



OFFICIAL REPORT
AITHISG OIFIGEIL

Meeting of the Parliament (Hybrid)

Wednesday 24 February 2021

Session 5



The Scottish Parliament
Pàrlamaid na h-Alba

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Scottish Parliament

Wednesday 24 February 2021

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

Portfolio Question Time

Economy, Fair Work and Culture

The Deputy Presiding Officer (Christine Grahame): Good afternoon. I remind members that social distancing measures are in place in the chamber and across the campus.

The first item of business is portfolio questions. As per my usual mantra, I say that in order to get in as many members as possible, questions should be short and succinct, with answers to match, preferably.

I remind members that questions 2 and 3 have been grouped together. If a member wishes to ask a supplementary question they should indicate that in the chat function by entering R during the relevant question. I will take supplementaries at the end of the grouped questions.

Fair Pay Practices (Promotion)

1. **James Kelly (Glasgow) (Lab):** To ask the Scottish Government what action it is taking to promote fair pay practices. (S5O-05041)

The Minister for Business, Fair Work and Skills (Jamie Hepburn): Workers must be paid—and paid fairly—for the work that they do. Fair pay is fundamental to fair work and we are committed to promoting payment of the real living wage and to employer accreditation for that.

We have included payment of the real living wage in the criteria for our flagship fair work first policy, which is a key mechanism for driving fair pay in Scottish workplaces. There are now more than 1,900 living-wage accredited employers in Scotland. At 84.8 per cent of employees, Scotland remains the best performing of all four United Kingdom countries in relation to the proportion of employees who are paid the living wage or more.

James Kelly: Fair pay practices are the mark of a dignified society, so it is regrettable that some care workers have been left behind. They have worked in really difficult circumstances during the pandemic to support the people whom they look after. What action is the Scottish Government taking to support the objectives of the GMB trade union campaign to secure care workers pay of £15 an hour for the work that they carry out?

Jamie Hepburn: Of course, the first thing that I observe is that I absolutely share—[Inaudible.]—that we owe our care workers a great deal of thanks at all times, but particularly in the current context.

I recognise that proper remuneration for our social care workforce is important. In that regard, we have worked closely with the sector and with the Convention of Scottish Local Authorities, and local government more widely, to ensure that all those who work in the commissioned care services sector are paid the real living wage. That includes the resource allocated over the past two years to cover extension of the real living wage to sleep-over hours during 2018-19, which will continue through this year.

We need to recognise that we must play a role in ensuring that social care workers are properly paid; we will continue to play that role.

The Deputy Presiding Officer: I do not know whether anyone managed to hear that—I certainly could not determine all of what was being said. I am not sure whether it is the minister's connection or whether it is something to do with the systems here. We will check it out. I suggest that you check the *Official Report*, Mr Kelly, because I do not think that that was clear at all. We will see how we get on.

Gillian Martin has a brief supplementary.

Gillian Martin (Aberdeenshire East) (SNP): Will the minister provide more detail on how the Scottish Government will apply its fair work guidance for public sector economic development, particularly in green ports?

Jamie Hepburn: Having heard you, Presiding Officer, I will shout at the computer screen in the hope that you will be able to hear me better.

As early adopters of fair work first, our enterprise and skills agencies started implementing the policy last year. Last December, Fiona Hyslop and Kate Forbes jointly wrote to all public sector bodies setting out the expectation that all public bodies will adopt fair work first criteria, in their capacity as employers, from March, and that they will from April apply the criteria to grants, funding or contracts that they award.

We are serious about the fair work agenda. As we progress our green ports plans, we are making sure that fair work first is a central part of them, too.

The Deputy Presiding Officer: I am afraid that the problem seems to be with your connection, minister. I ask Ms Martin to check the written answer. Fortunately, that is the only question that you are answering in this portfolio, minister. That

is helpful, because otherwise we would all be on a bit of a mystery tour.

**Young Person's Guarantee
(Glasgow Maryhill and Springburn)**

2. Bob Doris (Glasgow Maryhill and Springburn) (SNP): To ask the Scottish Government what progress it has made on delivering the young person's guarantee for 16 to 24-year-olds in the Glasgow Maryhill and Springburn constituency. (S5O-05042)

The Cabinet Secretary for Economy, Fair Work and Culture (Fiona Hyslop): Through our £60 million investment in the young person's guarantee this year, and the commitment to a further £70 million investment next year, we are building on existing education, employability skills and training infrastructure to provide new opportunities and enhanced support to young people.

The guarantee is based on the principle that local partners are best placed to identify and deliver the opportunities and support that are needed by young people in their areas, and to respond flexibly to emerging challenges.

In Glasgow, the guarantee will provide additional resources for local partners to strengthen provision for 16 to 24-year-olds. That includes extending existing activity such as the Glasgow guarantee, the supporting growth programme for unemployed young people and Glasgow code learning, as well as creating new opportunities through colleges and Skills Development Scotland.

Bob Doris: For any 16 to 24-year-old who is unclear about how they could benefit from the Scottish Government's young person's guarantee, could the cabinet secretary clarify the various points of contact to which they can reach out to secure that very welcome support?

Fiona Hyslop: The young person's guarantee website provides details of the range of opportunities that are on offer and additional points of information for young people and employers. The guarantee builds on the strong foundation of support that already exists through schools, further and higher education, apprenticeships, training and employment, for example.

We have intentionally adopted a "no wrong door" approach so that delivery partners across different sectors can point people in the right direction. School co-ordinators for the strategy on developing the young workforce will be particularly important. The investment that we are providing will ensure that all schools will be able to have such co-ordinators for that group of people.

Local authority employability support offices, colleges and specialist service providers in the third sector all know about, and are prepared to point people towards, the umbrella of the young person's guarantee in order to ensure that they can access whichever programme, development, support or employment links with local employers they need so that they can benefit from the guarantee.

Young Person's Guarantee

3. James Dornan (Glasgow Cathcart) (SNP): To ask the Scottish Government what progress has been made towards implementing the young person's guarantee. (S5O-05043)

The Cabinet Secretary for Economy, Fair Work and Culture (Fiona Hyslop): Since we launched the young person's guarantee in November 2020, we have created around 18,000 new and enhanced opportunities for young people aged between 16 and 24 to help them into work, education or training. Those opportunities include new provision through local councils, colleges, new apprentice pathways and the third sector.

Through the Scottish budget—if it is passed—we will provide additional investment of £70 million to build on that and to achieve our ambition of supporting every young person, with a focus on those whom we know have been hit hardest by the pandemic.

With Young Scot, we have established a leadership panel that will work with us to help to shape the guarantee and ensure that young people continue to be at the heart of its delivery. We will also continue to work with employers to gain their commitment to supporting young people as the economy begins to recover.

James Dornan: Surely the parties in Parliament will not be mad enough not to pass a budget that would give an extra £70 million to help every 16 to 24-year old in my constituency and constituencies across Scotland.

The guarantee should surely help us to recover from the loss of opportunity that has been brought about by the pandemic. How does the cabinet secretary see the guarantee helping to prevent young people from becoming a forgotten generation, after the pandemic?

Fiona Hyslop: That is a serious question. Young people are likely to suffer most, particularly when the furlough scheme ends and we see the expected increases in unemployment in quarters 2 and 3 of this year.

Much as I could be tempted to get into a debate on the budget, I say instead that the young person's guarantee deserves the support of every single party and member. That would enable

people to have confidence in it, and it would encourage employers in members' areas to support those who are leading recruitment for employment opportunities in every part of Scotland. Having mentioned achieving such consensus, I will not be tempted into a political debate.

The Deputy Presiding Officer: We now have two brief supplementaries.

Annabelle Ewing (Cowdenbeath) (SNP): I turn to the important matter of what is happening in the kingdom of Fife. Can the cabinet secretary clarify what progress is being made in Fife in implementing the young person's guarantee, in terms of the number of young people who are benefiting from it, and can she advise how the Scottish Government is encouraging employers in Fife to sign up?

The Deputy Presiding Officer: I must redefine "brief". Cabinet secretary?

Fiona Hyslop: I know that Annabelle Ewing is a great champion of Fife. I was interested to find, when I spoke to Fife Chamber of Commerce, that it is a great champion of developing the young workforce and that it has used the model—particularly the employer-led focus—to ensure that the needs of local economies can be matched to opportunities for young people.

The experience of school co-ordinators in Fife has been instrumental in shaping how we are rolling out the young person's guarantee across Scotland. We are using resources from that experience to ensure vital school-employer links, through the co-ordinators who are placed in every school.

Brian Whittle (South Scotland) (Con): The cabinet secretary will be aware of the United Kingdom Government's kickstart programme, which is available across the whole UK. Does she agree that it would give our young workforce the very best chance if the Scottish Government were to work with the UK Government's kickstart programme in order to get the biggest bang for its buck?

Fiona Hyslop: I am keen to work with the UK Government on that and have already had a meeting with the Secretary of State for Work and Pensions, Thérèse Coffey. One of the issues is that we must make sure that there are opportunities for local organisations and local government to be the leads in relation to co-ordinators for kickstart. There are issues for some local authorities—I think, perhaps, including in the region that Brian Whittle represents—so perhaps he could take the matter up with the UK Government as well, because those links are really important.

We want to provide a two-year programme. Kickstart is a six-month programme, but, if we were to add kickstart to the employer subsidy that we deliver through local employer-led council initiatives in Scotland, we could produce a meaningful package to ensure that young people do not become, as James Dornan said, "a forgotten generation".

Young people are our future, but they are also our present, which is why we all need to pull together to help to deliver on the young person's guarantee.

Value for Money (Investment in Private Companies)

4. Graham Simpson (Central Scotland) (Con): To ask the Scottish Government how it ensures value for money when investing in private companies. (S5O-05044)

The Cabinet Secretary for Economy, Fair Work and Culture (Fiona Hyslop): The guidance that is contained in the Scottish public finance manual outlines the Scottish Government's approach to investment in private companies. The guidance is clear that an investment must be supported by a clear economic and commercial rationale and must demonstrate value for money for the public purse. In support of those considerations, appropriate expert commercial and legal advice is provided as to the commercial aspects of the proposal.

Graham Simpson: I welcome the news that two of the three Burntisland Fabrications yards have been bought out of administration. However, that still leaves the question of whether we taxpayers will get our £50 million back. In relation to BiFab, the Economy, Energy and Fair Work Committee has tried and failed to get hold of the pre-acquisition business plan. Neither the Government nor DF Barnes was prepared to share it, citing confidentiality. Ministers and DF Barnes signed a confidentiality and non-disclosure agreement, the terms of which expired on Monday. That means that there is nothing preventing—

The Deputy Presiding Officer: Can you get to your question, please?

Graham Simpson: I am coming to it.

The Deputy Presiding Officer: No, you are not. You had better do it now.

Graham Simpson: That means that there is nothing preventing the cabinet secretary from releasing that agreement now—will she do so?

The Deputy Presiding Officer: Thank you. You made your point in the lead-up.

Fiona Hyslop: I am not sure, because of the interruptions, whether it was the business plan that

the member was referring to or a commercial agreement. The member will be aware that all Governments working with companies in an area will always have commercial in-confidence issues, particularly when there are market listings and so on. In my evidence, I made it quite clear that I thought that the original business plan should be shared but, at that point, it was not our document; it was the company's document. For a Government to share a third party's document is an issue.

To be honest, I had difficulty catching the tail end of the member's question. I will read it carefully to look at the dates and the issues, and I will give that due consideration. It was always my view that it would have been helpful to the committee if the business plan had been published.

The Deputy Presiding Officer: Mr Simpson, I heard your question but read the tail end of it again. It was the point about the date.

Graham Simpson: Ministers and DF Barnes signed a confidentiality and non-disclosure agreement, the terms of which expired on Monday of this week. My point is that there is nothing now preventing the cabinet secretary from releasing that, but she has answered the question. I appreciate that she has not read the agreement, but she can go away and do so now.

The Deputy Presiding Officer: That is fine. I had heard that point, but I thought that the cabinet secretary had not heard it, because of the point about dates, but it is cured now.

Kenneth Gibson (Cunninghame North) (SNP): The cabinet secretary will be aware that the Prime Minister wasted £940 million on vanity projects while he was the mayor of London, including £57.5 million on the subsequently cancelled garden bridge, the Thames estuary airport and so on. As Prime Minister, he has authorised expenditure of £252 million on unusable face masks and £14.3 billion on botched outsourcing projects. Does the cabinet secretary therefore agree that the Scottish Government has been a paragon of financial probity by comparison?

Fiona Hyslop: Our public investment has been to save jobs, deliver public services and support communities. The member makes a pertinent point about judging Governments on their investment.

On a more serious point, questions should be asked about public investments in private companies in relation to Covid contracts. I am sure that, in the cold light of day, all will be laid bare with regard to the connections and who profits. I think that the few have benefited from the hardship of the many. Covid contracts will be one of the

serious issues that have to be addressed in considering the use of public money in relation to private contracts.

Covid-19 Economic Impact (Highlands)

5. Edward Mountain (Highlands and Islands) (Con): I will go back to a sensible question.

To ask the Scottish Government what the projected impact of the Covid-19 pandemic is on the economy of the Highlands for the current financial year. (S5O-05045)

The Cabinet Secretary for Economy, Fair Work and Culture (Fiona Hyslop): Scotland's economy grew for six consecutive months, but the further restrictions on economic activity that were needed to suppress the virus led to a fall in gross domestic product in November and a slight fall in December. The economy is recovering and continues to broadly track the United Kingdom economy as a whole. However, the recovery is fragile, will be gradual and is subject to uncertainty about the impacts of Brexit.

The most recent Highlands and Islands Enterprise business panel survey showed that half of businesses in the Highlands and Islands are operating below the level that they were operating at before Covid-19 and that tourism businesses were more likely to anticipate a contraction in the next year or two. In the first nine months of 2020, exports of Scottish food and drink—around a quarter of which originate from the Highlands and Islands—were down 22 per cent compared to the same period in 2019. Dampened demand and new Brexit bureaucracy are presenting additional barriers to the previously free movement of trade.

We are liaising with local authorities and enterprise agencies to better understand the impact of Covid-19 and the wider action that is required to enable recovery in their local communities and wider regions. We will continue to examine regional impacts to ensure that Scotland's regions are supported to meet their specific needs.

Edward Mountain: As you know, cabinet secretary, tourism is vital to the Highland economy. Highland Council is still awaiting guidance from the Scottish Government regarding the bed and breakfast support fund, which was announced on 21 January and which is a follow-on to the fund that you announced last year. The funding was meant to be open from 15 February. Can you confirm, cabinet secretary, that the money and the full guidance have been given to Highland Council?

The Deputy Presiding Officer: I know that it is easy to slip into this, but please do not use the term "you"; please refer to "the member" or "the

cabinet secretary". I know that you understand that, Mr Mountain—it is an easy mistake to make.

Fiona Hyslop: The impact on tourism has been serious and extreme, which is one reason why we are extending business rates relief for 12 months in relation to the retail, tourism and hospitality sectors. There are a number of specific schemes in Scotland that have not been available elsewhere. I know about the issues for B and Bs, particularly those that do not pay rates but pay council tax. That is why the scheme has been made available.

As the member will appreciate, I used to be the tourism secretary, but I am not now. However, I will try to ensure that we provide him with the details of the scheme and the guidance and information on availability. The scheme was due to be open, and it needs to be open. We need to support tourism businesses until they can reopen safely. It is essential that we all support our tourism industry. I am certainly looking forward to my staycation which, if the member advertises it, will potentially be in the Highlands and Islands.

Scottish National Investment Bank (Regeneration)

6. Colin Beattie (Midlothian North and Musselburgh) (SNP): To ask the Scottish Government how the Scottish National Investment Bank will support the economic regeneration of communities when the Covid-19 restrictions are lifted. (S5O-05046)

The Cabinet Secretary for Economy, Fair Work and Culture (Fiona Hyslop): At the same time as supporting businesses and communities as part of our immediate response to the pandemic, we are also focusing on our longer-term vision for the country.

The second mission of the Scottish National Investment Bank—its place mission—is about investing in places and regeneration to reduce inequality and to improve outcomes and opportunities for people and communities. That mission will allow for investment in the kinds of communities in which people want to live and work—places that are good for health and wellbeing, and which involve the local community.

Colin Beattie: What support is being considered for local development trusts and high streets to help them to survive the impact of Covid-19?

Fiona Hyslop: As the member might be aware, the town centre action plan review was published earlier this month. It contains lots of important ideas about what can be done to help to redevelop our town centres. Only this morning, I was involved in a quad call on town and city centre

regeneration with representatives of the Welsh, Northern Irish and United Kingdom Governments.

We have established a place-based investment programme in Scotland, which is backed by £105 million for 2021-22, and an empowering communities programme, which has a budget of £13.6 million, to help with such activity. Members might be interested to learn that community development trusts, which are very involved in high streets and local areas, as Colin Beattie indicated, can apply for that funding.

Alex Rowley (Mid Scotland and Fife) (Lab): Although a place-based programme is welcome, should we be looking at a people-based programme? We need to find out what the major barriers are to regeneration in communities. Much of that must be to do with skills and supporting people to access employment. Is that being looked at?

Fiona Hyslop: The Scottish National Investment Bank, which the initial question was about, would not necessarily invest in that area, in which we have plenty of organisations and plenty of funding. The £1.1 billion jobs and skills allocation in this year's budget is precisely for such activity.

I think that Mr Rowley is reflecting on the local aspect of regeneration. We must identify the economic drivers in our towns to ensure that aspects such as our colleges and the young persons guarantee can be aligned with local employers and local places. Mr Rowley is right to draw attention to the importance of localism and awareness of where regeneration can come from. We must invest in and support our people. We cannot go back to the situation that we had in the 1980s, when there was mass unemployment and no opportunities for young people or other members of society to recover through good, locally based employment opportunities.

Economic Resilience (North-east Scotland)

7. Gillian Martin (Aberdeenshire East) (SNP): To ask the Scottish Government how it will ensure better economic resilience in the north-east post-Covid-19. (S5O-05047)

The Cabinet Secretary for Economy, Fair Work and Culture (Fiona Hyslop): Although suppressing Covid-19 and ensuring the safety of Scotland's workforce is our priority, we must also sharpen our focus on rebuilding for the future. We have an opportunity to invest for the future and to design an economic recovery that works for all of Scotland's people and which delivers wellbeing, sustainability and fair work. We are working with partners in the north-east to deliver that through our £62 million investment in the energy transition

fund and the £125 million investment in the Aberdeen city region deal.

Gillian Martin: As the cabinet secretary knows, there is a great deal of technical and engineering knowledge in the north-east, as a result of its having had, for decades, an economy that has been largely dependent on oil and gas. How can we ensure that that talent and expertise are built on as we prepare to transition to low-carbon technology, and that workers do not find themselves having to pay for expensive retraining and recertification when they already have transferable skills?

Fiona Hyslop: It is essential that we have a just transition as we move from carbon-based developments into renewable energies. The national transition training fund has continued funding into next year precisely to provide the opportunity to reskill and upskill. Gillian Martin mentioned the issue of costs. Part of the support is to ensure that those costs can be supported. She also spoke about transferable skills. Work should be done to identify pre-existing skills and their transferability, and to match those with employment opportunities.

I return to the point that there is an opportunity for the north-east to be a powerhouse in the way it approaches a variety of areas of renewables. For example, there is some very exciting work on hydrogen, which the member will be aware of. We need to consider how we can ensure that the transfer of skills and individuals is as easy as possible and to use the fantastic skills base in the north-east to develop the economy of the future.

Maurice Golden (West Scotland) (Con): The Scottish National Party will end oil and gas trade support before the end of the year. According to Professor Haszeldine in his evidence to the Economy, Energy and Fair Work Committee,

"in Scotland we do not have a clear industrial road map".—*[Official Report, Economy, Energy and Fair Work Committee, 2 February 2021; c 23.]*

Will the cabinet secretary commit to addressing those twin failures?

Fiona Hyslop: We certainly do have a programme for industrial development, not least in advanced manufacturing and indeed the industries that I have just referred to. I mentioned the serious investment of £62 million in energy transition for Aberdeen.

The member might not be aware of this, but the United Kingdom Government has made it clear as part of its road map to the 26th United Nations climate change conference of the parties—COP26—that it will be ending export support for oil and gas. Paul Wheelhouse, the Minister for Energy, Connectivity and the Islands, has engaged with the oil and gas industry because we

know that, for those companies that are transitioning, support for the transitioning work is really important.

