Those beds are gone and that is the responsibility of the Scottish Government. I have been open in saying that I do not think that decriminalisation and consumption rooms are the right solution. However, even those who think that they are must acknowledge that they will work only if we have high-quality treatment and rehab.

The Government seems to think that we can set up a consumption room in Glasgow and forget it. Shift the people with addiction out of sight and it will look like we have done something—job done. We could put 100 consumption rooms on every corner from Govanhill to Springburn, but if there are no residential rehab beds—and there are practically none—

Monica Lennon: Will the member take an intervention?

The Deputy Presiding Officer: The member is just closing.

Annie Wells: If people are being turned away from rehab—and they are—it does not matter how many consumption rooms we have because, without treatment and rehab services, nothing will change.

I have one last comment: rehab works. Just last week, a mother wrote to me. She said:

“I have a son who entered a rehabilitation centre in Greenock called Jericho House ... His addiction has ripped my family apart and if I had not found Jericho, I believe he would be dead. It is a travesty that a centre like this is being ignored by the Scottish Government.”

The Deputy Presiding Officer: You must close now.

Annie Wells: If members are not prepared to vote for money for rehab beds today, I hope that they are prepared to tell that mother why not.

16:53

Joe FitzPatrick: I thank members from across the Parliament for a good debate, in which member's speeches covered a range of topics. I will try to respond to as many of them as possible. However, before I do, I want to touch on an announcement about on-going work that I did not manage to cover in my opening speech.

A few members talked about prevention. In our strategies, we made a commitment to improve our helpline services for alcohol and drugs. This week, we are introducing an improved way to offer more direct help to people who call our alcohol and drug helplines, drinkline and know the score. From 1 February, the service will be operated by Addaction Scotland on our behalf. The new service will build on the existing webchat services, which are already up and running in some parts of the country. We know that more people engage with webchat services than phone services, so the offer of immediate links through webchat will greatly increase the access to services that everyone deserves. Addaction is an organisation that many members will know, so I hope that members across the chamber welcome that development.

Neil Findlay: My intervention relates to a very specific point, before the minister moves on to address points that were made during the debate. I made the suggestion to Alex Cole-Hamilton that we have an annual debate in Parliament when the drugs and alcohol statistics are published. The minister's boss is sitting next to him, so could we get confirmation of whether that will happen? If not, will the minister confirm that he will write to all members once he has seriously given consideration to the suggestion?

Joe FitzPatrick: Neil Findlay will be well aware that it is for the Parliamentary Bureau, not for me

or the cabinet secretary, to decide what business is debated in the chamber.

I will address some of the topics that were discussed, particular in relation to the amendments. There are two main parts to the Labour amendment in the name of Monica Lennon. Although I cannot agree with the final part of the amendment, which relates to budget, the rest of it, which talks about the impact on toxicology—

Monica Lennon: Will the minister take an intervention?

Joe FitzPatrick: I will finish explaining my approach. The points in the amendment that relate to toxicology are important, but I will not stand here and argue about budget lines from four or five years ago when people are dying today. The Government will support the Labour amendment because the points that it makes about toxicology and other matters, up to the point about protecting the budget, are important.

Monica Lennon: I am glad that the minister has confirmed that the Government will support the Labour amendment. As I said in my opening remarks, it is not about looking back to apportion blame or point fingers but about making sure that we never again make the decision to underfund critical services and then have to debate the fact that we have the highest record of drug-related deaths in the world.

Joe FitzPatrick: As I said, I am not going to stand here and have that discussion, because a number of important points were made during the debate that I want to focus on and respond to.

Miles Briggs and the Conservatives made a point about “residential rehabilitation”. I have said that I am not closed to that suggestion. I said in my opening remarks that we are currently mapping out what provision is available and what demand there is for those services. It is important that we use our resources in ways that will work and deliver.

Miles Briggs mentioned the service in Clydebank, which is a good example of good-value residential rehabilitation. There is a very good service here in Edinburgh, the Lothians and Edinburgh abstinence programme, which is an NHS service. We need to look at various models across Scotland, including the Phoenix Futures service in Glasgow, which I hope to visit soon, to make sure that, if we are spending money on such services, there is demand for them and they are what people want, rather than what people have been told to want.

Miles Briggs: The problem is that we have seen a dramatic loss of the service—there are only 70 beds now available across the whole

country. We need to see beds being put back, which takes action. I warned ministers two years ago that we needed to stop seeing the loss of those beds and that is what my amendment can achieve. We need to fund those beds and do so from today, not have another feasibility study.