I do not think that the member is aware of the more severe and large-scale reductions in export support that have been announced by the UK Government. As he knows, much of the oil and gas industry is reserved. He might want to take a closer look at that announcement as well.

The Deputy Presiding Officer: Question 8 has not been lodged.

Education and Skills

The Deputy Presiding Officer: I remind members that, if they want to ask a supplementary question, they should type the letter R in the chat function.

Out-of-School Care Providers (Financial Support)

1. **Johann Lamont (Glasgow) (Lab):** To ask the Scottish Government what additional support it will make available to out-of-school care providers experiencing financial difficulties due to the Covid-19 pandemic. (S5O-05049)

The Minister for Children and Young People (Maree Todd): We recognise that the on-going Covid-19 restrictions and changes in demand for childcare have had an effect on school-age childcare providers, which raises concerns about the sustainability of those essential services.

Day care of children and childminding services have been able to draw on the range of financial support that has been made available by the United Kingdom and Scottish Governments, in particular the coronavirus job retention scheme, the self-employed income support scheme and the newly self-employed hardship fund. In addition, the Scottish Government has made available £22 million of dedicated support to private and third sector nurseries and school-age childcare services since the start of the pandemic. School-age childcare settings that are open for vulnerable children and the children of key workers can access the temporary restrictions fund, which will total £11.4 million between January and March.

In the light of the reopening of the early learning and childcare sector from 22 February, we are considering how we can best utilise the temporary restrictions fund that has been identified for March and support those in the school-age childcare sector. In particular, as restrictions continue for school-age childcare services, we recognise just how vital they are to the recovery of the economy but also to children's outcomes and support for families. We are determined to see them survive this period of restriction.

Full details of future rounds of the fund will be made available as soon as possible.

The Deputy Presiding Officer: I do not want anybody to take this personally, but short questions and succinct answers are terribly handy, as they help us to get through everybody's questions.

Johann Lamont: I thank the minister for that detailed response. Out-of-school care providers in Glasgow have contacted me to raise their serious concerns about the very survival of the sector, with some providers facing collapse.

I understand that, although primary 1 to 3 children have now returned to school and more age groups will follow, out-of-school care providers can still provide care only to the children of key workers, and vulnerable children. If that is still the case, will the minister look to change it as a matter of urgency, given the impact on parents' and carers' capacity to work and the impact on the income of a sector that is already very hard hit?

Will the minister engage directly and seriously with the representatives of those providers to ensure that all necessary action is taken to ensure that they survive?

Maree Todd: Absolutely—I am happy to give that commitment. We recognise how essential childcare providers are and we know that they are very concerned about their sustainability and their ability to continue to offer what we consider to be an essential service.

We engage with the Scottish Out of School Care Network and my officials meet it regularly. It is included in the early learning and childcare sector recovery working group, which meets regularly.

We are taking a very cautious approach to the gradual reopening of services. As the member is aware, only part of primary school is open. We take regular advice from the coronavirus (Covid-19) advisory sub-group on education and children's issues. We will continue to engage with the Scottish Out of School Care Network on those issues to ensure that services are able to fully reopen as soon as it is safe for them to do so, as we recognise the vital role that they play.

Student Final Year Grading (Lockdowns)

2. Bill Kidd (Glasgow Anniesland) (SNP): To ask the Scottish Government what discussions it plans to have with colleges and universities regarding the grading process for students who have been adversely impacted by recurrent lockdowns in their final year of study. (S5O-05050)

The Minister for Further Education, Higher Education and Science (Richard Lochhead): The Scottish Government expects universities and colleges to be mindful of the continuing impact of

Covid-19 on students and their studies, ensure that there is fairness to all learners and maintain the integrity and credibility of qualifications.

My immediate priority is to enable final-year students in colleges and universities to complete their studies and allow them to move into employment or further study. I thank students for their patience and understanding as we work through the best and safest way to do that. To support that priority, I have established a short-life ministerial learner journey task force, with the aim of moving in a rapid and agile manner to collectively provide solutions to issues that students face as a result of the extended disruption to learning and teaching caused by Covid-19 restrictions.

Bill Kidd: I have been contacted by constituents who are in their final year of study and have struggled immensely with working from home, minimal access to libraries and little or no face-to-face teaching or seminar discussions. The effects have been particularly hard on students who are parents of young children, as well as those in difficult living circumstances in poor-quality and cramped housing. Given the adverse impact of the current lockdowns on undergraduate studies, has there been any indication that first-class and upper second-class honours degree classifications will be adjusted this year in a bid to reflect the difficulties that students face?

Richard Lochhead: Bill Kidd has outlined very well some of the challenges that some of our students face at the present time. As autonomous institutions, universities are, of course, responsible for their own assessment policies. However, we absolutely fully expect institutions to adopt a fair approach to assessment that supports students in obtaining the qualifications that they deserve, despite the challenges faced as a result of the Covid-19 pandemic. Universities Scotland, on behalf of all 19 higher education institutions, has published a statement that seeks to reassure students that fairness will continue to be a defining feature of the assessment processes for the current academic year. The statement explains that all institutions are carefully reflecting on their policies for assessment, including procedures to recognise and mitigate exceptional circumstances that might otherwise adversely affect individual students' performances.

The Deputy Presiding Officer: Bill Kidd has had his two questions. We have a very brief supplementary from Jamie Greene.

Jamie Greene (West Scotland) (Con): The minister will, no doubt, have read with interest Professor Jim Scott's report into last year's grading process, which identified a number of systemic failings in governance. Will the Scottish Government allow experts such as Professor Scott

to independently inspect the framework for overseeing this year's exams and awards processes, to ensure that we do not see a repeat of last year's shambles?

Richard Lochhead: The Scottish Government will continue to take advice from appropriate experts in the field, and the universities are working hard on the issue. As I explained, universities are autonomous bodies that are responsible for their own assessment processes. It is fair to say that they have understood the desire of members of Parliament and society at large to ensure that our young people are not disadvantaged by the pandemic.

Daniel Johnson (Edinburgh Southern) (Lab): In addition to thinking about this year, students will be thinking about next year. What discussions has the minister had to ensure that students can return to face-to-face learning and that virtual learning is minimised by the next academic year?

Richard Lochhead: It is clear that the short-life task force that I mentioned in my response to Bill Kidd's original question is looking at all those issues—not just the very short-term issues of helping students at the moment to complete their courses and ensuring that they are supported should any of them require to repeat next year, but any potential consequences for the next academic year and the next cohort of students. However, it is clear that when face-to-face learning will return very much depends on the course of the pandemic in Scotland. As the First Minister outlined yesterday, very steady and positive progress is being made to ensure that students can, we hope, return to our campuses sooner rather than later.

Class Sizes (Multilevel Teaching)

3. **Gordon Lindhurst (Lothian) (Con):** To ask the Scottish Government what plans it has to decrease class sizes and reduce the prevalence of multilevel teaching. (S5O-05051)

The Deputy First Minister and Cabinet Secretary for Education and Skills (John Swinney): Average class sizes in primary schools have been decreasing and are now at their smallest since 2012. There are now more teachers than there have been at any time since 2008, and the ratio of pupils to teachers is at its lowest since 2010.

We have committed to investing over £300 million in education recovery over 2020-21 and 2021-22. That has helped to recruit an additional 1,400 teachers and more than 200 support staff. Those additional staff may be used to reduce class sizes where appropriate.

Multilevel teaching has long been part of Scottish education, and teachers are well skilled to take account of the needs of their pupils.

Gordon Lindhurst: Just last week, the Scottish Conservatives revealed that almost 40 per cent of Edinburgh's schools were teaching classes that combined three or more year groups. It is shocking that 17 per cent are teaching four or more year groups. The Scottish National Party Government is failing my constituents. What is going to be done about that?

John Swinney: Mr Lindhurst ignores the fact that multilevel teaching has long been a part of Scottish education. One of the reasons for that is to enable young people to exercise as much choice as possible over the subjects and options that they pursue, because it is inevitable that very small groups of pupils can be involved the broader the choice is. If Mr Lindhurst is saying that we should reduce the choice that is available to pupils, I am not prepared to sign up to that. I want to maximise the choice that is available for pupils. That choice is, of course, far more extensive in the subjects and options that are available to them now.

Schools are best placed to make judgments on how that learning and teaching can be delivered sustainably in different parts of the curriculum. I trust the teaching profession in Scotland to make those judgments.

Iain Gray (East Lothian) (Lab): If we are to reduce class sizes and the prevalence of multilevel teaching, we need the new cohort of teachers entering the profession in the next school year, but their training will have been disrupted through the disruption to their teaching practices. What support is being provided to them to help them as they enter the profession?

John Swinney: Extensive and pragmatic discussions are going on between initial teacher education providers, the General Teaching Council for Scotland and local authorities, with co-operation with individual schools, obviously, to ensure that trainee teachers are able to secure the necessary teaching experience. Some of that is being delivered through remote learning. Obviously, that concept is very different from the normal face-to-face teaching environment. That work is under way to ensure that individual students are supported so that they can continue to make their contribution to the teaching profession.

When we faced an abrupt end to the school year last year, arrangements were put in place to ensure that students were able to make that contribution. I am confident that the same will be the case in this academic year.

Developing the Young Workforce (Impact of Covid-19)

4. Gail Ross (Caithness, Sutherland and Ross) (SNP): To ask the Scottish Government what impact the Covid-19 pandemic has had on the developing the young workforce programme. (S5O-05052)

The Minister for Business, Fair Work and Skills (Jamie Hepburn): As it has in many areas of Government policy, Covid-19 has resulted in changes to the way that we have implemented the developing the young workforce programme. Since the outset of the pandemic, we have prioritised working with partners and employers through our network of DYW regional groups. That work has focused on the online delivery—

The Deputy Presiding Officer (Christine Grahame): I am sorry. Will you halt there, minister? It sounds as though you are underwater. I know that you are not underwater, because I can see that you are not. Can you switch your visuals off? Let us see whether the sound improves then. We will start again with your answer, please. We do not need Ms Ross's question again; we just need the minister to give his answer to her question.

Jamie Hepburn: I shall start again. Certainly the visuals might have improved, if not the sound.

As it has in many areas of Government policy, Covid-19 has resulted in changes to the way that we have implemented the developing the young workforce programme. Since the outset of the pandemic, we have prioritised working with partners and employers through our network of DYW regional groups. That work has focused on the online delivery of activity to support summer leavers in 2020 and the creation of e-DYW, the DYW skills academy and Scotland's biggest parents'—[Inaudible.]

The publication of the report from the advisory group on economic recovery saw Sandy Begbie being appointed to lead the Scottish Government's young person's guarantee. An integral part of that is the roll-out of DYW school co-ordinators across Scotland. Those roles are being funded by the Scottish Government. They will help to drive partnerships with education and employers, and they will be delivered by the employer-led DYW—[Inaudible.]

The Deputy Presiding Officer: That was only slightly better. We had hope initially, but the sound disappeared. Ms Ross, you can ask your supplementary and look at the written answers later.

Gail Ross: Thank you, Presiding Officer. I will do that.

I thank the minister for that answer—I think. Can he tell me whether any of the ways of working that we have become accustomed to throughout the past year will be used for the developing the young workforce programme as we move forward?

Jamie Hepburn: I certainly can. Through the programme we have embraced a lot of different ways of working—[Inaudible.]—continue to do that, including virtual engagement—[Inaudible.]—many areas of activity—[Inaudible.]—geared towards a post-Covid way of working and—[Inaudible.]—our young people's education—[Inaudible.]

The Deputy Presiding Officer: Mr Hepburn, I suppose that you have to keep going for the *Official Report*, as long as the official reporters can make out what you are saying. We cannot.

Jamie Hepburn: Okay. I was nearly finished. Do you want me to start again?

The Deputy Presiding Officer: No, no, no. The sound is not getting any better. It is not your fault. I think that the best way to resolve this is for you to finish what you are saying, and we will hope that the OR picks it up. Otherwise, you will just need to write the answer.

Jamie Hepburn: “And that they are prepared for the future economy” is what I was going to say, Presiding Officer.

The Deputy Presiding Officer: And there we end that little session with Mr Hepburn.

Schools Reopening (Orkney)

5. Liam McArthur (Orkney Islands) (LD): To ask the Scottish Government—although perhaps not Jamie Hepburn—what discussions it has had with Orkney Islands Council regarding the reopening of schools. (S5O-05053)

The Deputy First Minister and Cabinet Secretary for Education and Skills (John Swinney): Orkney Islands Council wrote to me at the end of last year in relation to reopening of schools and early learning and childcare. My officials have also been in touch with it more recently about the new arrangements for phased return of some pupils from 22 February.

As a rural authority, Orkney Islands Council makes use of composite classes, where pupil numbers are low. Decisions as to when composite classes will be used and when they will be effective for learners and teachers need to be planned at school level. The long-term shared ambition of national and local government remains to safely maximise the number of children and young people who are learning in schools, as long as it remains low risk.

Liam McArthur: Although some senior phase pupils who are undertaking some practical subjects have been able to return to school this week, that is not the case for those who are studying for physical education qualifications. With Orkney in level 3, some new sport can now take place in the community, but the on-going restrictions that apply to PE in schools make it very difficult for PE staff to work with pupils for their required teaching and assessment.

Will the cabinet secretary or one of his ministers agree to meet me to discuss what more might safely be done to enable pupils in Orkney who are undertaking PE qualifications to maximise their chances of securing the grades that they deserve?

John Swinney: I am very happy to have further discussions with Mr McArthur on that question.

Orkney Islands Council has raised with me the different circumstances that it faces. In the guidance that we have made available for resumption of face-to-face schooling from 22 February, we have given flexibility around certain matters, including composite classes, so that decisions can be left to local authorities so that they can exercise flexibility with regard to the numbers that can return.

When it comes to matters such as PE qualifications, the national guidance applies. However, I am happy to hear the points that Mr McArthur wishes to raise with me. I am working actively to secure the return of as many secondary school pupils as possible at the earliest safe opportunity. I hope that we are, as part of that process, able to advance on questions such as Mr McArthur has raised with me.

Schools (Lost Teaching Time)

6. **Annie Wells (Glasgow) (Con):** To ask the Scottish Government whether it will provide an update on its plans to help pupils catch up on lost teaching time. (S5O-05054)

The Deputy First Minister and Cabinet Secretary for Education and Skills (John Swinney): The first part of my answer to that question must highlight the fantastic work of teachers and other professionals in the education system who have provided high-quality remote learning during difficult times for school pupils around the country.

It is vital that schools and local authorities are provided with the resources to support learners to engage with their learning at all times, as well as the required flexibility to tailor the support to local circumstances. We have already committed to £300 million of additional funding in the current and next financial years for safety mitigations that support in-person learning, as well as to accelerate learning recovery as part of a longer-

term programme to enable children to redress the time that they have spent out of school. That commitment recognises the need to tailor support to the needs of the school community and has, for example, helped to recruit 1,400 additional teachers and to supply 60,000 digital devices to young people around the country.

Annie Wells: With the loss of full-time education, it is clear that the pandemic has created a national emergency for our children. The Scottish Conservatives' catch-up plan to address that monumental challenge contains several proposals, including a national tutoring scheme and a major drive to recruit 3000 teachers. Can the cabinet secretary confirm whether he is willing to commit to any of those proposals?

John Swinney: I am actually doing a number of the proposals already. I do not need to wait to hear from the Scottish Conservative Party.

We have already recruited 1,400 additional teachers, and I have provided local authorities with the flexibility to recruit more teachers should they judge that more are required in order to supplement learning. In addition, a national tutoring program is available through e-Sgoil to learners around the country.

Local authorities and schools are already providing an extensive programme of remote learning. During the Easter holidays, many schools and local authorities will be supporting young people to make progress in their education.

I am always interested to hear alternative proposals, but I assure Annie Wells that we are making a sustained effort to ensure that the issues are properly addressed, and that the learning of young people is supported throughout the country.

The Deputy Presiding Officer: Question 7 has not been lodged.

Teaching and Education Unions (Meetings)

8. **Daniel Johnson (Edinburgh Southern) (Lab):** To ask the Scottish Government when it last met representatives of teaching and education unions. (S5O-05056)

The Deputy First Minister and Cabinet Secretary for Education and Skills (John Swinney): We meet the teaching unions and organisations on a regular basis to discuss a range of matters relating to teachers and education. Those meetings provide me with valuable insight into any issues and concerns that teachers have.

The teaching unions are also represented on a range of Scottish Government education working groups, including the Covid-19 education recovery group, which I chair weekly.

Daniel Johnson: Many teachers will welcome returning to the classroom this week, but there will also be some trepidation. What steps have been taken to improve access to personal protective equipment and training on infection control? More important, what steps is the Scottish Government taking to listen to feedback from teachers so that those measures can be improved, especially as we look forward to returning more school years to the classroom in the coming weeks and months?

John Swinney: If PPE is required in a school setting it must be available. That is one of the essential measures in the education recovery guidance. In all circumstances, the requisite PPE must be available.

On infection control, Public Health Scotland works closely with individual schools and advises them on how to handle outbreaks, should they happen. It also supports, through proximity tracing, identification of children, young people and staff who might be affected.

Finally, Mr Johnson asked me what measures are being put in place for us to listen to teachers. I have direct dialogue with teachers through a number of channels of communication. The teaching unions are, as I said, represented on a range of Scottish Government education working groups and they can, and do, feed in issues that are of concern to teachers. Their contribution has substantially informed the detailed guidance that the education recovery group has made available.

I am grateful to the professional associations for their thoughtful and substantive input to identifying issues of concern so that we can put in place mitigation measures to address those concerns, which is a fundamental building block of a safe education system, in these challenging times.

The Deputy Presiding Officer: That concludes questions on education and skills. I say to members in this and the previous question sessions who could not hear Mr Hepburn's answers clearly that the only way to resolve that is to lodge the questions as written questions. I ask the minister to expedite answers, because the official reporters could not pick up all of what was said, either. If the minister could do that, that would make matters clearer. It is the best solution.

We will shortly move to the next item of business.

Prisoner Voting

The Deputy Presiding Officer (Lewis Macdonald): I remind members to observe the social distancing measures that are in place in the chamber and across the campus, including when entering and exiting the chamber and when accessing and leaving their seats.

The next item of business is a Conservative Party debate on motion S5M-24205, in the name of Liam Kerr, on prisoner voting. I invite members who wish to speak in the debate to press their request-to-speak buttons now.

14:52

Liam Kerr (North East Scotland) (Con): During the Shetland by-election in September 2019, the Scottish National Party used ministerial diktat to sneak through a change to the franchise and bypass parliamentary scrutiny, allowing prisoners to vote in that election. Then, last year, it pushed through a bill that allows prisoners serving sentences of 12 months or less to vote in Scottish elections. As a result, this May, the Scottish Parliament elections will be decided with the votes of convicted prisoners who are serving their sentence in Scotland's prisons.

What does that mean for people who are watching? According to the Scottish Prison Service, 540 criminals who are now in prison will be eligible to vote, and the SPS notes that that figure could increase by polling day.

I know that the cabinet secretary is fond of a quotation, and here is a good one:

"in my opinion, those who have been convicted of more serious crimes, particularly those of a sexual nature, violent crimes and crimes that harm people, have forfeited their right to vote."—[*Official Report*, 28 November 2019; c 93.]

The First Minister was perfectly correct when she said that in November 2019.

The latest statistics show that in 2018-19, nearly 10,000 criminals received a custodial sentence of 12 months or less. Let us interrogate those figures.

Tom Arthur (Renfrewshire South) (SNP): Will the member give way?

Liam Kerr: I will not give way. Mr Arthur must let me make the point.

One hundred and nineteen criminals are currently in prison on a 12-months-or-less sentence for attempted murder or serious assault. Thirty-seven are inside for 12 months or less for sexual assault, and there was even someone convicted of homicide who was sentenced to 12 months or less in prison. All those people are eligible to vote.

Let us look more closely at some of those whom the SNP will enfranchise in May: a serial criminal who was previously convicted for attacking police and robbing a bookies and is imprisoned for 12 months for assaulting a prison warder; a convicted rapist who breached a sexual offences prevention order and is serving 12 months in prison for that breach; a criminal who, using racist language, threatened to kill lawyers and judges, obstructed police officers and spat in a police vehicle and is imprisoned for 12 months; and a criminal who is in prison for six months after threatening to kill a hotel porter who was doing his job, and then assaulting a nurse.

It is morally repugnant that those who commit such crimes should be granted the vote. It is not right, it is not fair and it is not just.

Tom Arthur: Liam Kerr is perfectly entitled to his view. However, I take issue with his suggestion that the SNP pushed through the change. As he knows fine well, changes to the franchise are protected under the Scotland Act 1998 and require a supermajority. How can he describe a vote of this Parliament by supermajority as the SNP pushing it through? Will he withdraw that statement, given that it is patently inaccurate?

Liam Kerr: Mr Arthur's summary is, indeed, a fact—as is the fact that the minister and his colleagues founded on a misunderstanding of the Hirst judgment in order to push the change through. I come to that judgment now.

I think that a lot of MSPs in the chamber agree with me, but they will seek comfort, as the minister does in his amendment, in their misunderstanding of the European convention on human rights. They think to themselves, “Look—I don’t like it, but we must do this to be compliant with the ECHR.” That argument is fundamentally flawed, because nowhere does the convention accord an individual right for prisoners to vote. Indeed, for 23 years, until the European Court of Human Rights sought to discover it in the Hirst case, in 2005, there was no such right.

I remind members that Professor Adam Tomkins described the Hirst judgment as

“one of the worst judgments that the European Court of Human Rights has ever handed down”,

predicated as it is

“on a false premise ... that there is a blanket ban on”

prisoners voting in the UK.

In November 2019, the minister himself reminded the chamber that

“Members who are familiar with the Hirst ruling know that the court allows member states a wide margin of appreciation”

and that

“there is no one-size-fits-all approach to ensuring compliance”.—[*Official Report*, 28 November 2019; c 98, 64.]

That margin is part of our law. During consideration of the Scottish Elections (Franchise and Representation) Bill, the Law Society of Scotland made it clear that

“the franchise of prisoners may be restricted, provided that the restriction is proportionate to”

achieving

“a legitimate aim”,

such as

“enhancing civil responsibility and respect for the rule of law”—[*Official Report, Standards, Procedures and Public Appointments Committee*, 19 September 2019; c 14.]

and avoiding sanctioning law-breaking conduct.

That is why the United Kingdom’s solution to the Hirst case—to give the right to vote to prisoners who are released on temporary licence—has been accepted as a solution by the Committee of Ministers, which is the enforcement agency of the Council of Europe. That is why the European Court has never found that the United Kingdom’s refusal to comply with that ill-considered judgment should result in any kind of damages for disenfranchised prisoners from the United Kingdom or from any Government within it. That is why this Parliament is not, and never was, required by the Hirst judgment to enfranchise prisoners.

There should be no doubt that any member who votes to enfranchise prisoners at decision time tonight will not be required by any law or legal principle to do so, because compliance with Hirst can be achieved by going no further than what the rest of the UK does. I appreciate that there are members who understand that, but believe that rehabilitation prospects are increased by giving prisoners the right to vote. They make that suggestion on the supposition that participating in elections is likely to encourage prisoners to become responsible, law-abiding citizens through what the minister has called “active citizenship”.

In a debate last year, Alex Rowley said that policy should be driven by evidence. I could not agree more. When the bill to which the minister’s amendment refers was debated and passed, neither he, nor any member of the Parliament, adduced a single shred of evidence to suggest that giving prisoners the vote increases the prospects for rehabilitation. There is nothing to that effect in the Audit Scotland report on “Reducing reoffending in Scotland”, nor was such evidence given to the Equalities and Human Rights Committee, which included in its report the following quote in evidence from a criminologist who has studied the issue:

"I have not found evidence to say that the introduction of prisoner voting will lead to a lower rate of recidivism".—*[Official Report, Equalities and Human Rights Committee, 25 January 2018; c 12.]*

I predict that the final refuge of those who seek to justify giving prisoners the vote will be a plea based on some form of right to vote, but I ask them to reflect on this. Victims, such as those who have suffered serious assault, attempted murder and sexual assault, which are crimes that, in the past few years, have attracted sentences of 12 months or less, will be watching this debate. They will be asking, "Where were my human rights? What happened to my right to freedom from discrimination, my right to security and my right not to suffer inhuman or degrading treatment?"

When I walk out of the chamber after decision time tonight, I will look victims and their relatives in the eye and say that my Conservative colleagues and I voted to ensure that no individual who is serving a prison sentence should be allowed to vote in the 2021 Scottish Parliament election. My conscience will be clear. Will members of the other parties be able to say the same?

I move,

That the Parliament believes that no individual serving a prison sentence, including criminals convicted of serious assault, robbery and sexual offences, should be allowed to vote in the 2021 Scottish Parliament election.

14:59

The Cabinet Secretary for the Constitution, Europe and External Affairs (Michael Russell): Again and again, the Conservatives come to the chamber and denounce the choice of topic for a statement or a debate. It is therefore ironic that they have chosen to give up an hour of their debating time—virtually their last hour of debating time this session—for a naked political gesture that is as cynical as it is hollow.

As we have just heard, this debate has nothing to do with justice or democracy or even fairness; it has to do with trying to shore up the core hard-right vote in Scotland, and it is a sign of Conservative desperation.

The Tories know full well that we cannot overturn legislation of any sort, let alone legislation passed by a supermajority, with a single-sentence motion debated for an hour on a Wednesday, four weeks before dissolution. No matter what happens today—*[Interruption.]* No, I will not take an intervention; I just want to make this point, because it is essential that we say what the situation is.

No matter what happens today, even if the motion were to be passed, it would be a meaningless, empty gesture, and the Tories know that. That is an abuse of the Parliament. If the

Tories were in any way serious about this issue, as opposed to just exploiting prejudice, they would have come here with a new bill to reverse the change. That is what it would take, and they know that. However, that is not what they have brought, and they know that, too.

Liz Smith (Mid Scotland and Fife) (Con): For the cabinet secretary to talk about "abuse of the Parliament" this week is a bit rich.

Is the cabinet secretary aware of the most recent YouGov polling, which shows that two thirds of the public want our point of view?

Michael Russell: I am aware of two things. One is the cynical exploitation of a range of issues this week by the Conservatives. I am familiar with that, it is a disgrace, and they will pay the price for it. Secondly, I am fully aware that, when the issue is explored and discussed properly, people tend to be on the side of fairness; they do not tend to be on the side of prejudice.

Let me carry on with what I was saying. The Tories would have had to bring an emergency bill to the chamber. They have known what the situation is for a year, but they have brought the matter here this week. Such a bill would require a process to be implemented, and it would be only the second-ever bill, and the only ever emergency bill, to need a supermajority.

What message would that bill send out to the people of Scotland? First, that the priority of the Tories was not Covid, education or health, but themselves and their hard-right views. Secondly, it would send a signal about our willingness to welcome short-term prisoners back into society and about the Parliament's concern for human rights and the rule of law, which is something that the Tories pretend to support when it suits them. It would trample all over the Gould principle, which argues that changes to electoral law should not be made less than six months ahead of an election—something that the Tories regard as sacrosanct in other circumstances.

Such a bill would send the very odd message that the Parliament might be willing to radically change its mind on an issue that it endorsed by an emphatic margin just a year and four days ago. In fact, it was not pushed through; it was passed by 92 votes to 27, with all the parties voting for it except the Conservatives. It would involve a tiny number of people. There were 643 prisoners in custody serving a sentence of 12 months or less two days ago. Many of those people will not register to vote, due to the length of their sentence or to an unwillingness to do so.

Such a bill would negatively impact on electoral registration officers, who are busy processing large numbers of new postal-vote applications as a result of the pandemic, thus—*[Interruption.]* No, I

will not give way. Thus, it would make the operation of our democracy harder.

Finally, and most dauntingly of all, such a move would resurrect the incompatibility with the European convention on human rights that inspired the Scottish Elections (Franchise and Representation) Act 2020 in the first place and, in so doing, it would put Scotland back at severe risk of significant penalties.

The franchise was extended to prisoners serving sentences of 12 months or less by the will of the Parliament, by 92 votes to 27, on 2 April 2020. The bill that led to that change was passed under the supermajority procedure. It was the first and, so far, only bill of this Parliament to require that majority. It was not pushed through; it was democratically decided. The view of democracy that the Tories give is a sham, and it should be shown as a sham.

Before the change, the Government conducted a consultation, in which only a third of respondents opposed permitting any prisoners the vote. The Standards, Procedures and Public Appointments Committee took evidence on the bill and unanimously concluded that

“the blanket ban on prisoner voting is unsustainable as it is at odds with the European Convention on Human Rights.”

I will lean on legal opinion, not on the opinion of Liam Kerr, who, I have to say, has set himself up against the entire body of jurisprudence on the matter and expects us to believe him.

The Tory motion—[*Interruption.*]

Liam Kerr: Will the cabinet secretary give way?

Michael Russell: I will give way—not because Jamie Halcro Johnston shouts from a sedentary position, but because I am interested in seeing how much more arrogant Mr Kerr will become.

The Deputy Presiding Officer: We have a point of order from Jamie Halcro Johnston.

Jamie Halcro Johnston (Highlands and Islands) (Con): On a point of order, Presiding Officer. Yet again, we find ourselves in a situation in which the cabinet secretary is using what I would consider disrespectful language towards a member of this Parliament, who is entitled to make their points, as is the cabinet secretary. Presiding Officer, what is your opinion on whether describing a member as arrogant is acceptable language?

The Deputy Presiding Officer: I remind all members of the need for courtesy in their use of language when referring to one another in the chamber.

Liam Kerr: I am grateful to the cabinet secretary for taking the intervention. When giving

criminals the vote, why did the SNP Government go further than it was required to go under Hirst?

Michael Russell: It did not go further than required. It put in place a sensible solution that has been used elsewhere. I cannot account for the fact that Mr Kerr seems to regard himself as knowing more than the entire European Court of Human Rights. I cannot account for it, but I can tell him that he does not. I hope that that is not disrespectful, as it is a fact.

The Tories' motion is not about “cons voting”, as their weekend pre-publicity put it. It is actually a con on the people and voters of Scotland and this Parliament, and it is a very cruel con on victims, because it tells them that something that cannot happen, can happen. There is no way that the motion can bring about a change in the law. If that is what the Tories are promising victims, they are guilty of a cruel hoax, and they should apologise for it. I can look victims in the eye and say that; I hope that the Tories can apologise for their false prospectus.

The Deputy Presiding Officer: Please draw your remarks to a close.

Michael Russell: My amendment rightly wipes out the offensive motion and replaces it with the facts of the matter. I hope that my amendment will be supported across the chamber today, perhaps even by those Scottish Conservatives—and there will be some—who recognise the shameful nature of what one of their leaders has forced them to bring here today.

I move amendment S5M-24205.1, to leave out from “believes” to end and insert:

“recognises that the extension of voting rights to some prisoners was introduced to comply with a ruling from the European Court of Human Rights that a blanket ban on prisoner voting breached the European Convention on Human Rights; notes that, under the Scottish Elections (Franchise and Representation) Act 2020, passed with a two thirds majority on 20 February 2020, the franchise was extended to those serving a custodial sentence of 12 months or less, and that similar actions have been taken in other parts of the UK and widely across the world, and believes that it is for the Scottish Parliament to take the action that it considers necessary to comply with human rights obligations.”

15:07

Rhoda Grant (Highlands and Islands) (Lab): It is obvious that there is an election in the offing. Today's debate is, sadly, a waste of all our time. Prisoner voting was debated and voted on in this Parliament only a year ago, and there is no evidence that the matter requires review. Even if there was a need to review it, the Conservatives know that there is not enough time in this parliamentary session to do so.

The Scottish Labour Party believes that we must abide by our obligations under international human rights conventions, regardless of whether they sit comfortably. The history of the matter is that, in 2005, a case was brought by John Hirst, a British prisoner who had been convicted of manslaughter. The European Court of Human Rights ruled that a blanket ban on prisoners voting violated the ECHR's provisions on the free expression of opinion in elections. Crucially, the court found that considerable lawful restrictions could be placed on the enfranchisement of prisoners but that a test relating to the duration of the sentence or the severity of the offence had to be applied. Restricting voting to prisoners serving one year or less not only ensured that we were not open to legal challenge but, importantly, recognised that, for more severe crimes, civil freedoms must also be restricted.

The primary purpose of imprisonment is to protect people and communities from offending behaviour. Prisons are also used as punishment for crimes by restricting freedoms. However, punishment is a secondary concern, and the first must be the protection of victims and communities. Therefore, imprisonment for crime must also be used to stop offending behaviour by ensuring that the convicted person addresses and changes their behaviour, and is fit to return to society without risk to the public. That approach also enables them to contribute positively to society. Voting can be seen as a right but also as a privilege and as a responsibility to society—a duty to elect a Government that looks after our collective interests and runs the country. To be encouraged to vote—to take that responsibility—can be seen as a step towards rehabilitating offending behaviour.

The Conservative Party has long attempted to brand itself as the party of law and order. Yesterday, its members voted against an instrument that reduced the hours that are required in the fulfilment of community work orders. They think that that will portray them as being tough on crime. However, on the most basic analysis, their logic is flawed. The alternative that they appear to want is that, despite Covid-19 restrictions, those work orders should be completed, putting at risk the lives not only of those who are serving the orders but of those they work with and of those who oversee the completion of those orders. Perhaps Conservative members would prefer that those orders became unworkable and that more people end up in prison, when that is patently not the right place for them.

Liam Kerr: I am interested in the member's characterisation of that. If she truly believes in rehabilitation, how can she support the cutting of

300,000 unpaid work hours that are supposed to rehabilitate criminals?

Rhoda Grant: Liam Kerr was at the Justice Committee and heard the questions that I asked of the Cabinet Secretary for Justice about ensuring that the work that went towards rehabilitation was carried out, that support was still in place and that alternatives to physical work should be considered.

Scotland already has the highest prisoner population rates per head in western Europe. Overcrowding is already at dangerous levels and is absolutely unsafe during Covid-19.

In a pandemic, there are much more important things for the Conservatives to debate. It is incredibly frustrating. We could be debating the help that is available to businesses to get them through the pandemic. People who are losing their livelihoods will wonder what on earth is going on—and who could blame them?

The truth is that the pandemic and its ensuing poverty will cause devastation in our communities. It is damaging mental health and it is deepening inequalities and deprivation—the very social drivers that we know can increase criminality. We should be using the time to debate how we stop that from happening; how we deal with the mental health issues that lead to offending; how we prevent desperate people from choosing between survival and legality; and how we create a society in which we no longer need to have overcrowded prisons.

We must rebuild a fair and just society. That is what Scottish Labour is interested in, and I believe that it is what the public are interested in, too.

15:13

Liam McArthur (Orkney Islands) (LD): The Conservatives' motion rings a bell. That is because Liam Kerr and his colleagues have previous. In the run-up to the general election in 2019, the Tories chose to spend their debate time pitching proposals for whole-life prison sentences. That debate, like this one, had nothing to do with improving community safety, the lives of victims or even the small matter of operating within the realms of what is legal. Then, as now, it was not due to a lack of things to focus on even in the justice arena alone—from overcrowded prisons that are rife with Covid to an underresourced police force that is facing its own issues around mental health. The sole purpose of both debates is to posture and grandstand ahead of an election, with no hope, intention or expectation of delivering change.

The Parliament should be looking towards recovery and new ways of doing things better, in

justice as in every other area of policy, but the motion speaks to the tired old political logic that, by blowing the dog whistle—making unsubstantiated claims that are based on fear, not fact—votes will come running. Liam Kerr needs to ask himself whether that has any credibility. The public understand that our communities are safer when we invest in smart justice. They understand that a vote is a voice and that having a voice matters to people. They understand that imprisonment should be a chance to give people who have done wrong the opportunity to do right in the future.

That is why the Parliament was right when it overwhelmingly supported a change in prisoner voting rights, as the cabinet secretary rightly reminded us. The previous blanket ban was not fair, progressive or legal, nor did it help rehabilitation or make our communities safer. If we are to reduce reoffending, we need to make people more aware of their responsibilities as citizens, not deepen their sense of alienation. The language that Douglas Ross has used in this context has been illogical and irresponsible. Canada, Ireland, Denmark and the Netherlands all offer voting rights to prisoners—strangely, those democracies remain intact.

For people who care about the rule of law, the motion is a wolf in sheep's clothing. A blanket ban on prisoner voting would break the law. As with the debate on whole-life sentences, the Tories are asking the Parliament to agree to something that breaches the ECHR. Liam Kerr knows that, and Douglas Ross knows that. As I said, Mr Ross and his colleagues have previous when it comes to wanting to sidestep judicial rulings.

Moreover, in the midst of a pandemic, when our businesses, schools and health services are crying out for help, there are more pressing issues that the Tories might have chosen to debate. Then again, some people in the Conservative Party will always make time to bash out a tired old tune on the trusty old dog whistle.

Scottish Liberal Democrats reject the regressive, evidence-free and counterproductive approach that Liam Kerr proposes. We will support the amendment in Michael Russell's name.

15:17

John Finnie (Highlands and Islands) (Green): The election of a dishonest, racist and misogynist leader, the UK Prime Minister, might suggest that Tories believe in redemption and the power to change. We know that that is not the case. Tories are about privilege. Tories are about building barriers and devising bogeymen. Tories are about contempt for human rights. Tories are about disregarding Scotland's Parliament, ignoring

uncomfortable evidence and continually spouting negativity. Scotland's Tories are about undermining Scotland's institutions and the people who work for them.

There are three facts in the Government's amendment. It is a fact that voting rights were extended

"to comply with a ruling from the European Court of Human Rights".

It is a fact that the legislation that provided for the extension of voting rights enjoyed super-majority support—and that that was the will of the Scottish Parliament, for which the Tories often purport to have regard. It is a fact that

"similar actions have been taken"

elsewhere. It is also certainly the case that the Scottish Parliament will

"take the action that it considers necessary to comply with human rights obligations."

The Scottish Conservatives are the nasty party—the party of the rape clause, the party of austerity, the food bank party—and they are proud of it. Tories belittle alternatives to custodial sentences and therefore those who work in our criminal justice social work departments and their third sector partners.

Scottish Greens believe in a criminal justice system that seeks to prevent crime by addressing one of the principal causes of crime: poverty. Tories create poverty, and they blame and place no value on the people who are in poverty. South of the border, the Tories—the so-called law and order party—hand out public contracts to their mates and donors, with no procurement process and no need to give a contract for ferries to a ferry company, and then smirk when they are found out by the courts, which they hold in contempt anyway.

Tories know nothing about compassion. Tories know nothing about rehabilitation. We need only read their words on drugs. Tories care nothing about the rights of children and the evidence of harm. Their stance on equal protection for children is simply shameful.

I value shrieval judgment in Scotland.

Liam Kerr: On a point of order, Presiding Officer. I would welcome your guidance; I am wondering whether the member will bother to address the motion at any point in his speech.

The Deputy Presiding Officer: This is an opening speech in the debate, and I expect Mr Finnie to address the motion.

John Finnie: That is what I am doing, Presiding Officer.

I value shrieval judgments in Scotland and rulings of the European Court, not the rantings of Mr Kerr about his understanding of those rulings. We want robust, well-resourced alternatives to prosecution and custody and an end to ineffective short-term prison sentences that give people have little chance of doing constructive work. We want participative and inclusive democracies—and we know that the Tories do not like Johnny Foreigner voting either; they want to roll back the franchise even further.

We should be encouraging every jailed father to vote in a local authority election where the education of their child is an important issue. We should be encouraging every inmate with a history of addictions to vote, given the funding decisions that are made about addiction services. Such services are a key issue.

A casual observer might think that the Tories have called it wrong in this debate, but they know exactly what they are doing. They are separating themselves from others, away off to the right. Let us, in Parliament, distance ourselves from that unpleasant group of hypocrites and reassert our view. It is not that long ago that we valued human rights and the work of our prison staff. We believe that rehabilitation is a key element of human rights, and voting has a role to play in that.

The Scottish Green Party was and remains fully behind the franchise and representation legislation that was passed just a year ago. We will support the amendment in the name of Michael Russell at decision time.

The Deputy Presiding Officer: We now move to the open debate. I remind members that we are tight for time—there is a strict four minutes for speeches.