Joe FitzPatrick: The Conservative amendment does not recognise that there has been a reshaping of services across Scotland. When those services are being reshaped, it is imperative that it is done with the involvement of the service users, which is what has happened in Glasgow. There has been some criticism of the changes in Glasgow, but they have been driven by the people who want to use those services. That said, although it is for local ADPs to look at the services that are provided and the demand in their area, the Scottish Government is looking to map out what provision is available across Scotland. I think that it was Bob Doris who talked about making sure that the pathways into those services are available.

We have rushed through the points. The interventions have taken so much time that it has been difficult for me to respond to most of the points that have been made. It is almost time for me to finish.

The points that Bob Doris and others made about the Rev Brian Casey being involved in the UK drugs summit are important. There is no questioning his commitment to this area. I have called on the UK Government to make sure that he has a central role at the start of the summit to put into context why the summit is happening in Glasgow, given the human tragedy that exists there. I hope that the UK Government accepts that suggestion. I was surprised by the approach that it took in bringing forward the summit and the way in which it was announced, but I have made clear to the UK Government that I am determined to work with anyone who will help us to save lives. That is what we are doing and that is what is happening across Scotland. The drug deaths task force is leading that work.

Scottish Biometrics Commissioner Bill: Financial Resolution

17:01

The Presiding Officer (Ken Macintosh): The next item of business is consideration of motion S5M-20662, in the name of Derek Mackay, on a financial resolution for the Scottish Biometrics Commissioner Bill.

Motion moved,

That the Parliament, for the purposes of any Act of the Scottish Parliament resulting from the Scottish Biometrics Commissioner Bill, agrees to any expenditure of a kind referred to in Rule 9.12.3(b) of the Parliament's Standing Orders arising in consequence of the Act.—[*Derek Mackay*]

Decision Time

17:01

The Presiding Officer (Ken Macintosh): There are five questions today. I remind members that, if the amendment in the name of Miles Briggs is agreed to, the amendment in the name of Alex Cole-Hamilton will fall.

The first question is, that motion S5M-20635.1, in the name of Miles Briggs, which seeks to amend motion S5M-20635, in the name of Joe FitzPatrick, on drugs and alcohol: preventing and reducing harm, be agreed to.

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)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Chapman, Peter (North East Scotland) (Con)
 Corry, Maurice (West Scotland) (Con)
 Davidson, Ruth (Edinburgh Central) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Golden, Maurice (West Scotland) (Con)
 Greene, Jamie (West Scotland) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Harris, Alison (Central Scotland) (Con)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Lindhurst, Gordon (Lothian) (Con)
 Lockhart, Dean (Mid Scotland and Fife) (Con)
 Mason, Tom (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Mountain, Edward (Highlands and Islands) (Con)
 Simpson, Graham (Central Scotland) (Con)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Tomkins, Adam (Glasgow) (Con)
 Wells, Annie (Glasgow) (Con)
 Whittle, Brian (South Scotland) (Con)

Against

Adam, George (Paisley) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Beamish, Claudia (South Scotland) (Lab)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (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)
 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)
 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)
 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)
 Leonard, Richard (Central Scotland) (Lab)
 Lochhead, Richard (Moray) (SNP)
 Lyle, Richard (Uddingston and Bellshill) (SNP)
 MacDonald, Angus (Falkirk East) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Derek (Renfrewshire North and West) (SNP)
 Mackay, Rona (Strathkelvin and Bearsden) (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)
 McKee, Ivan (Glasgow Provan) (SNP)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 Neil, Alex (Airdrie and Shotts) (SNP)
 Paterson, Gil (Clydebank and Milngavie) (SNP)
 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)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Russell, Michael (Argyll and Bute) (SNP)
 Sarwar, Anas (Glasgow) (Lab)
 Smith, Elaine (Central Scotland) (Lab)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Stewart, David (Highlands and Islands) (Lab)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Todd, Maree (Highlands and Islands) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
 Wheelhouse, Paul (South Scotland) (SNP)
 White, Sandra (Glasgow Kelvin) (SNP)
 Wightman, Andy (Lothian) (Green)

Wishart, Beatrice (Shetland Islands) (LD)
Yousaf, Humza (Glasgow Pollok) (SNP)

The Presiding Officer: The result of the division is: For 28, Against 86, Abstentions 0.

Amendment disagreed to.

The Presiding Officer: The next question is, that amendment S5M-20635.3, in the name of Monica Lennon, which seeks to amend motion S5M-20635, in the name of Joe FitzPatrick, be agreed to.