15:20

Liz Smith (Mid Scotland and Fife) (Con): I am strongly opposed to prisoner voting and have been for a long time. I hope that my decision is based on careful consideration of both sides of the argument, not on arrogance, a lack of compassion or nastiness; neither is it a knee-jerk reaction.

That careful consideration is, to my mind, important; so, too, should be scrutiny in the Parliament, and the Scottish Conservatives will make no apology for restating our case in this party business debate.

There are two key aspects to the debate: what might be termed the more philosophical approach and what might be seen as the more practical approach often identified by the public. Both of those approaches come together in the view that those who have committed a crime have not only broken the social contract in philosophical terms,

but put themselves outside the law voluntarily, having chosen not to value the privilege of citizenship and civic virtues. As such, they should be denied the opportunity to decide who will make the laws for the time that they are in prison.

Disenfranchisement reinforces society's denunciation of criminal activity, which is what leads many in society to believe that prisoners cannot be trusted to respect the will of the people and abide by the law. Incarceration is a period of removal from the normal freedoms and privileges of society, such as personal liberty, the right to privacy, and some freedoms of speech and expression. Weakening those privileges is the aspect that most fuels public anger.

As Liam Kerr rightly said, there are serious criminals in prison serving 12 months or less who might well end up voting in the next election. It is not just their victims who are angry about prisoners having the vote; the public at large feel that it is inherently unfair and wrong that prisoners are permitted to vote. I am sure that that is why—this was shown in the latest YouGov poll on the issue—63 per cent of people are against prisoners having the vote. Of course, that is about the same percentage who believe that the current justice system does not hand down sentences that fit the crime.

Many people argue that prisoners deserve a second chance, and that permitting them to vote provides them with the necessary respect and responsibility to prepare them for the outside world once they have served their time. For me, that is a privilege that should be accorded only once they have demonstrated that they have again become law-abiding and upstanding citizens. In any case, there is no evidence to tell us that prisoner voting cuts reoffending rates. If there was convincing evidence of that, that might have greater influence on the debate.

I accept that it is important to distinguish between those who have served their time and those who are still in prison. Once an individual has completed his or her sentence, he or she should be free to participate in public life again. This whole debate is a balance between citizenship and redemption, that is why former prisoners should immediately be handed back their citizenship and freedom once they have served their sentence.

Voting in elections is a democratic right, but it must be earned; it is not a given right in every circumstance. Voting is about having a stake in society and allowing prisoners to vote would mean that politicians were arguing that criminals have the same right as others to elect those who make the law. In my book, that cannot be right, and I do not think that many members of the public—or even many members in the chamber—think that

that is right. Indeed, I think that many members of the public will seriously question in May why prisoners should be free to vote from their cells when many other people will be making huge efforts to attend a polling station.

I am utterly convinced that prisoners should not be voting, and I whole-heartedly support the motion in the name of Liam Kerr.

15:24

Rona Mackay (Strathkelvin and Bearsden) (SNP): In my opinion, the Conservative motion that we are debating is both surprising and baffling. I associate myself with the remarks made earlier by Rhoda Grant, Liam McArthur and John Finnie.

The motion is surprising because, as we have heard, the issue of prisoner voting was decided by a supermajority in the Parliament last year. To revoke that now would be incompatible with our human rights obligations—which the Conservatives undoubtedly know, despite Liam Kerr's spin on the Hirst case. The motion is baffling because it throws into question the Conservatives' whole attitude and approach towards building an effective, rehabilitative justice system that is fit for the 21st century, which is the aim for which most countries in the world now strive.

Prisoner voting has focused on human rights as an important part of the rehabilitation process. Similar action on prisoner voting has been taken in other parts of the UK, and widely across the world, as a progressive step towards reshaping the justice system into a humane and civilised institution. The European Court of Human Rights has stated:

"The right to vote is not a privilege. In the 21st century the presumption in a democratic state must be in favour of inclusion."

Do the Tories seriously want our Government to endorse such a regressive step and for our country to be isolated by their short-sighted view of rehabilitation in our justice system? That is not soft justice, as they are fond of saying; it is rough justice.

The Scottish Elections (Franchise and Representation) Act 2020 sent an important message about our willingness to welcome short-term prisoners back into society. It was the first bill in the Scottish Parliament to require the support of a supermajority of two-thirds of members. The Parliament voted in favour of the bill by 92 members to 27, with only the Tories voting against it.

Changing the law on prisoner voting now would also disrupt preparations for the forthcoming

election. Changing the franchise would mean committing to using the short time remaining in this parliamentary session to rush through a new bill to reverse the 2020 act. I imagine that the Conservatives know that, but they still lodged the motion. Of course, populism and soundbites are par for the course for that party—a sure sign of desperation, as the minister said.

Surely promoting responsible citizenship, within the context of the wider objectives of reintegration in order to reduce reoffending, should be our goal if prison is to mean anything. We now know much more about the reasons why people take the wrong path into crime and end up being incarcerated. That path often starts with childhood trauma, a lack of early intervention, deprivation, abuse, neglect and many other barriers that are not easily overcome. Exclusion from the electoral process would add to their sense of marginalisation in a way that would hamper efforts to encourage rehabilitation and reduce the risk of reoffending. Is that really what the Conservatives want?

It is hard to understand just why Douglas Ross and the Scottish Tories find Scotland meeting its human rights obligations "appalling". In addition to the UK, the only Council of Europe countries that have a blanket ban on prisoner voting are Armenia, Bulgaria, Estonia, Georgia, Hungary and Russia. In contrast, the Council of Europe states that have no—or virtually no—such restrictions are Croatia, the Czech Republic, Denmark, Finland, Ireland, Latvia, Lithuania, Norway, Slovenia, Spain, Sweden and Switzerland. The Welsh Government has accepted that prisoners serving custodial sentences of less than four years should be granted the right to vote in elections to the devolved Welsh Parliament.

The Conservatives might like to pretend that they are the party of law and order, but the evidence shows that it is the SNP's decisions in Government that have had a positive impact. The Scottish Government's firm focus on early intervention, crime prevention and the rehabilitation of offenders has meant that we now have less crime and fewer victims than a decade ago—and those are the key indicators of what works.

Alongside reforms strengthening the rights of victims and vulnerable witnesses, the draft budget delivers increased resource funding of more than £18 million for services to support victims of crime and deliver measures to improve their experience of the justice system.

The Tories would do better to use their time to work with the Government to progress a rehabilitative prisons system, rather than lodge pointless motions such as the one that we are debating.

15:29

James Kelly (Glasgow) (Lab): Like many other members across the chamber, every day I receive numerous emails about people's concerns. Particularly in light of the pandemic, they are worried about their own and their families' health, businesses, jobs, the impact of not being able to attend school in person on pupils' education, and the impact on the economy. Members are seeing concerns about many such issues coming into their mailboxes, but I have not had one email about prisoner voting. It is therefore surprising that the Conservatives have chosen to use their time today on that issue—an hour of parliamentary time that could have been much better used to discuss issues that are much more important to the Parliament and to people throughout Scotland's communities.

As others have pointed out, the issue was well debated and looked at thoroughly at the committee stage and through all the other stages when considering a change to the law in relation to prisoner voting. The legislation was not, as Mr Kerr said, rushed through; it takes quite something for legislation in the Parliament to be not only passed by a supermajority but supported by four out of the five parties in the Parliament. It was very much a considered position that the Parliament reached this time last year. I spoke in that debate and the arguments that I submitted in support of changing the law stand the test of time. We could not simply continue to ignore the need for compliance with the European ruling and we also could not tinker around the edges. A responsible Government and a responsible Parliament must ensure that we have an area of broad compliance.

Valid arguments for a change to the system were made by many, including the Howard League for Penal Reform. Those arguments were valid because of the case that has been made for the importance of rehabilitation. When I was a member of the Justice Committee, we heard about that a lot, and I heard Mr Kerr talk about the benefits of rehabilitation. He seems to have turned his face against that today in support of the motion.

It is regrettable, when there are so many big issues to discuss and it is such an important time for the country and the Parliament, that the Tories sought to use an hour of our debating time on an issue that was resolved a year ago and, in practical terms, could not be altered over the next month. The reality is that the Parliament reached a settled view on the issue and it is not something that will be altered at this point in time.

What the Tories have done here is just naked electioneering. They are basically tub thumping to a small group of right-wingers in the country and it is an election tactic that will fail. Ultimately, when it

comes to the election, the issues that matter are the issues that will make a difference in people's lives. How do we ensure, post-pandemic, that people have proper jobs and have support in their jobs and in their businesses? How can we ensure that the health service is fit to deal with the many people who have had delayed appointments? How can we support our pupils and students in education? Those are the issues that the Parliament should be debating, not a tub-thumping motion from the Tories, and I hope that the motion is rejected at decision time.

15:33

Fulton MacGregor (Coatbridge and Chryston) (SNP): It is another day and we have another Tory debate on justice. As others have said, we have had a few over the years, but this one must be up there as one of the most ludicrous and odious.

As the cabinet secretary and others have highlighted, it was just last year that the Parliament agreed to allow prisoners on short-term sentences to vote in order for our legislation to be compatible with the European convention on human rights.

Prisoners on sentences of 12 months or less are likely to be released during the next session of the Parliament. Why should they not get a vote when they will have already served their punishment? Rehabilitation is important for our communities. If the Tories are serious about it—as Liam Kerr said that they are—and if they are serious about helping to break the pervasive cycle of reoffending, we must all foster a culture of respect and tolerance. That starts with the Government. Prisoners on short sentences will be expecting to be released during the next year. What message will it send to them if we tell them that they cannot vote—that they are not good enough to vote?

I do not mind saying that, personally speaking, I would go further. I think that any prisoner who is likely to be released during the next parliamentary session should have the right to vote, for much the same reasons that I have already outlined, but I would also be open to this place having a conversation about going even further, so that all prisoners have the right to vote.

It seems only right that people should be able to vote for the Government that will ultimately make decisions about the institutions in the country where they live. Surely, the Covid-19 situation has taught us all that. The recent Covid-19 outbreaks in several prisons are an obvious illustration of the importance of that. Like everyone else, prisoners must have the right to have their say on how the Scottish Government, the United Kingdom Government and the local authority where they

would vote have handled the pandemic, for example.

The Tories forget that it is not just about the prisoners who are affected; those prisoners are someone's dad, mum, brother, sister, son, daughter and friend. As John Finnie eloquently put it, why should a prisoner not have the right to have a say on their child's education, for example? Those people are often the victims of horrendous circumstances, including poverty.

I know that extending the franchise to all prisoners is likely to be controversial and that there are numerous and competing ethical considerations to take into account, so I do not want what I am saying to be misconstrued. I am saying that I would like the Parliament to have a discussion on the issue in future and come to a balanced view.

Whenever there is a change to or extension of the franchise, there is always some opposition. Not long ago, during the independence referendum, when 16 and 17-year-olds were to be given the vote, I remember having discussions about that with people in the streets of Coatbridge and Chryston and hearing arguments that 16 and 17-year-olds were too young and had no life experience and so on. Those views have been shown to be unfounded, and I think that we can all be proud of that move.

Going further back, in the early 1900s, there were personalities and voices, which were often persuasive, arguing what a disaster it would be to give women the vote. The American William T Sedgwick was one such voice. He said:

"It would mean a degeneration and a degradation of human fiber which would turn back the hands of time a thousand years. Hence it will probably never come, for mankind will not lightly abandon at the call of a few fanatics the hard-earned achievements of the ages."

He was clearly an articulate and educated individual. Although his legacy includes the founding of the joint MIT-Harvard school of public health, among other things, his views on suffrage have not aged well. That perhaps demonstrates to us as parliamentarians the need to be bold and radical on the franchise from an earlier point.

It is clear that the Tories do not want us to fulfil our human rights obligations, but how much further do they want us to go? I presume that they believe that prisoners should have fresh air to breathe—that seems obvious—but what about water and food? I think that they would probably agree that prisoners should have those. However, where do we draw the line? What about family contact and access to medical treatment? Are prisoners deserving of that? I ask Liam Kerr, or whoever is summing up the debate for the Tories, to let us know. If the Tories are saying that

prisoners cannot have a vote, they are in essence saying that there is a line somewhere, so maybe we could get some answers on that.

Let us be bold and imaginative in our rehabilitation efforts. Giving the vote to prisoners who are serving short sentences of 12 months or less is the very least that we can do. I urge members to reject the Tory motion and accept the Government amendment.

The Deputy Presiding Officer: We move to the closing speeches. I again remind members to stick to their time.

15:37

Alex Rowley (Mid Scotland and Fife) (Lab): I am pleased to close for Labour in this Scottish Tory party debate, and to highlight the Tories' absolutely blatant politicking ahead of the upcoming Scottish Parliament elections. Before I even touch on the substantive issue, it is worth pointing out that, as members have said, the Parliament has already debated the issue and decided by a supermajority—in fact, it was the first time that a supermajority was required in the Parliament—to grant the extension of voting rights to prisoners serving a custodial sentence of 12 months or less. When the Scottish Government consulted on the issue, the response mirrored the vote that we had in the Parliament, with two thirds of respondents supporting the extension of the franchise.

It is not surprising that the Tories have brought the debate today, because they have a long-standing approach of not supporting the extension of the voting franchise. The only reason why the Tories have used parliamentary time for the debate is to try to stir up controversy. It is in fact shameful of them to be politicking in such a bare-faced way.

In the stage 1 debate on the Scottish Elections (Franchise and Representation) Bill, I said that I concurred with the views of the Standards, Procedures and Public Appointments Committee that policy on prisoner voting should be

"driven by principle and evidence."

The Parliament decided that the blanket ban on prisoner voting was unsustainable, particularly given that it put our country at odds with the European convention on human rights. At the time, the Scottish centre for crime and justice research pointed out that Denmark, Sweden, Norway, Finland, Switzerland and Ireland had no ban on prisoners voting in elections. The extension of the franchise simply brought us into line with other modern 21st century nations. The Tories have come here to hold a debate about whether to comply with human rights obligations. It

is a reprehensible electoral ploy, and I have no doubt that the Scottish public will see straight through it.

Central to the debate is the issue of what benefit we would achieve as a society by removing the right to vote from short-term prisoners. The purpose of prison is not simply punishment but rehabilitation. Active participation in civic society could well help with the rehabilitation aspect of prison's purpose.

Liam Kerr: Will the member take an intervention on that point?

Alex Rowley: I am sorry, but I have no time. Liam Kerr has brought forward a short debate of four-minute speeches in order to score political points, so there is no time to debate that point further.

All around the world, we see good practice on how to better deal with crime. Scotland has the highest prison population rate per head in western Europe, and we need to learn from the good practice that we see in other countries, instead of using prisoners to score political points.

The Tories are determined to frame the current approach in Scotland as a soft-option approach, but it is not—it is an approach that respects human rights and helps to reduce reoffending by criminals and to prevent crime from being committed in the first place. The lock-them-up-and-throw-away-the-key approach does not work. Instead of grandstanding in the chamber, the Scottish Tories should take a long hard look at whether they want to help to tackle crime or whether they simply want to punish offenders and have no interest in rehabilitation or in tackling the root causes of crime in this country. Looking at those issues would be a better use of our time.

15:42

Michael Russell: I always feel that parliamentary sessions suffer the same problems as aircraft do, in that the real difficulty is in take-off and landing. The parliamentary session itself can go fine, but the beginning and the end are always problematic. The beginning is problematic because the previous election is still being fought, and the end is problematic because—as Rhoda Grant said is now the case—the next election is already being prepared for. It is regrettable that the Tories holding this debate is an electoral ploy.

I want to differentiate between the Tories' position today and the position of those who honestly and strongly believe that prisoner voting is wrong, on which Liz Smith provided evidence. I doubt whether I shall ever be number 1 in Mr Halcro Johnston's fan club. I noticed in a piece in *Holyrood* magazine that Peter Chapman described

me as “abrasive” and “arrogant” and said that he dislikes me. I probably just have to live with that disappointment. His remarks might have had something to do with the fact that I called him the “Doric Donald Trump”. Anyway, it does not really matter.

I want to make a genuine differentiation between the Tories' position in today's debate and Liz Smith's position. I accept what she argued, but I disagree profoundly with it. When the Scottish Elections (Franchise and Representation) Bill was introduced, I did not have a hard and fast view, but I now have a view that accords much more closely with what Alex Rowley said. If we look at the global situation, we discover that bans on prisoner voting are very much a product of history—penal history, in particular. If we look at other countries that have progressed beyond that and learned from their history, we can see that that has been beneficial. I know that Liam Kerr will rise to his feet and say that there is no evidence for that, but I think that there is increasing evidence that there are countries in which that process of learning from their history has been beneficial.

I want to differentiate between Liz Smith's position and the question why the issue is being raised now. Why would the Tory party bring such a debate to the chamber now? Why would it do so when there is nothing that it can do about the situation? Well, there is something—as I made clear in my opening speech, it could have introduced a bill and tried to get it through in the next four weeks. Then Liam Kerr would have been able to look in the eye the victims whom he talked about and say, “We did everything we could, but in the end the Parliament turned us down.”

However, that is not where we are. Alex Rowley made that clear and John Finnie made it even clearer. I know that I am not the subject of a Tory fan club but—my goodness!—there must be models of John Finnie with pins being stuck into them this afternoon, after his speech.

The debate is about naked politics, as was shown by Liam Kerr's opening speech. If members want evidence, that is where they should go for it. Liam Kerr's description was that the SNP “pushed through” the measure, although it was passed by Parliament by 92 votes to 27 across all the parties. No doubt the Tories would say that I do not have a modest view of my own abilities, but even I could not push a bill through in that way. The bill was decided upon by Parliament.

Mr Kerr also said—rather, Mr Kerr did not say it, but coverage of the matter has included Tory assertions that the SNP is planning to give votes to murderers and rapists. That is untrue. The measure is very limited; it is limited, and deliberately so, to prisoners whose sentences are 12 months or less. Parliament discussed the

matter at great length, as Mr Kelly mentioned, and decided that that was the right place to pitch it.

Thirdly, there was—again—an attack from the Conservatives on what they call the SNP’s “soft-touch” justice policy. This debate is not about the principle of the measure or the fact that Parliament voted for it; it has been politically targeted. Mr Rowley was correct: the reason why we are debating the matter in very limited time today is that the Conservatives think that there is electoral advantage in so doing. They are not taking a single step towards actually making anything happen.

That is why I repeat that the debate is, as I said in my opening speech, a cruel deception. It is not only shameful to do that in Parliament; it is also a deception of victims, because it tells them that something can be done, and that the Tories intend to do something that they both cannot do and have not taken the necessary steps to do. That is the shame of it. They could have done that—they would have been roundly defeated, but they could have done it. They did not.

If members are going to come with such a naked political ploy, they should not give the game away in the opening speech, as Mr Kerr did, because all the rest of it is just

“sound and fury, signifying nothing.”

The Deputy Presiding Officer: I call Jamie Halcro Johnston to wind up the debate. You have six minutes, Mr Halcro Johnston.

15:47

Jamie Halcro Johnston (Highlands and Islands) (Con): Thank you, Presiding Officer.

We meet today ahead of a parliamentary election that will be far from normal. It has already been radically altered by the on-going pandemic and the restrictions on campaigning. However, from a legal perspective, the most pressing difference is that the franchise will be, for the first time in a national election in Scotland, open to convicted prisoners who are under sentence. I say “national election” because, as Liam Kerr pointed out, the Shetland by-election was the first step towards prisoner voting. In that case, it was brought in by ministerial order rather than by primary legislation.

Beyond the chamber, the decisions have—unsurprisingly—caused outrage and offence in equal measure. At the heart of the problem is that the Scottish Government’s proposal hinges on a one-year sentence barrier as a measure of seriousness. The reality is that that is a poor barometer. To reach the threshold for a custodial sentence in Scotland, a serious offence must have been committed or a consistent pattern of criminal

offending must have come to a head. Custodial sentences, even relatively short ones, are not handed down lightly by the courts. As Liam Kerr said at the beginning of the debate, we can look at examples of people who have been convicted of serious sexual offences, homicides, assaults that caused severe injury and attempted murder who will find themselves enfranchised this year, from their prison cells.

If that is the Scottish Government’s attempt to find a compromise between the position that all prisoners should be able to vote, which is held by very few, and the view that prisoners should remain excluded, it fails. What message does that cobbled-together justification send to the victims of such offences, who are told that the crimes that were committed against them were not of a serious nature? They are being told that the crimes that were committed against them were not serious. Ministers know—or they should know—as well as the rest of us just how many severe crimes with significant lasting effects fall into that bracket.