Amendment agreed to.

The Presiding Officer: The next question is, that amendment S5M-20635.2, in the name of Alex Cole-Hamilton, which seeks to amend motion S5M-20635, in the name of Joe FitzPatrick, be agreed to.

Members: No.

The Presiding Officer: There will be a division.

For

Baker, Claire (Mid Scotland and Fife) (Lab)
Beamish, Claudia (South Scotland) (Lab)
Bibby, Neil (West Scotland) (Lab)
Boyack, Sarah (Lothian) (Lab)
Cole-Hamilton, Alex (Edinburgh Western) (LD)
Findlay, Neil (Lothian) (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)
Leonard, Richard (Central Scotland) (Lab)
Marra, Jenny (North East Scotland) (Lab)
Rennie, Willie (North East Fife) (LD)
Rumbles, Mike (North East Scotland) (LD)
Sarwar, Anas (Glasgow) (Lab)
Smith, Elaine (Central Scotland) (Lab)
Stewart, David (Highlands and Islands) (Lab)
Wishart, Beatrice (Shetland Islands) (LD)

Against

Adam, George (Paisley) (SNP)
Adamson, Clare (Motherwell and Wishaw) (SNP)
Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)
Arthur, Tom (Renfrewshire South) (SNP)
Balfour, Jeremy (Lothian) (Con)
Ballantyne, Michelle (South Scotland) (Con)
Beattie, Colin (Midlothian North and Musselburgh) (SNP)
Bowman, Bill (North East Scotland) (Con)
Briggs, Miles (Lothian) (Con)
Brown, Keith (Clackmannanshire and Dunblane) (SNP)
Burnett, Alexander (Aberdeenshire West) (Con)
Cameron, Donald (Highlands and Islands) (Con)
Campbell, Aileen (Clydesdale) (SNP)
Carson, Finlay (Galloway and West Dumfries) (Con)
Chapman, Peter (North East Scotland) (Con)
Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
Constance, Angela (Almond Valley) (SNP)
Corry, Maurice (West Scotland) (Con)
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)
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)
Halcro Johnston, Jamie (Highlands and Islands) (Con)
Johnstone, Alison (Lothian) (Green)
Kerr, Liam (North East Scotland) (Con)
Kidd, Bill (Glasgow Anniesland) (SNP)
Lindhurst, Gordon (Lothian) (Con)
Lochhead, Richard (Moray) (SNP)
Lockhart, Dean (Mid Scotland and Fife) (Con)
Lyle, Richard (Uddingston and Bellshill) (SNP)
MacDonald, Angus (Falkirk East) (SNP)
MacDonald, Gordon (Edinburgh Pentlands) (SNP)
MacGregor, Fulton (Coatbridge and Chryston) (SNP)
Mackay, Derek (Renfrewshire North and West) (SNP)
Mackay, Rona (Strathkelvin and Bearsden) (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)
McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)
McMillan, Stuart (Greenock and Inverclyde) (SNP)
Mitchell, Margaret (Central Scotland) (Con)
Mountain, Edward (Highlands and Islands) (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)
Ruskell, Mark (Mid Scotland and Fife) (Green)
Russell, Michael (Argyll and Bute) (SNP)
Simpson, Graham (Central Scotland) (Con)
Smith, Liz (Mid Scotland and Fife) (Con)
Somerville, Shirley-Anne (Dunfermline) (SNP)
Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
Stewart, Alexander (Mid Scotland and Fife) (Con)
Stewart, Kevin (Aberdeen Central) (SNP)
Sturgeon, Nicola (Glasgow Southside) (SNP)
Swinney, John (Perthshire North) (SNP)
Todd, Maree (Highlands and Islands) (SNP)
Tomkins, Adam (Glasgow) (Con)
Torrance, David (Kirkcaldy) (SNP)
Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
Wells, Annie (Glasgow) (Con)

Wheelhouse, Paul (South Scotland) (SNP)
 White, Sandra (Glasgow Kelvin) (SNP)
 Whittle, Brian (South Scotland) (Con)
 Wightman, Andy (Lothian) (Green)
 Yousaf, Humza (Glasgow Pollok) (SNP)

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

Amendment disagreed to.

The Presiding Officer: The next question is, that motion S5M-20635, in the name of Joe FitzPatrick, on drugs and alcohol, preventing and reducing harm, as amended, be agreed to.

Members: No.

The Presiding Officer: There will be a division.