Some will present the argument as a competition between a justice system that focuses on rehabilitation and one that focuses on punishment, but that is not my view. The UK Government, in addressing the ruling of the European Court of Human Rights, held that it is reasonable for people who are released on licence at the time of an election to vote. They are people who have been through the system, have worked with it and are gradually being reintegrated into their communities. To grant them the rights that come with being part of that community is a more rational step, as Liz Smith argued.

However, the Scottish Government has chosen to go further, and from day 1 to give the vote to prisoners on short sentences, when their involvement in wider society has, for good reason, been restricted. As Liam Kerr emphasised and Liz Smith touched on, there is not a shred of evidence that prisoner voting reduces reoffending.

We know from the situation in England that the extension was not essential, as ministers have sometimes tried to hint when they have been pressed. Upholding convention rights did not require enfranchising people in prison.

Although I recognise that some members have a long-standing moral commitment to prisoner voting, I find it hard to accept that the Scottish Government casts it as a moral argument. The First Minister herself spent the last election opposing prisoner voting. Halfway through this session, she opposed prisoner voting. Now, despite that opposition, the Scottish Government rails against those who believe that it is fundamentally wrong to allow prisoner voting.

Sadly, this is a Government that has presided for too long over a justice system that does not meet the expectations of society. Sentences are frequently handed down that do not reflect the nature of offences. In too many cases, people who go before the courts have lengthy histories of offending, but little evidence of punishment or rehabilitation. Too often, there is a clear progressive increase in offending before an act takes place that can no longer be ignored.

Even the words "Police Scotland" remind us of the many fiascos that have taken place in the short life of our single police force. As a consequence, metrics of crime—in particular, on categories of violent crime—have been rising. Victims of crime can take little that is positive from the actions of the Government.

I turn to some members' speeches. My colleague Liam Kerr spoke about the range of offences that are dealt with through sentences of one year or less. Given the Scottish Government's talk of seriousness, we should find that chilling. He has shown that the extension is, as I suspect we all know, not necessary in order to comply with the European ruling, contrary to what Michael Russell's amendment suggests. Ministers and members should not hide behind the Hirst judgment to justify their approach. If they vote in favour of the amendment, they should be honest with themselves and the people whom we are elected to serve.

Liz Smith spoke about those who have committed a crime. They have broken a contract with society and, through their own actions, have chosen not to value the privilege of citizenship and have voluntarily put themselves outside the law. Liz Smith also argued that members who support prisoner voting do so in stark contrast to the majority of the public, 63 per cent of whom do not.

As the election approaches, prisoners have found a gold-plated view of their rights being put forward, while the rights of victims often go unconsidered. Conservative members have set out a different view—one that seeks to build safer communities, to make a solid investment in rehabilitation and to ensure that victims are given the support that they deserve. Above all, our view recognises that the justice system is essential and must deal properly with offenders at all stages, and should not make apologies for tackling crime.

As we look to the wider problems of some of our least advantaged communities, we see that safety is a core need. It is the right of every person in Scotland to feel safe in their own home and in the streets of their communities. Too many do not, and we should not need to be reminded that that is a disgrace.

I urge SNP, Labour and Liberal Democrat members to reconsider their previous support for prisoner voting, to put the interests of victims—not perpetrators—of crime first and to support Liam Kerr's motion.

Urgent Question

15:54

Crown Office (Correspondence)

Jackie Baillie (Dumbarton) (Lab): To ask the Scottish Government whether the Lord Advocate was consulted about the letter from the Crown Office to the Scottish Parliamentary Corporate Body in relation to the evidence from Alex Salmond published by the Parliament.

The Lord Advocate (James Wolffe): No, I was not. The decisions in relation to that matter were made by senior professional prosecutors acting independently, as they always do, and without reference to the law officers. Scotland's public prosecutors take difficult decisions that some may find unpopular. They take those decisions objectively, professionally and in the public interest, and they act independently of any other person.

Jackie Baillie: I note that the Lord Advocate said that he was not consulted. Was he aware of what was going on? It would be helpful to know the process before the letter was issued to the Parliament. Did the Crown Office receive any submissions from any third party before it wrote to the SPCB yesterday? Was it Mr Donnelly who was contacted? Was the Crown Agent, David Harvie, consulted? Did the letter even go across the Lord Advocate's desk before it was issued?

The Lord Advocate: I received a copy of the letter for my information after it had been issued.

Jackie Baillie: I note that the Lord Advocate did not answer any of my previous questions. I am sure that he will want to take the opportunity in answering my next question to go back and cover the stuff that he did not answer before.

I want to ask the Lord Advocate about the meeting that was held between Levy & McRae and the Crown in advance of the hearing with Lady Dorrian. It was confirmed at that meeting that the Crown's sole concern was one paragraph in its article about the former First Minister's ministerial code submission. No other concerns were raised, and no other concerns have been raised subsequently. Given that that article has been up since 15 January and is still up, and that it is essentially Mr Salmond's submission, can the Lord Advocate perhaps advise what has changed in the Crown Office?

The Lord Advocate: I am not going to get into the substance of the issues, not least because, in doing so, there would be a risk of my breaching the court order.

Fundamentally, what is at issue is an order by the High Court handed down to protect the anonymity of complainers. The Crown's sole interest in the matter is to secure respect for that court order. It has not sought, and will not seek, to limit the evidence that the Committee on the Scottish Government Handling of Harassment Complaints may have available to it or to interfere with the work of that committee.

Ultimately, it is for the parliamentary authorities to determine what they may lawfully publish within the bounds of the order laid down by the court. The Crown raises issues and concerns in any case in which it apprehends that a contempt may take place. Its sole purpose in doing so is to secure compliance with the order laid down by the court.

Donald Cameron (Highlands and Islands) (Con): I refer to my entry in the register of members' interests. I am a member of the Faculty of Advocates.

It is fundamental to democracy in Scotland that the Parliament is free to conduct its business without external pressure from Government agencies. Does the Lord Advocate agree that the actions of the Crown Office over the past week threaten that freedom and show the inherent conflict in the Lord Advocate being both the Government's chief legal adviser attending the Cabinet and the independent head of Scotland's prosecution service?

The Lord Advocate: On the first point, I do not accept the proposition in the least. As I said, the Crown has no interest in interfering with or limiting the conduct of proceedings in the Parliament. Its only interest is in securing observation of and compliance with an order of the High Court with which we are all obliged to comply, whether in the Parliament or otherwise.

As with any anticipated publication that may amount to a contempt of court, the Crown considered whether it should raise concerns with the parliamentary authorities. It took the view that it should. It was ultimately a matter for the parliamentary authorities, taking their own legal advice, to determine what they should or should not publish. The Crown, having raised the concerns that it has raised, has exhausted its interest in this matter and has absolutely no interest in otherwise limiting the activities of, or conduct of business in, Parliament.

As far as the member's other question is concerned, all law officers exercise their prosecutorial functions with complete independence. My job is to uphold the rule of law and the administration of justice in Scotland, and that is what I do. I was appointed to this office on the basis that I have no party-political affiliation.

However, whether I did or not, it is a safeguard for the rule of law that there are senior lawyers in the Government appointed on a non-party basis whose fundamental responsibility it is to protect the integrity of the administration of justice in Scotland.

I will also be clear that at no time have I encountered any situation in which ministers have sought to influence a prosecutorial decision. Were any minister to try to do so, I would not countenance it—nor, I am confident, would any professional prosecutor who acts on my behalf. Ministers know that they should not seek to do that, and they do not.

Tom Arthur (Renfrewshire South) (SNP): The office of Lord Advocate is one of the oldest in the land. It predates this Parliament, the union of the Parliaments and the union of the Crowns. However, it is my experience that a great deal of misinformation has been spread on the role of the Lord Advocate. Therefore, I ask the Lord Advocate to confirm that previous Lord Advocates, throughout devolution, have all been members of the Cabinet. Can he confirm that it has always been thus? It was that way when Donald Dewar was First Minister, when Henry McLeish was First Minister, when Jack McConnell was First Minister and when Alex Salmond was First Minister.

Furthermore, can the Lord Advocate confirm that, entirely separate from his Cabinet role, as Lord Advocate he fulfils a distinct and independent prosecutorial function as head of the Crown Office?

The Presiding Officer (Ken Macintosh): That is a fair question from the member, but I am not entirely sure that it follows the urgent question. I will, however, allow the Lord Advocate to make a brief response to that history lesson.

The Lord Advocate: I am grateful, Presiding Officer. Long before devolution, and at all times since devolution, law officers have been members of the Government. At no time has it been suggested that law officers are compromised in the exercise of their prosecutorial functions by the fact that they are members of the Government. As I said a moment ago, it is a safeguard for the rule of law that there are senior lawyers in the Government whose fundamental responsibility it is to protect the integrity of the administration of justice.

The Presiding Officer: That concludes our urgent question.

Local Government Funding

The Presiding Officer (Ken Macintosh): Our next item of business is a Conservative Party debate on motion S5M-24206, in the name of Annie Wells, on fair funding for local government. I encourage all members who wish to participate in the debate to press their request-to-speak buttons.

16:03

Annie Wells (Glasgow) (Con): I am delighted to be given the opportunity to speak in this important debate and in support of the Scottish Conservatives' motion.

Local government across Scotland is in crisis. The societal and economic impact of the Covid-19 pandemic has undoubtedly placed significant pressure on the ability of local authorities to deliver essential public services. The severity of the challenge that local authorities face has been made clear by the Convention of Scottish Local Authorities, which has issued a stark warning that councils are facing a combined budget shortfall of approximately £511 million going into 2021-22. It goes without saying that it is a deeply concerning situation for us all.

As the crisis dawned last year, local authorities across Scotland needed the Government in Edinburgh to have their back. They needed the Scottish National Party to equip them with the tools and funding that they required to lead our communities through the pandemic, to support our local businesses with a smooth administering of essential Covid financial support, to make sure that the roads and streets were properly gritted in anticipation of harsh weather, and to guarantee regular, timely bin collections.

An unprecedented crisis demands unprecedented support. Ambitious support in the present circumstances is necessary to deliver the bread-and-butter services that many of us have had to rely on more than usual during the past 12 months. Sadly, the support that local authorities have required has not been forthcoming. Indeed, the lacklustre support for our councils during the pandemic has been part of a larger pattern of the SNP's long-standing behaviour towards local government in Scotland.

It is astonishing that, as local councils face new and existing challenges in responding to residents' needs, the total amount of money that the SNP Government has given local authorities has fallen by £276 million in real terms during the past seven years. Let me be clear: long before Covid-19 crisis began, the SNP Government had been short changing Scotland's councils, which has undoubtedly diminished their ability to respond to

the diverse needs of local residents across Scotland.

With the most recent budget, which was drafted in extraordinary and difficult circumstances, the SNP Government still refuses to go that extra mile to support local government. As confirmed by COSLA, the SNP Government is offering Scotland's councils a budget uplift of less than 1 per cent in 2021-22. That figure is truly shocking when compared with the Scottish Government's own budget for 2021-22, which has increased by a whopping 9 per cent from last year to £44.1 billion, thanks to unprecedented support from the United Kingdom Treasury.

The SNP makes a lot of noise about needing more money and borrowing powers to respond to the pandemic, but while the UK Government has stepped up to the plate, the SNP Government, by contrast, has refused to extend the same support to Scotland's struggling local authorities.

At a time when our local councils are facing the huge financial black hole that I mentioned, it is quite staggering that the SNP has set aside more than £0.5 million to prepare for another independence referendum this year. The persistent underfunding of Scotland's councils by this Government is simply no longer acceptable. We must do better.

It is clear that Scotland's councils get a rotten deal from the SNP Government, and that means that the Scottish people are getting a bad deal, too. That must change. It is clear that the current funding model is no longer fit for purpose, and that is why I support the Scottish Conservatives' motion.

The goal of the model that we are proposing today is to urgently address the SNP's unwillingness to properly fund our councils. The new model would create a permanent financial settlement for local government, legally mandating the Scottish Government in Edinburgh to deliver a ring-fenced percentage of the budget to local authorities. That would provide cash-strapped councils with the financial security, certainty and autonomy that they crave to play a leading role in helping our communities to rebuild and bounce back from the pandemic.

Our new fiscal framework would also be used to determine the allocation of capital and revenue funding that each council across Scotland received each year, meaning that councils would have the appropriate resources to respond to the biggest challenges and opportunities in their own areas. The proposed framework would put an end to the days of local councils being subject to the whims of the national Government in Edinburgh. Such behaviour has been made evident by the SNP Government, which has raided council

budgets for years to pay for its own vanity projects. Instead, mirroring the way in which the block grant is provided to the Scottish Government by the UK, local councils would be secure in the knowledge that they were guaranteed to receive a set amount of the Scottish budget each year.

Our proposed new fiscal framework would give local authorities the vote of confidence that they deserve to fulfil their responsibilities to the Scottish people. Unhindered by constant financial woes and diktats from Edinburgh, Scotland's councils would be able to plan ahead for the future and deliver the best local services as we all look to emerge brighter from the pandemic.

As countries around the world combat the coronavirus, the attention of the public largely falls, understandably, on how national Governments respond to crisis. The important role that local government plays in shaping people's lives cannot be overstated, because for many people, local government is the first port of call, given that it is responsible for the essential services that they rely on.

Our party has a clear vision: we want to empower local councils with fair funding to fully support them in their efforts to deliver for their communities. With the new fiscal framework, we have a chance to achieve that vision and I urge Opposition parties to support the motion.

I move,

That the Parliament believes that local government should have its own fiscal framework that will automatically entitle it to a fixed proportion of the Scottish Budget each year, thereby enshrining fair funding in law.

16:10

The Cabinet Secretary for Communities and Local Government (Aileen Campbell): A debate about the future of local government and how the Scottish Government should fund our councils benefits from being set in the wider strategic context of work to consider how Scotland is governed overall. In that context, the Scottish Government is committed to the principle of subsidiarity and local self-determination, and the joint local governance review with COSLA is key to delivering what are shared ambitions. Considering how we share power, responsibilities and resources, not just between the Scottish Government and local government but with our communities, is a route to reforms that can deliver the best possible outcomes for people.

In response to the review's initial findings, we jointly announced with COSLA that we will further empower communities and local councils across Scotland. We believe that that will help to create a vibrant and equal democracy where people

understand their rights and actively participate in civic society.

The response to Covid-19 has once again shown that communities can achieve great results when they are trusted and resourced to take decisions about issues that make a big difference to people's lives. We also know that the way that power and resources are shared between national and local government across all our public services contributes to the success of different places.

COSLA's submission to the local governance review and subsequent blueprint for local government set out an ambition for functional and fiscal empowerment of local government, and made clear how that interlinks with our efforts to enhance community empowerment. The review creates an opportunity for councils to submit place-specific proposals for alternative governance arrangements that would help to deliver that ambition.

As part of the review, we already have agreement to jointly develop a fiscal framework between the Scottish Government and local government. We view it as another important opportunity to further strengthen our partnership and to empower local government. Due to the pandemic, work on that has been paused, but we are committed to introducing the framework in the next parliamentary session, if returned.

The debate is timely because, alongside our work on local governance, today we concluded stage 2 of our deliberations on Andy Wightman's member's bill on the incorporation of the European Charter of Local Self-Government into domestic Scots law. Our support for the bill symbolises the value that we attach to our relationship with local government as a sphere of government that we value and respect. It also symbolises an opportunity to create the conditions for further and more ambitious reforms and strengthens our relationship with local government by putting it on a legal footing.

However, that is not the end of our joint work and partnership with local government. As I said in response to the stage 1 debate on Mr Wightman's bill,

"regardless of whether you have 'Councillor' before your name or 'MSP' after it, we are all here to serve and empower our communities, to make life better and to make society more equal and fairer."—[*Official Report*, 4 February 2021; c 71.]

That endeavour is captured in our national performance framework, which articulates local and national Government's shared aspiration for Scotland to be a country with dignity, fairness, respect and wellbeing at its heart.

That is also why, when the Cabinet Secretary for Social Security and Older People and I set up the social renewal advisory board back in June to advise Government on how to navigate a path for Scotland that leads us towards equality and fairness as we emerge from the pandemic, the board included representatives from local government. If we want to achieve the ambition of reducing poverty and disadvantage, it will require all of us from across all sectors to work hard and in partnership to support the people and communities of Scotland.

Moreover, we are also supporting many local authorities to use community wealth building as a practical approach to local economic development to support and prioritise improved wellbeing as a core part of the economic activity happening in their places. That includes looking at ways to maximise the role that public investment can play in creating opportunities in communities across Scotland and encouraging more small and medium-sized enterprises, co-operatives and other inclusive business models into the market. It also ensures and encourages a less extractive economic model and enables much-needed resources to stay local and benefit our communities.

I cite the joint working that we do, our support for the European Charter of Local Self-Government (Incorporation) (Scotland) Bill, our work on community wealth building and our work on local governance, which already includes a fiscal framework. All of that does not fit neatly into the negative narrative that the Conservatives have brought to the chamber today, and nor does it fit into the realities of the budgetary support that the Government has provided.

The 2021-22 local government settlement of £11.6 billion will provide a cash increase in local government day-to-day spending for local revenue services of £335.6 million, or 3.1 per cent. That builds on the pre-Covid-19 2020-21 settlement, which provided an increase of 5.8 per cent for local day-to-day services. A further £650.4 million of non-Covid-19 funding will be provided outwith the local government settlement in 2021-22, which means that Scotland's local government will receive more than £12.3 billion.

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

Does the cabinet secretary accept that Covid has brought with it even greater pressures on local authority services, and that those pressures are continuing to increase? Has she taken that into account in looking at the budget?

Aileen Campbell: My colleague, the Cabinet Secretary for Finance, Kate Forbes, engages thoroughly and regularly with local government to take account of the pressures on councils. That is why we have responded in the way that we have

done, by ensuring that we can route money and support to local government in response to the Covid-19 pandemic.

I will set out a number of other ways in which we have endeavoured to provide some further flexibility. The settlement not only gives local authorities the resources and flexibility to respond to the new challenges that the pandemic has created, but provides a continued fiscal certainty that does not exist in England, through our policy of guaranteeing the combined general revenue grant plus non-domestic rates revenues. We are the only devolved Government to have committed to extend Covid-19 business rates reliefs into 2021-22, replacing £719 million of non-domestic rates income with additional revenue grant of the same amount to effectively underwrite that critically important revenue stream for councils.

We have jointly agreed a lost income stream with councils, and, taken together with the additional fiscal flexibilities that were announced on 8 October, the total value of the Covid-19 support package for councils is up to almost £1.8 billion in this year and next. While Scottish local authorities have enjoyed a cash-terms revenue budget increase of 3.6 per cent in the period from 2013 to 2020, English local authority counterparts have, by contrast, faced a cash-terms revenue budget reduction of 14.7 per cent in the same period. The Tories have a brass neck, therefore, to come to the chamber arguing for one thing while their counterparts and colleagues in London are doing quite another. However, they have form on that—they turn a blind eye to poverty while local and national Government here have to mitigate and mop up the mess of the austerity that the Tories pursue with political rigour.

It is a pity, therefore, that the Tories do not pursue with the same rigour the flexibilities, and the fiscal framework review, for which this Government has asked the UK Government many times, in order to ensure that we can put in place the correct and adequate response to what we are going through now with Covid and beyond.

The Scottish Government will continue in our shared endeavour with local government to work hard for the communities of Scotland. We will continue to treat local government fairly and to empower councils as best we can. We will continue to reject the negative narrative from the Tories, who do one thing here and quite another in London, and we will continue to proceed on a path of fairness and equality for all.

I move amendment S5M-24206.3, to leave out from “will automatically” to end and insert:

“is developed in partnership with local government and that reflects the ambition of the Local Governance Review to devolve more power to a more local level.”

16:18

Sarah Boyack (Lothian) (Lab): I draw members’ attention to my entry in the register of members’ interests and my former employment with the Scottish Federation of Housing Associations.

In this debate, we need to acknowledge the importance of local government, its capacity to serve communities and its need for fair funding. Our councillors are the democratically elected officials who are closest to their communities, and they provide support to the most vulnerable in our communities, whether it is about access to mental health support in our schools; support for adults with learning disabilities and their parents to enable them to make the most of their skills and talents; or getting people from low-income communities into employment and training.