For

Adam, George (Paisley) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Beamish, Claudia (South Scotland) (Lab)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (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)
 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)
 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)
 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)
 Leonard, Richard (Central Scotland) (Lab)
 Lochhead, Richard (Moray) (SNP)
 Lyle, Richard (Uddingston and Bellshill) (SNP)
 MacDonald, Angus (Falkirk East) (SNP)

MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Derek (Renfrewshire North and West) (SNP)
 Mackay, Rona (Strathkelvin and Bearsden) (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)
 McKee, Ivan (Glasgow Provan) (SNP)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 Neil, Alex (Airdrie and Shotts) (SNP)
 Paterson, Gil (Clydebank and Milngavie) (SNP)
 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)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Russell, Michael (Argyll and Bute) (SNP)
 Sarwar, Anas (Glasgow) (Lab)
 Smith, Elaine (Central Scotland) (Lab)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Stewart, David (Highlands and Islands) (Lab)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Todd, Maree (Highlands and Islands) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
 Wheelhouse, Paul (South Scotland) (SNP)
 White, Sandra (Glasgow Kelvin) (SNP)
 Wightman, Andy (Lothian) (Green)
 Wishart, Beatrice (Shetland Islands) (LD)
 Yousaf, Humza (Glasgow Pollok) (SNP)

Against

Balfour, Jeremy (Lothian) (Con)
 Ballantyne, Michelle (South Scotland) (Con)
 Bowman, Bill (North East Scotland) (Con)
 Briggs, Miles (Lothian) (Con)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Cameron, Donald (Highlands and Islands) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Chapman, Peter (North East Scotland) (Con)
 Corry, Maurice (West Scotland) (Con)
 Davidson, Ruth (Edinburgh Central) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Golden, Maurice (West Scotland) (Con)
 Greene, Jamie (West Scotland) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Harris, Alison (Central Scotland) (Con)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Lindhurst, Gordon (Lothian) (Con)
 Lockhart, Dean (Mid Scotland and Fife) (Con)
 Mason, Tom (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Mountain, Edward (Highlands and Islands) (Con)
 Simpson, Graham (Central Scotland) (Con)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Tomkins, Adam (Glasgow) (Con)
 Wells, Annie (Glasgow) (Con)
 Whittle, Brian (South Scotland) (Con)

The Presiding Officer: The result of the division is: For 86, Against 28, Abstentions 0.

Motion, as amended, agreed to,

That the Parliament believes that Scotland faces a public health emergency in terms of drug-related deaths, and that addressing this issue requires a public health-led approach; acknowledges that there were 1,187 drug-related deaths and 1,136 alcohol-related deaths in 2018; is concerned by reports that the number of drug-related deaths could increase further for 2019; considers up-to-date information and data to be crucial for understanding the extent and cause of drug-related deaths, as well as informing preventative interventions from public services; believes delays to forensic toxicology reports for deaths reported to the Crown Office and Procurator Fiscal Service are therefore unacceptable; recognises the role of frontline staff, volunteers, families and the wider recovery community in supporting people affected by substance misuse; affirms the need for adequate funding of treatment and recovery services following the £40 million cumulative real terms reduction in alcohol and drug partnerships funding between 2014-15 and 2018-19, which negatively impacted the provision and capacity of essential addiction services; agrees that reducing the harms caused by alcohol and other drugs requires concerted action at all levels of public services and society; recognises that adverse childhood experiences and health inequalities both contribute to alcohol and drug-related deaths, and that stigma remains a significant barrier to people seeking treatment and support; welcomes the work to date of the Drug Deaths Taskforce, including its efforts to improve access and distribution of naloxone, optimised use of medically-assisted treatment, and piloting assertive outreach to support the most vulnerable; notes that the current Misuse of Drugs Act 1971 is not fit for purpose and poses a barrier to a public health-led approach, which has shown benefits in Portugal, British Columbia and elsewhere, and therefore calls on the UK Government to reform the Act or devolve powers to allow this Parliament to take further action to save lives.

The Presiding Officer: The final question is, that motion S5M-20662, in the name of Derek Mackay, on a financial resolution for the Scottish Biometrics Commissioner Bill, be agreed to.

Motion agreed to,

That the Parliament, for the purposes of any Act of the Scottish Parliament resulting from the Scottish Biometrics Commissioner Bill, agrees to any expenditure of a kind referred to in Rule 9.12.3(b) of the Parliament's Standing Orders arising in consequence of the Act.

Meeting closed at 17:05.

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

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