However, during the past decade, we have seen the impact of austerity on councils. Tory austerity from the UK Government has been not only passed on, but deepened by Scottish National Party budget cuts in Holyrood. Councils have consistently been asked to do more with less, and the blame for their underfunding is punted between the two Governments, but in the end it has been our communities that have suffered.

The Conservative motion calls for a clear “fiscal framework” for local government, and I agree with that. It is striking that, two decades into the running of our Parliament, a funding model that guarantees our councils income has yet to be agreed. However, I think that there is cross-party support for a fiscal framework, which could be agreed between the Scottish Government and local government—but that has just not happened. The centralisation of power via budget allocations hampers the ability of our councils to plan ahead and implement longer-term projects and services in their communities by forcing them to organise and think from budget to budget, year to year, rather than through forward planning.

The call for a set percentage in the Scottish Government budget to be guaranteed would be a step forward, as it would enable councils to plan ahead. That would have to be fair funding, however, and it would have to address the concerns that were raised by COSLA regarding recent budget allocations. It would also be critical for the UK Government to understand the failure of austerity and, as we come out of the pandemic, for it to commit not just to continuing the Barnett formula but to considering increased investment for Scotland.

We know that local government, in Scotland and in England, has struggled to cope financially with the demands of the pandemic, and we need not just fair funding but more autonomy for our

councils. Last summer, the micromanagement of consequentials cut right across the principles that the Scottish Government is arguing for in its amendment.

The problem with the SNP Government's amendment is that, while it is easy to agree with it—I do not disagree with it—it does not take us forward. We are waiting for action. In 2019, the SNP Government promised the Greens that it would make a three-year settlement for councils from the 2020-21 budget. There was also agreement that we would have cross-party talks to replace the council tax by the end of this parliamentary session, and that there would be proposals for that.

For me, the SNP amendment feels like a holding response: the issue will be dealt with at some point, but we are still waiting. The warm words from the cabinet secretary do not take away the fact that we have had more than a decade of underfunding, with £937 million of cuts to non-core funding for our councils.

My amendment calls for

“an increase in capital spend, and notes that this must be a priority”

for all of us,

“as it is fundamental to building back ... services, supporting communities and protecting jobs.”

For example, we need more affordable housing, as we discussed this morning in the Local Government and Communities Committee. More deaths are linked to homelessness in Scotland than anywhere else in the UK, and thousands of new homes would create thousands of new jobs—it would give people employment opportunities. We also need investment in our parks and outdoor learning opportunities, so that our young people can build new skills and so that those skills are not limited to those who can afford them. Furthermore, we urgently need investment in new schools.

Yesterday, we had a really good debate on heat networks, which represent an excellent opportunity to bring good local jobs to our communities, giving councils a stake in local energy and heat production and supporting communities with clean, cheap heat and energy. We need to retrofit housing to meet energy standards, not just meeting our climate targets but finally ridding Scotland of fuel poverty. However, our councils cannot do that without the financial flexibility that they should have at their control and without the capital investment that they need to make progress.

We know that we are facing a climate emergency and—some would say, post-Covid—the biggest recession in 300 years. Investment in low-carbon infrastructure by our councils could be

transformational, and it is crucial. We need an end to centralising behaviour, which hamstrings local government and results in a loss of services at local level. Our recovery from Covid cannot happen without local action and investment. I am sure that, when we talk to our local authority colleagues, we find that they are all up for community wealth building but they need certainty and funding. Local government needs fair funding, the capacity to plan ahead and more financial autonomy.

I hope that we can agree to our Labour amendment, because it highlights the important role of capital expenditure, which has dropped in recent years from 27 to 12 per cent. That is a real-terms cut for the future, and our communities deserve better.

I move amendment 24206.2, to insert at end:

“; further believes that the Scottish Government's historic underfunding of local government funding means that there must be an increase in capital spend, and notes that this must be a priority as it is fundamental to building back better services, supporting communities and protecting jobs.”

16:24

Willie Rennie (North East Fife) (LD): During the pandemic, local communities have come to help people who need support. We have relied on councils to get schools and pupils geared up to learn and to get them their school meals. They have very quickly got money to businesses in need.

Of course, the idea of a fair deal for local government is a good one, and the idea that we should know that local government will be treated fairly is a good one, too, but local government has been on the rough end of the SNP Government's priorities. We get the usual conjurer's trick from ministers, who send ring-fenced parcels of money to local councils for new tasks, and claim that it is money for old tasks. The money goes up, but the costs of the new responsibilities go even higher, which leaves councils to cut other services. That is just not fair.

Why can the SNP not leave local taxes to local councils? There have been 10 years of interfering with and freezing council tax, followed by more years of capping it, because—apparently—the SNP knows best. It has been that way for years, so we are sceptical of the Government's claims that it has new plans for local government. We have had 14 years of this Government, and it has not got it right for local government over that time.

The Conservatives have not got it right today, either. We all remember that, in the past, when the UK Government has allocated Barnett consequentials for health, the Scottish

Conservatives have wanted it to be guaranteed for health. Well, not any more. In 2018, the then Prime Minister, Theresa May, said that she would increase national health service funding, which would mean £2 billion of consequential for the Scottish Government by 2023. Back then, the Secretary of State for Scotland, David Mundell, said:

"I urge the Scottish government to invest this extra money in improving health services".

With today's motion, that is now all completely out of the window. Under the Conservatives' plan, between 2018 and 2023, more than £600 million would be automatically removed from the NHS Scotland annual budget. People in Scotland expect their Parliament to judge the different needs, and not just delete £600 million of health spending because the Conservative computer told them to do exactly that. Such a crude formula is something that local government simply does not need.

The Conservative motion would cut NHS funding using a crude formula, and we should not support it. We need a fair funding settlement that involves local government in its creation and creates the transparency and fairness that we want. That would allow us to deal with difficult problems, such as integrating health and social care, without being saddled with an inflexible funding system.

Just as Holyrood does, I want councils to be able to raise the majority of the money that they spend. If they control the purse strings, they are free to determine their own future in partnership with the communities that they serve. If the councils or the voters do not like the decisions on tax and spend, they can vote them out. We need a framework that nurtures such a relationship, and that is why we cannot support the Conservatives today.

16:28

Patrick Harvie (Glasgow) (Green): For every problem that is complex and difficult, there is a solution that is simple, easy and wrong. That is what the Conservatives have to offer today.

The topic is an important one, because the system of local government finance that we have in this country is fundamentally broken. Every year since the SNP lost its majority, the Greens have made the issue a priority. The impact of additional resources that we have made available to local government has changed the context of that historical underfunding to which Sarah Boyack's amendment refers. Overwhelmingly, the damage was done in the previous session of Parliament. In every year since 2016, the Green impact has

made a real difference, and has been welcomed repeatedly by COSLA.

The Greens were the first to propose a fiscal framework. Back in 2017, we published proposals on the framework and we eventually gained support to begin the task of developing it. However, that is one of many areas of work that have been delayed due to Covid.

The Conservative proposal today simply does not engage with reality. The reality is that a fiscal framework for local government cannot just be imposed; it needs to be carefully developed with local government. It needs to provide transparency, predictability, sustainability and autonomy for local government over its finances. The reality is that the simplistic idea of providing for a fixed percentage of the Scottish budget would utterly disregard the changing needs and priorities from year to year.

Annie Wells is flatly wrong to claim that her proposal mirrors the UK-Scotland fiscal framework. I do not believe for a moment that the Conservatives would support a UK-Scotland fiscal framework that was based on the idea of a fixed percentage of the total UK budget, and such a simplistic idea would be no more workable in a fiscal framework for local government. The reality is that, in order to work, it would need to give local government the fiscal autonomy that is normal in many other European countries.

The reality is also that Green efforts to deliver new fiscal powers to local government have met with consistent opposition from the Conservatives. Reform of local government finance can happen only if we work together to achieve political consensus across the political parties. We do not have the same starting points, but if we all just dig in our heels and defend our starting points, there will be no progress. Such progress is long overdue. The reality, I am sorry to say, is that the Conservatives are the only party in the Parliament that has consistently refused to engage with the opportunities for cross-party dialogue that could result in progress. With that track record, it is clear that their motion is not a serious effort to achieve change.

We will support both amendments today. The Government amendment deletes that simplistic model of a fixed percentage, while the Labour amendment recognises both the historical context and some of the priorities that need to be addressed for the future. We will vote for both amendments and for the amended motion.

The Presiding Officer: We come to the open debate. I remind members that we are a bit tight on time, so they should keep their remarks to four minutes.

16:31

Edward Mountain (Highlands and Islands) (Con): For local democracy to be effective, local councils require fairer funding and to be trusted. That should be a statement of the obvious, of course, but it is certainly not a statement that the SNP Government holds to.

We have already seen from this year's draft budget that local councils will receive an uplift of less than 1 per cent, whereas the SNP Government's budget has gone up by 9 per cent. Such a funding gap speaks volumes about SNP members' priorities—they are not the champions of localism that Scotland so desperately needs and that they pretend to be. *[Interruption.]* No, I will not give way. I have four minutes.

The SNP will again—*[Interruption.]* I am sorry; if the member wants to make lots of noise from the back benches and interrupt me, that is fine, but they should do it when they are standing up, not when they are sitting down.

The SNP will continue—*[Interruption.]*

The Presiding Officer: Mr Mountain, you may continue. I ask members please to keep order.

Edward Mountain: Thank you, Presiding Officer.

The SNP will continue to make headline announcements about increased funding to local councils, but the devil is always in the detail. Most of the additional funding is for the SNP's own pet projects, not for the day-to-day core services that local communities rely on, such as roads, schools and social care. Those are the areas that suffer so drastically from underfunding. The truth is that, over fourteen years, the SNP has reduced local council funding as a percentage of Government spending. Scotland's councils now face a budget shortfall of more than £0.5 billion.

That has serious consequences at a local level. For Highland Council to protect core services, it has told me that it would need an increase of between 3 and 4 per cent at least on its council tax—and that is just to achieve a standstill. Frankly, it is unacceptable that Highland Council should have to consider raising taxes during a pandemic. Businesses are struggling to survive and family budgets are being stretched like never before; I do not believe that now is the time to raise local taxes.

It is time, really, for the SNP to give councils a fairer funding deal. If it does not, we will continue to see Highland roads such as the A890 fall into disrepair. There is no ferry at Strömeferry—frankly, the Scottish Government could not deliver that—and no bypass either. Until funding is made available for that project, local communities will have no choice but to accept continued disruption

from rockfalls from the crumbling cliffs. The SNP Government talks about improving connectivity, but it is failing in Strömeferry.

Years of underfunding have left our Highland schools in a disgraceful state. The Highlands and Moray have the highest proportion of schools in Scotland that are classed as being in poor condition. I visited Tain royal academy and was shocked at how bad the water leaks were. In the library, there were more buckets than there were books. That is not the environment in which our pupils should be learning; they deserve modern school buildings. I welcome and recognise the funding to build new schools in Tain and in Nairn, which is supported by the Scottish Government, but more schools in the Highlands need repair or a full rebuild.

The SNP's underfunding of local councils has helped to run down our roads, schools and local services. There is a better way forward. The Scottish Conservatives would create a fairer financial settlement that would ring fence a percentage of the Government's budget for local councils. The proposal will protect local services and is worth voting for today and in May.

16:36

James Dornan (Glasgow Cathcart) (SNP): It is good to see Annie Wells back at work, and I hope that she is feeling better. It is just a shame that she was landed with this desperate motion on her return.

It is clear that an election is due. I was a bit surprised that Willie Rennie made the case for independence in his speech.

Ensuring a fair funding settlement for local government is one of the key tasks of any Government's budget. Council services impact on family life daily, whether we are talking about children's education, roads and parks maintenance, waste collection or social services. I welcome the SNP Government's move to guarantee £11.6 billion for local government in its budget, to enable local authorities to invest in priority areas and implement national and game-changing policies such as the expansion of free early learning and childcare.

As part of the budget, my local authority, Glasgow City Council, is set to receive more than £1.36 billion, which is a welcome increase on last year's funding package.

It is essential that Governments—local and national—are given the flexibility to respond to situations, whether they are anticipated or not. As we have seen in the pandemic, it is ridiculous that the Scottish Government has not had the appropriate fiscal levers to enable it to respond to

the challenges. Unlike other countries around the world, Scotland has been unable to borrow, which has denied the maximum support to the people of Scotland. That is not for the want of trying, though: the Cabinet Secretary for Finance has repeatedly made clear what fiscal tools we require, but the Tory Government has repeatedly refused to listen and give us the powers that we need.

I appreciate that local authorities, too, need flexibility. I am pleased that, in partnership with the Convention of Scottish Local Authorities, local authorities have recently gained substantial financial flexibility and greater power to make informed decisions about spending at local level.

The Tories brought the motion for debate today, so I hope that they ask the Chief Secretary to the Treasury to allow the use of capital budgets to deliver additionality to councils for resource spending. That would allow councils to manage their budgets better in these challenging times.

I welcome the local governance review with COSLA that will bring the opportunity to recalibrate how powers and resources are shared between local government, national Government and communities. Throughout the pandemic, we have seen the importance of collaboration between spheres of Government when it comes to keeping people safe and supported, and I hope that the approach can be built on when we are out of the public health crisis. In the meantime, local government deserves as much clarity and support as possible.

The Tories are neglecting to mention three key points. First, in 2019, the UK Government's budget was delayed from November of that year until March 2020, and then the 2020 UK budget was delayed until autumn and still has not taken place. If the Tories want to secure greater stability and clarity for our councils, perhaps they could ask their Westminster bosses to provide the Scottish Government with greater stability and clarity on funding.

Secondly, the biggest threat to the local government funding settlement has been the Tories themselves. Despite a decade of cruel Tory austerity, the Scottish Government has ensured that local government has been treated fairly.

Thirdly, we are still not sure how much the Tories would be willing to cut from national health service spending. After all, money does not grow on trees, and most of our money is spent, quite rightly, on the NHS.

Many of my constituents in Glasgow Cathcart, like people across the world, have faced severe financial challenges as a result of the public health crisis. I am grateful that the Scottish Government is funding a national council tax freeze, which is backed by almost £10 million for Glasgow City

Council alone. In the face of Tory austerity, the SNP Government has invested in and protected local authority funding, enabling continued investment in schools and other crucial council services, while protecting people's livelihoods.

I have been a councillor, so I know that local government has had and continues to have its challenges. However, it is absolutely apparent—and not just from this debate—that the only party trusted to ensure fair funding for local councils will, once again, be the SNP.

16:40

Elaine Smith (Central Scotland) (Lab): I have a registered interest related to funding provided by Unison for my member's bill, the Breastfeeding etc (Scotland) Bill.

I am pleased to be speaking in the debate, in one of the last contributions that I will make in the chamber after serving as an MSP for 22 years.

I have a particular interest in local government. More than 30 years ago, I was a homelessness officer in a district council, where I saw at first hand the devastation that homelessness causes. One of my best times in the Parliament was when, in 2003, a Labour-led Scottish Executive introduced homelessness legislation that was widely regarded as the most progressive in Europe.

Decades later, after 14 years of SNP Government, we see the grim scenes of massive queues of homeless people waiting on food from a charity soup kitchen in a snow-covered George Square in Glasgow. I was helping at a George Square soup kitchen when I was 14 years old. It is shocking that such poverty and homelessness still exist. Having access to food and a home should be a right for all citizens in 21st century Scotland.

As a council officer, I also worked with a grants scheme, which demonstrated what people could do in their communities with funding help from the council. Now, year-on-year SNP cuts to council funding have meant cuts to community groups that do vital work connecting people, tackling exclusion and providing activities for young people, among other things.

In the 1990s, as the branch secretary for Unison at Highland Regional Council, I fought continually against Tory cuts to local government budgets. The Tories have short memories. However, now we are seeing SNP cuts implemented year on year, despite its claim to be a party of social justice. The Scottish Parliament information centre reported that, pre-Covid, the local government revenue settlement as a proportion of the Scottish Government revenue budget had decreased by 2.6 per cent between 2013-14 and 2019-20.

[*Interruption.*] I really do not have time. If I have time at the end, I will give way to the member.

Now we have COSLA saying that the past year has been like no other and the forthcoming budget

“does nothing to represent fair funding for councils”.

That is even more shocking during the pandemic, because local government has been playing a crucial role in trying to maintain critical public services, administering key grant funding to businesses and managing vital aspects of much-needed welfare support. Overall, as Sarah Boyack said, local government has not received its fair share of funding and it has had cuts imposed well beyond those received by the Scottish Government from the Tory grant allocation. That deliberate choice made by the SNP Government has a direct impact on the poorer in society and an even worse impact on our more deprived areas.

Basically, due to the funding pressures, local authorities are taking difficult budget decisions on, for example, libraries, swimming pools and lunch clubs, and on the reduction in public park maintenance. Those are services on which people on low incomes, particularly women, depend. Space to study; parks to walk and play in; and community centres to provide a focus—those are all facilities long fought for and highly valued.

As we adopt progressive policies such as Monica Lennon’s Period Products (Free Provision) (Scotland) Act 2021 and recognise the needs of women and girls, surely we should also be asking where the strategy is to make that a reality. Within the Covid restrictions, outdoor activities are being encouraged but they are not being supported in a practical way. In that regard, we need accessible, staffed and well-maintained public toilet facilities.

Covid restrictions have undoubtedly brought the lack of local services and public provision into sharp focus. For those who depend on and use the wi-fi and computers that are provided on council premises, their closure has meant that access to essential services has been denied for too many.

It should also be remembered that local authorities provide employment and income for many people who then put money back into local economies. Council workers should be fairly paid.

I know from the experience of both working in local government and representing constituents for more than 20 years, that perpetuating inequality is not inevitable. Provision of well-staffed and well-resourced public services to meet local need is essential to address the inequalities in our society. We desperately need policies that reverse the growing inequality, a Scottish Government that values local delivery and decentralisation, and

funding decisions that give councils the investment that they desperately need.

16:44

Sandra White (Glasgow Kelvin) (SNP): I thank Annie Wells for bringing the debate to the chamber. Like Patrick Harvie, I believe that the motion on fair funding for local government is very important, and I wish that our debating time could be longer.

I agree with Willie Rennie’s points on subsidiarity and having more locality in local government. Having been a councillor many years ago, in an earlier life, I can say that it is a great job. As other members have mentioned, it brings you close to people, you get to know exactly what is wanted on the ground and often you are able to carry that out. The debate gives me the opportunity to thank all those who work in local government. They have done a fantastic job, particularly throughout the pandemic. I would like to show my appreciation by thanking them in the debate.

Annie Wells mentioned local government finance, but perhaps she and the Tories should be reminded that, through giving contracts to their cronies—those are not my words but those of the High Court—they have wasted billions of pounds. That is money from taxpayers throughout the UK, including Scotland. The court has said that the Tories have acted unlawfully, so I will take no lessons from them.

Another aspect that I think will have a massive impact on local government and our communities is that, as we are no longer in the European Union, we cannot access the share of European funding that formerly went to local authorities and which was very much appreciated. We now have funding from Westminster, which is called the UK shared prosperity fund. It has been said that that will be a UK project, so rather than subsidiarity and the funding going to local authorities, it will come from Westminster. Perhaps we should also be debating that issue.

Turning to the motion that we are debating, we all recognise that the past 11 months or so has been like no other time. Not only Scotland and the UK but the whole world has had to face the pandemic, whose impact on the Scottish economy has been palpable. I believe that the Scottish Government has responded across all areas, especially with the substantial funding package for councils that it has introduced. At the beginning of this month it announced its draft budget proposals which, if the budget passes, will provide increases across all Scottish council budgets. Local authorities across Scotland are set to receive £11.6 billion, with £259 million having been added

in one-off funding support for on-going Covid-19 pressures on local services. It has not been mentioned in the debate so far but, in addition, £90 million has been set aside to scrap rises in council tax and compensate local authorities that had planned to increase charges by up to 3 per cent—so allowing hard-pressed householders to keep more of their money to spend on other essentials.

It is important to note that, right now, under UK Government rules, Scotland cannot borrow money to respond to the pandemic, so we need the powers and fiscal flexibilities that are necessary to maintain and expand the tax base, raise devolved tax revenues and support the delivery of a green recovery. As the cabinet secretary has said previously, we are working with one hand tied behind our backs because of the lack of real control over our finances. If we were independent, we would have the same power to borrow as every other country across the globe and we could remain part of the European Union and, as I have mentioned, have access to the €750 billion recovery fund. However, because of Brexit, which we, in Scotland, did not vote for, we are now denied access to those vital funds.

The Scottish Government is—

The Presiding Officer: Ms White, I think that it is time to conclude.

Sandra White: I will do so, Presiding Officer.

I welcome the fact that the Scottish Government is working with COSLA and the local governance review.

The Presiding Officer: We move to closing speeches.

16:49

Iain Gray (East Lothian) (Lab): Fair funding for local government has been something that Scottish Labour has campaigned on throughout the entire term of the Parliament, so we welcome the debate today, short though it is, and the motion in Annie Wells's name. Even before the economic impact of coronavirus became apparent, local authorities had seen as much as £900 million in real terms cut from non-ring-fenced revenue budgets since 2013 alone.

However, it is in these unprecedented times that we live in now that we have all seen at first hand how local government has been by far best placed to respond to the Covid-19 pandemic on the ground, stepping in to ensure that our most vulnerable people have been fed and cared for, and I would like to associate myself with Sandra White's acknowledgment of the efforts of local government staff. Not only did they keep vital services going in these unprecedented

circumstances, they stepped up to the plate, as Annie Wells said, to build resilience in their communities and they delivered the business support packages that the Scottish ministers announced with great fanfare. The very least that they deserve in return is a fair funding package so that they can chart their communities' way out of this crisis in both the medium and long term with confidence that they will have the resources to do so.

Sarah Boyack was quite right when she said that councils have been drip fed micromanaged funding from the Scottish Government throughout the pandemic, so it is now vital that councils are fully funded for their loss of income during the crisis and that fair funding solutions are put in place in the longer term to ensure that they weather the continuing effects of the pandemic and can support their communities as levels of poverty and inequality continue to increase as a consequence of Covid.

Presiding Officer, as you know, I have been around long enough—long before blueprints for local government—to remember the then finance secretary's "historic concordat" with local government. There was much talk then of mutual respect, parity of esteem and an end to ring fencing; jokey comparisons were made at the time with Neville Chamberlain and his famous piece of paper. Alas, the concordat has proved just as worthless over the years. Councils have been singled out, year on year, for cuts far greater than any faced by the Government. Ring fencing has not so much crept back as roared back—COSLA complains that 60 per cent of councils' funding is now allocated before it even reaches them. That is not empowering councils; it is undermining them.

The cabinet secretary and some of her colleagues talked about the brass neck of the Tories in bringing the motion. Like Elaine Smith, I spent the 1980s and 1990s as an activist—in my case, in Lothian and Edinburgh—fighting against cuts as the then Tory Governments tried to eviscerate local government. This Parliament was meant to protect our local services from that but, for the past 14 years, it is the devolved SNP Government that has had councils on the rack. *[Interruption.]* I do not have time to take an intervention.

I gently say to SNP colleagues that, if they are aggrieved at a Tory motion telling them to treat local government fairly, they really should reflect on how it has come to that, 14 years on from the heady hubris of the historic concordat. Perhaps they need to reflect on the intervening years and perhaps they need to remind themselves and remind Patrick Harvie that that concordat con trick was part of an SNP and Tory partnership budget that went through the Parliament in the first place.

Councils have stepped up to the plate in the pandemic; it is time that Government showed them the respect that they deserve, as the motion and the Labour amendment do this evening.

16:54

The Minister for Trade, Innovation and Public Finance (Ivan McKee): I welcome the opportunity to contribute to this important debate, which highlights the crucial role that local government plays in supporting our communities as we continue to deal with the current crisis and, more importantly, with how we can recover as quickly and efficiently as possible. I take the opportunity to thank all those who work in local government in these very difficult and challenging times for their tremendous efforts and for the support that they have given to their communities and others as we have worked through the pandemic.

The delay to the UK budget means that we do not know the total budget that will be available to Scotland next year. We do not yet have confirmation of Barnett consequentials that will flow from changes in UK departmental expenditure or the updated economic and tax forecasts that are needed to finalise the block grant adjustments that impact our Scottish budget.

In coming to our decision to announce the Scottish budget on 28 January, we listened carefully to the representations that COSLA made on behalf of local government about the damaging impact that any further delay would have on the delivery of public services and the practical challenges that it would pose for setting budgets and collecting council tax. Despite those obstacles, the Scottish Government remains firmly focused on achieving the objectives that we share with our local government partners to build a fairer, stronger and greener economy, all of which are firmly anchored in the jointly agreed national performance framework.

The Scottish Government's commitment to pass on all health consequential funding from the UK Government has provided a degree of protection to our national health service. However, based on figures from SPICe that members will be familiar with, had local government's share of the Scottish budget in 2013-14 been maintained through to 2020-21, as some have called for, that would have resulted in a cumulative reduction in the health budget of £2.3 billion. Had the same percentage been maintained in 2021-22, health would have lost almost a further £1 billion, which is clearly not realistic, given the current pandemic.

Frankly, in doing the maths for its proposal, the Tory party has not understood how percentages work, which is a point that has been well made by many other members, including Patrick Harvie.

Over the period 2013-14 to 2021-22, health would have received a total of £3.3 billion less than it has been allocated. Of course, having a fixed percentage of the Scottish budget for local government could produce other anomalies. For example, on the basis of the proposal that has come from Annie Wells and the Tory party today, in 2014-15 and 2015-16 local government would have received around £500 million less than it did.

I want to focus on some of the tangible benefits that the Scottish Government has delivered for local government in Scotland. The 2020-21 pre-Covid local government finance settlement provided an increase in local government day-to-day spending of £589.4 million, or 5.8 per cent, compared with the previous year. For 2021-22, we have delivered a funding package for local government of £11.6 billion, providing an additional £335.6 million for vital day-to-day services, which is an increase of 3.1 per cent.

Including the additional £275 million that the Cabinet Secretary for Finance announced on 16 February and the £200 million for the lost income scheme, Scotland's councils will receive £931 million in direct Covid support during 2020-21 through the local government finance settlement, with a further £259 million confirmed for 2021-22. Taken together with the additional fiscal flexibilities that were announced on 8 October, the total value of the Covid-19 support package for councils is £1.8 billion over this year and next.

In addition to those extra resources for councils, we continue to provide them with funding certainty through our non-domestic rates policies, including the enhanced retail, hospitality and leisure relief that the Cabinet Secretary for Finance confirmed on 16 February. The budget delivers an unprecedented reduction in the poundage and almost £1.5 billion-worth of reliefs. Those decisions will continue to protect businesses during Covid-19 and, unlike in England, the Scottish Government guarantees all non-domestic rates income for councils, which the Tories should reflect on when they come here and talk about local government funding.

We should compare and contrast that to how local government in England has fared under the UK Government. Over the period 2013 to 2020, Scottish local authorities enjoyed a cash-terms revenue budget increase of 3.6 per cent while English local authorities faced a cash-terms revenue budget reduction of 14.7 per cent.

Alongside the additional funding and certainty that have been provided through our non-domestic rates policies, as my colleague Aileen Campbell said, we are committed to developing a rules-based framework for local government funding, rather than imposing a blunt inflexible measure such as a fixed-percentage settlement. We will

work in partnership with COSLA on that framework, which would be introduced in the next session of Parliament.

The Tories need to be honest about their plans, which would mean billions less for our NHS and arbitrary cuts to local budgets as and when the UK Government resorts to austerity. A fiscal framework for local government is a good idea, which is why we agreed to develop one last year, only for work on that to be delayed by the pandemic. However, any framework must be developed in partnership with local government and, crucially, must never put funding for the NHS at risk.

I assure all members that the Government has worked in partnership with local government, and will continue to do so, to ensure that the people of Scotland continue to receive the lifeline support and services that they expect and deserve as we move towards a healthier, greener and fairer society.

17:00

Alexander Stewart (Mid Scotland and Fife)
(Con): I am delighted to close for the Scottish Conservatives in this afternoon's debate on fair funding for councils.

As someone who spent nearly two decades in local government, I am acutely aware of the challenges that councils face, particularly when it comes to funding. Scotland's councils have been at the forefront of the response to the coronavirus pandemic, and many have continued to deliver their vital front-line services despite the restrictions that they have had to cope with and adapt to. I commend and congratulate all staff who have stepped up to the plate and taken on those roles. In addition, many staff have been redeployed and have taken on specific roles to ensure that individuals who are shielding or self-isolating have been supported.

However, that has all come at a cost. While demand for many services has increased, revenue streams have dried up: council tax collection rates have gone down; parking charges have been scrapped; anticipated rises in fees have had to be put on hold; and income from fees in planning and licensing has fallen sharply. As a result, councils across Scotland face a combined shortfall of £511 million as they go into 2021-22. One would think that the Scottish Government might take note of that, but even after the allocation of additional top-up funding, the local government budget is nearly £400 million less. As we have heard, the Scottish Government's budget has increased by more than 9 per cent, but the budget of Scottish councils has increased by only 0.9 per cent. *[Interruption.]* No—time is tight, and I want to continue.

There is simply no excuse for the SNP's chronic underfunding of local government, but it should come as no surprise to any of us, given the SNP's track record when it comes to dealing with local government funding. Last year, it failed to support councils as quickly as the UK Government did. Councils waited weeks to receive extra funding that was due to them. The SNP has severely underfunded councils for years. Between 2007 and 2020, the SNP Government's spending on local government fell from 35.9 per cent to 31.1 per cent of the budget.

At the same time as their funding has fallen, councils have taken on extra responsibilities and the number of ring-fenced budgets has increased. That means that councils' discretionary budgets have fallen even more dramatically. The SNP might talk about bringing government closer to the people, but the fact is that power is being hoarded here in this Parliament in Edinburgh. Discretionary funding covers activities such as road maintenance, garden waste collection and instrumental tuition for pupils and young people, which are vital services. The SNP has failed councils for so long, and it is about time that it gave them fair funding to ensure that such activities can take place.

Our proposal to the Scottish Parliament is a very simple one. *[Interruption.]* I will continue. The budget from the UK Government has increased while the grants to local councils have stayed the same or have gone down. We want local government to be entitled to a fixed proportion of the Scottish budget each year. The creation of a Barnett-type formula for local government would ensure that there would not be uncertainty from year to year. As well as allowing us to make councils much more effective and efficient, it would give them the opportunity to support others, and would give them the space and the resources to invest in the future. That is what we want to see—investment in the future.

My colleague Annie Wells talked about the crisis in local government. COSLA has highlighted its concerns about the financial shortfall. Councils are cash strapped.

In her contribution, Sarah Boyack acknowledged the good work that councils have done with one hand tied behind their back. We talk about fair funding and the fiscal framework, but the reality is that investment has gone down and people are having to deal with issues. We heard warm words from the cabinet secretary about how councils are tackling things, but what she said is not the case. Councils have had to deal with problems year on year.

Edward Mountain talked about the trust that councils need so that they can support roads, schools and social care.

In conclusion, the SNP has treated local government with complete contempt for the past 14 years. It has raided the budgets of local government to pay for its vanity projects, which have undermined local democracy. As a party of localism, we, the Scottish Conservatives, have a clear vision. Change is needed to ensure fair funding for our councils. Our proposals, enshrined in the Barnett formula, would ensure that change happens and that we give strong, clear and sensible opportunities for local government to develop.

I am very happy to commend the motion to the Parliament this afternoon, and I encourage members to support it.

Business Motion

17:06

The Presiding Officer (Ken Macintosh): The next item of business is consideration of business motion S5M-24215, in the name of Graeme Dey, on behalf of the Parliamentary Bureau, setting out a business programme.

Motion moved,

That the Parliament agrees—

(a) the following programme of business—

Tuesday 2 March 2021 (Hybrid)

2.00 pm Time for Reflection

followed by Parliamentary Bureau Motions

followed by Topical Questions

followed by Ministerial Statement: COVID-19

followed by Ministerial Statement: Scottish Parliamentary Elections 2021

followed by Stage 3 Proceedings: Defamation and Malicious Publication (Scotland) Bill

followed by Standards, Procedures and Public Appointments Committee Debate: Code of Conduct Rule changes – Treatment of Others

followed by Scottish Parliamentary Corporate Body Debate: Reimbursement of Members' Expenses Scheme

followed by Committee Announcements

followed by Business Motions

followed by Parliamentary Bureau Motions

6.05 pm Decision Time

followed by Members' Business

Wednesday 3 March 2021 (Hybrid)

2.00 pm Parliamentary Bureau Motions

2.00 pm Portfolio Questions:
Communities and Local Government;
Social Security and Older People

followed by Health and Sport Committee Debate:
What Should Primary Care Look Like for
the Next Generation?

followed by Scottish Labour Party Business

followed by Standards, Procedures and Public Appointments Committee Debate:
Standing Order Rule Changes – Inquiry
into the Resilience of the Scottish
Parliament's Practices and Procedures
in Relation to its Business

followed by Business Motions

followed by Parliamentary Bureau Motions

followed by Approval of SSIs (if required)

5.55 pm Decision Time

followed by Members' Business

Thursday 4 March 2021 (Hybrid)

12.30 pm Parliamentary Bureau Motions

12.30 pm First Minister's Questions

2.30 pm Parliamentary Bureau Motions

2.30 pm Scottish Parliamentary Corporate Body Questions

followed by Portfolio Questions Finance

followed by Stage 3 Proceedings: Pre-release Access to Official Statistics (Scotland) Bill

followed by Stage 3 Proceedings: Scottish Parliamentary Standards (Sexual Harassment and Complaints Process) Bill

followed by Scottish Government Debate: International Women's Day 2021: #ChooseToChallenge

5.40 pm Decision Time

Tuesday 9 March 2021 (Hybrid)

2.00 pm Time for Reflection

followed by Parliamentary Bureau Motions

followed by Topical Questions

followed by Ministerial Statement: COVID-19

followed by Environment, Climate Change and Land Reform Committee Debate: Climate Change Plan

followed by Stage 3 Proceedings: Budget (Scotland) (No. 5) Bill

followed by Committee Announcements

followed by Business Motions

followed by Parliamentary Bureau Motions

7.00 pm Decision Time

followed by Members' Business

Wednesday 10 March 2021 (Hybrid)

2.00 pm Parliamentary Bureau Motions

2.00 pm Portfolio Questions: Environment, Climate Change and Land Reform; Rural Economy and Tourism

followed by Stage 3 Proceedings: St Andrews University (Medical Degrees) Bill

followed by Stage 3 Proceedings: Hate Crime and Public Order (Scotland) Bill

followed by Legislative Consent Motion: Financial Services Bill

followed by Legislative Consent Motion: Counter-Terrorism and Sentencing Bill

6.00 pm Decision Time

followed by Members' Business

Thursday 11 March 2021 (Hybrid)

12.30 Parliamentary Bureau motions

12.30 pm First Minister's Questions

2.30 pm Parliamentary Bureau Motions

2.30 pm Portfolio Questions: Transport, Infrastructure and Connectivity

followed by Stage 3 Proceedings: Redress for Survivors (Historical Child Abuse in Care) (Scotland) Bill

followed by Scottish Biometrics Commissioner Appointment

followed by Business Motions

followed by Parliamentary Bureau Motions

followed by Approval of SSIs (if required)

5.10 pm Decision Time

(b) that, for the purposes of Portfolio Questions in the week beginning 1 March 2021, in rule 13.7.3, after the word "except" the words "to the extent to which the Presiding Officer considers that the questions are on the same or similar subject matter or" are inserted.—[*Graeme Dey*]

Motion agreed to.

Parliamentary Bureau Motions

17:06

The Presiding Officer (Ken Macintosh): The next item of business is consideration of Parliamentary Bureau motion S5M-24216, on approval of a Scottish statutory instrument.

Motion moved,

That the Parliament agrees that the Town and Country Planning (Short-term Let Control Areas) (Scotland) Regulations 2021 [draft] be approved.—[*Graeme Dey*]

The Presiding Officer: I believe that Andy Wightman wishes to speak against the motion.

Andy Wightman (Lothian) (Ind): The regulations provide planning authorities with powers to designate short-term let control areas in which changes of use of residential property to short-term lets will require planning consent without any test as to the materiality of the change of use.

The regulations are one of two sets of regulations, the other being on licensing, that were laid in draft in Parliament and considered by the Local Government and Communities Committee on 3 February. In that meeting, I urged the minister to withdraw both instruments in order to address concerns that had been expressed. I am glad that, after many delays in bringing the two instruments to Parliament, the licensing one was indeed withdrawn, but the planning one remains before us this evening.

I have been campaigning for tighter planning controls and effective licensing powers over short-term lets for over three years. It gives me no satisfaction to stand here tonight speaking against the regulations, but I do so because, despite indications from the minister during the passage of the bill that became the Planning (Scotland) Act 2019 that they would empower local government, the regulations as laid require the approval of ministers before short-term let zones can be designated.

I fundamentally disagree with that. It is wrong that Mr Stewart or any Scottish minister should have the power to veto a planning designation such as a short-term let control area. I will therefore not be able to support the regulations at decision time.

The Presiding Officer: I call the minister, Kevin Stewart, to respond.

The Minister for Local Government, Housing and Planning (Kevin Stewart): Short-term lets bring benefits to hosts, visitors and the Scottish economy. They are an important source of flexible and responsive accommodation for tourists and

workers. However, they have also caused issues and adverse impacts for local communities.

The regulations, which were agreed to by members of all parties in the Local Government and Communities Committee, provide local authorities with powers to introduce control areas, but they do not require local authorities to use those powers. Control areas will help local authorities to manage high concentrations of secondary letting where they affect the availability of residential housing or the character of a neighbourhood. They will help to restrict or prevent short-term lets in places or types of building where they are not considered appropriate and they will help local authorities to ensure that homes in their communities are used to best effect.

The Scottish ministers will consider and approve proposals for control areas to ensure that they are justified and that the planning authority has followed the correct procedures. That includes consulting and taking account of the views expressed by the community, including residents and operators of short-term lets. The approval process will not be onerous, and I consider that it is right that the Scottish ministers have a role in ensuring that control areas are used appropriately.

Members are aware that I have withdrawn the legislation for a short-term lets licensing scheme in order to address concerns raised by members and tourism stakeholders. A stakeholder working group has been established to help develop draft guidance for licensing and control areas. I am sure that that guidance will help to provide reassurance on the operation of the scheme for operators, hosts and communities.

I believe that our proposals take a robust but proportionate approach to the regulation of short-term lets. In the meantime, control areas have been supported by parties across the chamber, and I urge members to support the motion.

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

The next item of business is consideration of six parliamentary bureau motions.

Motions moved,

That the Parliament agrees that the Personal Protective Equipment (Temporary Arrangements) (Coronavirus) (Scotland) Regulations 2021 (SSI 2021/50) be approved.

That the Parliament agrees that the Property Factors (Code of Conduct) (Scotland) Order 2021 [draft] be approved.

That the Parliament agrees that the Single Use Carrier Bags Charge (Scotland) Amendment Regulations 2021 [draft] be approved.

That the Parliament agrees that the Local Authority (Capital Finance and Accounting) (Scotland) (Coronavirus) Amendment Regulations 2021 [draft] be approved.

That the Parliament agrees that the First-tier Tribunal for Scotland Social Security Chamber (Allocation of Functions) Amendment Regulations 2021 [draft] be approved.

That the Parliament agrees that the Companies Act 2006 (Scottish public sector companies to be audited by the Auditor General for Scotland) Order 2021 [draft] be approved.—[*Graeme Dey*]

Decision Time

17:12

The Presiding Officer (Ken Macintosh): The first question is, that amendment S5M-24205.1, in the name of Michael Russell, which seeks to amend motion S5M-24205, in the name of Liam Kerr, on prisoner voting, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division. I will suspend the meeting for a few moments to allow members in the chamber and outside it to access the voting app.

17:12

Meeting suspended.

17:15

On resuming—

The Presiding Officer: We are back in session. We will go straight to the vote on amendment S5M-24205.1, in the name of Michael Russell, which seeks to amend motion S5M-24205, in the name of Liam Kerr, on prisoner voting. Members may cast their votes now. This will be a one-minute division.

The vote is now closed. Please let me know if you had any difficulties in voting.

For

Adam, George (Paisley) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Ballantyne, Michelle (South Scotland) (Reform)
 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)
 Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perthshire South and Kinross-shire) (SNP)
 Denham, Ash (Edinburgh Eastern) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fabiani, Linda (East Kilbride) (SNP)
 Fee, Mary (West Scotland) (Lab)
 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)
 Leonard, Richard (Central Scotland) (Lab)
 Lochhead, Richard (Moray) (SNP)
 Lyle, Richard (Uddingston and Bellshill) (SNP)
 MacDonald, Angus (Falkirk East) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 Macdonald, Lewis (North East Scotland) (Lab)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 Marra, Jenny (North East Scotland) (Lab)
 Martin, Gillian (Aberdeenshire East) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 McAlpine, Joan (South Scotland) (SNP)
 McArthur, Liam (Orkney Islands) (LD)
 McKee, Ivan (Glasgow Provan) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNeill, Pauline (Glasgow) (Lab)
 Neil, Alex (Airdrie and Shotts) (SNP)
 Paterson, Gil (Clydebank and Milngavie) (SNP)
 Rennie, Willie (North East Fife) (LD)
 Robison, Shona (Dundee City East) (SNP)
 Ross, Gail (Caithness, Sutherland and Ross) (SNP)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Rumbles, Mike (North East Scotland) (LD)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Russell, Michael (Argyll and Bute) (SNP)
 Sarwar, Anas (Glasgow) (Lab)
 Smith, Elaine (Central Scotland) (Lab)
 Smyth, Colin (South Scotland) (Lab)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Stewart, David (Highlands and Islands) (Lab)
 Stewart, Kevin (Aberdeen Central) (SNP)
 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) (Ind)
 Wishart, Beatrice (Shetland Islands) (LD)
 Yousaf, Humza (Glasgow Pollok) (SNP)

Against

Balfour, Jeremy (Lothian) (Con)
 Bowman, Bill (North East Scotland) (Con)
 Briggs, Miles (Lothian) (Con)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Cameron, Donald (Highlands and Islands) (Con)
 Carlaw, Jackson (Eastwood) (Con)

Carson, Finlay (Galloway and West Dumfries) (Con)
 Chapman, Peter (North East Scotland) (Con)
 Corry, Maurice (West Scotland) (Con)
 Davidson, Ruth (Edinburgh Central) (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 on amendment S5M-24205.1, in the name of Michael Russell, which seeks to amend motion S5M-24205, in the name of Liam Kerr, on prisoner voting, is: For 90, Against 27, Abstentions 0.

Amendment agreed to.

The Presiding Officer: The next question is, that motion S5M-24205, in the name of Liam Kerr, on prisoner voting, as amended, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division. Members may cast their votes now. This will be a one-minute division.

The vote is now closed. Please let me know if you had any issues in exercising your vote.

For

Adam, George (Paisley) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Ballantyne, Michelle (South Scotland) (Reform)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 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)
 Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perthshire South and Kinross-shire) (SNP)
 Denham, Ash (Edinburgh Eastern) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fabiani, Linda (East Kilbride) (SNP)
 Fee, Mary (West Scotland) (Lab)
 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)
 Leonard, Richard (Central Scotland) (Lab)
 Lochhead, Richard (Moray) (SNP)
 Lyle, Richard (Uddingston and Bellshill) (SNP)
 MacDonald, Angus (Falkirk East) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 Macdonald, Lewis (North East Scotland) (Lab)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 Marra, Jenny (North East Scotland) (Lab)
 Martin, Gillian (Aberdeenshire East) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 McAlpine, Joan (South Scotland) (SNP)
 McArthur, Liam (Orkney Islands) (LD)
 McKee, Ivan (Glasgow Provan) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNeill, Pauline (Glasgow) (Lab)
 Neil, Alex (Airdrie and Shotts) (SNP)
 Paterson, Gil (Clydebank and Milngavie) (SNP)
 Rennie, Willie (North East Fife) (LD)
 Robison, Shona (Dundee City East) (SNP)
 Ross, Gail (Caithness, Sutherland and Ross) (SNP)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Rumbles, Mike (North East Scotland) (LD)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Russell, Michael (Argyll and Bute) (SNP)
 Sarwar, Anas (Glasgow) (Lab)
 Smith, Elaine (Central Scotland) (Lab)
 Smyth, Colin (South Scotland) (Lab)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Stewart, David (Highlands and Islands) (Lab)
 Stewart, Kevin (Aberdeen Central) (SNP)
 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) (Ind)
 Wishart, Beatrice (Shetland Islands) (LD)
 Yousaf, Humza (Glasgow Pollok) (SNP)

Against

Balfour, Jeremy (Lothian) (Con)
 Bowman, Bill (North East Scotland) (Con)
 Briggs, Miles (Lothian) (Con)

Burnett, Alexander (Aberdeenshire West) (Con)
 Cameron, Donald (Highlands and Islands) (Con)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Chapman, Peter (North East Scotland) (Con)
 Corry, Maurice (West Scotland) (Con)
 Davidson, Ruth (Edinburgh Central) (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 on motion S5M-24205, in the name of Liam Kerr, as amended, on prisoner voting, is: For 89, Against 27, Abstentions 0.

Motion, as amended, agreed to,

That the Parliament recognises that the extension of voting rights to some prisoners was introduced to comply with a ruling from the European Court of Human Rights that a blanket ban on prisoner voting breached the European Convention on Human Rights; notes that, under the Scottish Elections (Franchise and Representation) Act 2020, passed with a two thirds majority on 20 February 2020, the franchise was extended to those serving a custodial sentence of 12 months or less, and that similar actions have been taken in other parts of the UK and widely across the world, and believes that it is for the Scottish Parliament to take the action that it considers necessary to comply with human rights obligations.

The Presiding Officer: The next question is, that amendment S5M-24206.3, in the name of Aileen Campbell, which seeks to amend motion S5M-24206, in the name of Annie Wells, on fair funding for local government, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a one-minute division.

The vote is closed. If any member had issues with voting, they should let me know.

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)
 Ballantyne, Michelle (South Scotland) (Reform)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Campbell, Aileen (Clydesdale) (SNP)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)

Constance, Angela (Almond Valley) (SNP)
 Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perthshire South and Kinross-shire) (SNP)
 Denham, Ash (Edinburgh Eastern) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 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)
 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)
 Greer, Ross (West Scotland) (Green)
 Harper, Emma (South Scotland) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Johnstone, Alison (Lothian) (Green)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lochhead, Richard (Moray) (SNP)
 Lyle, Richard (Uddingston and Bellshill) (SNP)
 MacDonald, Angus (Falkirk East) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 Martin, Gillian (Aberdeenshire East) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 McAlpine, Joan (South Scotland) (SNP)
 McKee, Ivan (Glasgow Provan) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 Neil, Alex (Airdrie and Shotts) (SNP)
 Paterson, Gil (Clydebank and Milngavie) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Ross, Gail (Caithness, Sutherland and Ross) (SNP)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Russell, Michael (Argyll and Bute) (SNP)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Stewart, Kevin (Aberdeen Central) (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) (Ind)

Against

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Balfour, Jeremy (Lothian) (Con)
 Bibby, Neil (West Scotland) (Lab)
 Bowman, Bill (North East Scotland) (Con)
 Boyack, Sarah (Lothian) (Lab)
 Briggs, Miles (Lothian) (Con)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Cameron, Donald (Highlands and Islands) (Con)
 Carlaw, Jackson (Eastwood) (Con)

Carson, Finlay (Galloway and West Dumfries) (Con)
 Chapman, Peter (North East Scotland) (Con)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Corry, Maurice (West Scotland) (Con)
 Davidson, Ruth (Edinburgh Central) (Con)
 Fee, Mary (West Scotland) (Lab)
 Findlay, Neil (Lothian) (Lab)
 Golden, Maurice (West Scotland) (Con)
 Gray, Iain (East Lothian) (Lab)
 Greene, Jamie (West Scotland) (Con)
 Griffin, Mark (Central Scotland) (Lab)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Harris, Alison (Central Scotland) (Con)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Kelly, James (Glasgow) (Lab)
 Kerr, Liam (North East Scotland) (Con)
 Lamont, Johann (Glasgow) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lindhurst, Gordon (Lothian) (Con)
 Lockhart, Dean (Mid Scotland and Fife) (Con)
 Macdonald, Lewis (North East Scotland) (Lab)
 Marra, Jenny (North East Scotland) (Lab)
 Mason, Tom (North East Scotland) (Con)
 McArthur, Liam (Orkney Islands) (LD)
 McNeill, Pauline (Glasgow) (Lab)
 Mitchell, Margaret (Central Scotland) (Con)
 Mountain, Edward (Highlands and Islands) (Con)
 Rennie, Willie (North East Fife) (LD)
 Rumbles, Mike (North East Scotland) (LD)
 Sarwar, Anas (Glasgow) (Lab)
 Simpson, Graham (Central Scotland) (Con)
 Smith, Elaine (Central Scotland) (Lab)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Smyth, Colin (South Scotland) (Lab)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Stewart, David (Highlands and Islands) (Lab)
 Tomkins, Adam (Glasgow) (Con)
 Wells, Annie (Glasgow) (Con)
 Whittle, Brian (South Scotland) (Con)
 Wishart, Beatrice (Shetland Islands) (LD)

The Presiding Officer: The result of the division on amendment S5M-24206.3, in the name of Aileen Campbell, which seeks to amend motion S5M-24206, in the name of Annie Wells, on fair funding for local government, is: For 65, Against 51, Abstentions 0.

Amendment agreed to.

The Presiding Officer: The next question is, that amendment S5M-24206.2, in the name of Sarah Boyack, which seeks to amend motion S5M-24206, in the name of Annie Wells, on fair funding for local government, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

The vote is closed. Any member who was unable to vote should let me know.

For

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Balfour, Jeremy (Lothian) (Con)
 Ballantyne, Michelle (South Scotland) (Reform)

Bibby, Neil (West Scotland) (Lab)
 Bowman, Bill (North East Scotland) (Con)
 Boyack, Sarah (Lothian) (Lab)
 Briggs, Miles (Lothian) (Con)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Cameron, Donald (Highlands and Islands) (Con)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Chapman, Peter (North East Scotland) (Con)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Corry, Maurice (West Scotland) (Con)
 Davidson, Ruth (Edinburgh Central) (Con)
 Fee, Mary (West Scotland) (Lab)
 Findlay, Neil (Lothian) (Lab)
 Finnie, John (Highlands and Islands) (Green)
 Golden, Maurice (West Scotland) (Con)
 Gray, Iain (East Lothian) (Lab)
 Greene, Jamie (West Scotland) (Con)
 Greer, Ross (West Scotland) (Green)
 Griffin, Mark (Central Scotland) (Lab)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Harris, Alison (Central Scotland) (Con)
 Harvie, Patrick (Glasgow) (Green)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Johnstone, Alison (Lothian) (Green)
 Kelly, James (Glasgow) (Lab)
 Kerr, Liam (North East Scotland) (Con)
 Lamont, Johann (Glasgow) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lindhurst, Gordon (Lothian) (Con)
 Lockhart, Dean (Mid Scotland and Fife) (Con)
 Macdonald, Lewis (North East Scotland) (Lab)
 Marra, Jenny (North East Scotland) (Lab)
 Mason, Tom (North East Scotland) (Con)
 McArthur, Liam (Orkney Islands) (LD)
 McNeill, Pauline (Glasgow) (Lab)
 Mitchell, Margaret (Central Scotland) (Con)
 Mountain, Edward (Highlands and Islands) (Con)
 Rennie, Willie (North East Fife) (LD)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Rumbles, Mike (North East Scotland) (LD)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Sarwar, Anas (Glasgow) (Lab)
 Simpson, Graham (Central Scotland) (Con)
 Smith, Elaine (Central Scotland) (Lab)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Smyth, Colin (South Scotland) (Lab)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Stewart, David (Highlands and Islands) (Lab)
 Tomkins, Adam (Glasgow) (Con)
 Wells, Annie (Glasgow) (Con)
 Whittle, Brian (South Scotland) (Con)
 Wightman, Andy (Lothian) (Ind)
 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)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Campbell, Aileen (Clydesdale) (SNP)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Constance, Angela (Almond Valley) (SNP)
 Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perthshire South and Kinross-shire) (SNP)
 Denham, Ash (Edinburgh Eastern) (SNP)
 Dey, Graeme (Angus South) (SNP)

Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fabiani, Linda (East Kilbride) (SNP)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Freeman, Jeane (Carrick, Cumnock and Doon Valley) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Harper, Emma (South Scotland) (SNP)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lochhead, Richard (Moray) (SNP)
 Lyle, Richard (Uddingston and Bellshill) (SNP)
 MacDonald, Angus (Falkirk East) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 Martin, Gillian (Aberdeenshire East) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 McAlpine, Joan (South Scotland) (SNP)
 McKee, Ivan (Glasgow Provan) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 Neil, Alex (Airdrie and Shotts) (SNP)
 Paterson, Gil (Clydebank and Milngavie) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Ross, Gail (Caithness, Sutherland and Ross) (SNP)
 Russell, Michael (Argyll and Bute) (SNP)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 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)

The Presiding Officer: The result of the division on amendment S5M-24206.2, in the name of Sarah Boyack, which seeks to amend motion S5M-24206, in the name of Annie Wells, on fair funding for local government, is: For 59, Against 57, Abstentions 0.

Amendment agreed to.

The Presiding Officer: The next question is, that motion S5M-24206, in the name of Annie Wells, on fair funding for local government, as amended, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a one-minute division.

The vote is now closed. Please let me know if you were not able to vote.

For

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

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

Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Harper, Emma (South Scotland) (SNP)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Kerr, Liam (North East Scotland) (Con)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lindhurst, Gordon (Lothian) (Con)
 Lochhead, Richard (Moray) (SNP)
 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, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 Martin, Gillian (Aberdeenshire East) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 Mason, Tom (North East Scotland) (Con)
 Matheson, Michael (Falkirk West) (SNP)
 McAlpine, Joan (South Scotland) (SNP)
 McArthur, Liam (Orkney Islands) (LD)
 McKee, Ivan (Glasgow Provan) (SNP)
 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)
 Rennie, Willie (North East Fife) (LD)
 Robison, Shona (Dundee City East) (SNP)
 Ross, Gail (Caithness, Sutherland and Ross) (SNP)
 Rumbles, Mike (North East Scotland) (LD)
 Russell, Michael (Argyll and Bute) (SNP)
 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)
 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)
 Wishart, Beatrice (Shetland Islands) (LD)

The Presiding Officer: The result of the division on motion S5M-24206, in the name of Annie Wells, on fair funding for local government, as amended, is: For 28, Against 88, Abstentions 0.

Motion, as amended, disagreed to.

The Presiding Officer: The next question is, that motion S5M-24216, in the name of Graeme Dey, on approval of a Scottish statutory instrument be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a one-minute division.

The vote is now closed. Please let me know if you were not able to vote.

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)
 Balfour, Jeremy (Lothian) (Con)
 Ballantyne, Michelle (South Scotland) (Reform)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Bibby, Neil (West Scotland) (Lab)
 Bowman, Bill (North East Scotland) (Con)
 Boyack, Sarah (Lothian) (Lab)
 Briggs, Miles (Lothian) (Con)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Cameron, Donald (Highlands and Islands) (Con)
 Campbell, Aileen (Clydesdale) (SNP)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Chapman, Peter (North East Scotland) (Con)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Constance, Angela (Almond Valley) (SNP)
 Corry, Maurice (West Scotland) (Con)
 Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perthshire South and Kinross-shire) (SNP)
 Davidson, Ruth (Edinburgh Central) (Con)
 Denham, Ash (Edinburgh Eastern) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fee, Mary (West Scotland) (Lab)
 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)
 Golden, Maurice (West Scotland) (Con)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Gray, Iain (East Lothian) (Lab)
 Greene, Jamie (West Scotland) (Con)
 Greer, Ross (West Scotland) (Green)
 Griffin, Mark (Central Scotland) (Lab)
 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)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Johnstone, Alison (Lothian) (Green)
 Kelly, James (Glasgow) (Lab)
 Kerr, Liam (North East Scotland) (Con)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lamont, Johann (Glasgow) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 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)
 Macdonald, Lewis (North East Scotland) (Lab)

MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 Marra, Jenny (North East Scotland) (Lab)
 Martin, Gillian (Aberdeenshire East) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 Mason, Tom (North East Scotland) (Con)
 Matheson, Michael (Falkirk West) (SNP)
 McAlpine, Joan (South Scotland) (SNP)
 McKee, Ivan (Glasgow Provan) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNeill, Pauline (Glasgow) (Lab)
 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)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Russell, Michael (Argyll and Bute) (SNP)
 Sarwar, Anas (Glasgow) (Lab)
 Simpson, Graham (Central Scotland) (Con)
 Smith, Elaine (Central Scotland) (Lab)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Smyth, Colin (South Scotland) (Lab)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Stewart, David (Highlands and Islands) (Lab)
 Stewart, Kevin (Aberdeen Central) (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)

Against

Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Fabiani, Linda (East Kilbride) (SNP)
 Lindhurst, Gordon (Lothian) (Con)
 McArthur, Liam (Orkney Islands) (LD)
 Rennie, Willie (North East Fife) (LD)
 Rumbles, Mike (North East Scotland) (LD)
 Wightman, Andy (Lothian) (Ind)
 Wishart, Beatrice (Shetland Islands) (LD)

The Presiding Officer: The result of the vote on motion S5M-24216, in the name of Graeme Dey, on approval of an SSI is: For 107, Against 8, Abstentions 0.

Motion agreed to,

That the Parliament agrees that the Town and Country Planning (Short-term Let Control Areas) (Scotland) Regulations 2021 [draft] be approved.

The Presiding Officer: The next question is, that motions S5M-24217, S5M-24218, S5M-24219, S5M-24220, S5M-24221, and S5M-24222, in the name of Graeme Dey, on behalf of the Parliamentary Bureau, be agreed to.

Motions agreed to,

That the Parliament agrees that the Personal Protective Equipment (Temporary Arrangements) (Coronavirus) (Scotland) Regulations 2021 (SSI 2021/50) be approved.

That the Parliament agrees that the Property Factors (Code of Conduct) (Scotland) Order 2021[draft] be approved.

That the Parliament agrees that the Single Use Carrier Bags Charge (Scotland) Amendment Regulations 2021 [draft] be approved.

That the Parliament agrees that the Local Authority (Capital Finance and Accounting) (Scotland) (Coronavirus) Amendment Regulations 2021 [draft] be approved.

That the Parliament agrees that the First-tier Tribunal for Scotland Social Security Chamber (Allocation of Functions) Amendment Regulations 2021 [draft] be approved.

That the Parliament agrees that the Companies Act 2006 (Scottish public sector companies to be audited by the Auditor General for Scotland) Order 2021 [draft] be approved.

The Presiding Officer: That concludes decision time. I urge members to observe social distancing, wear your masks and follow the one-way systems when leaving the chamber.

Citizens Advice Scotland

The Deputy Presiding Officer (Lewis Macdonald): The final item of business is a members' business debate on motion S5M-23628, in the name of Christine Grahame, which is entitled "Citizens Advice Scotland helps more people".

The debate will be concluded without any questions being put. I ask those members who wish to speak in the debate to press their request-to-speak buttons.

Motion debated,

That the Parliament recognises the vital work that Citizens Advice Scotland does for those in Midlothian South, Tweeddale and Lauderdale and across Scotland; notes the publication of new statistics that show that, in 2019-20, the Citizens Advice Service network helped over 188,000 clients resident in Scotland, dealt with almost 675,000 advice issues, including assisting clients to complete over 53,000 benefit forms, and recording over 4,700 tribunal and court outcomes, with 90% of the cases won or upheld; understands that during this period it helped clients gain over £170 million, representing £16 in client gains for every £1 funded to cover the core advice service, and thanks all volunteers and staff at Citizens Advice Scotland for their ongoing hard work to support people on a range of issues, particularly during the COVID-19 pandemic.

17:30

Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (SNP): I thank everyone who signed my motion to allow this important and timeous debate to take place.

The work of citizens advice bureaux is close to my heart. My first encounter with them was many moons ago, as a solicitor, when I volunteered for evening surgeries at my local CAB. I soon found out that the wealth of expertise there sometimes put the lawyer in me to shame. I also found out that folk usually turned up at the last minute, when court orders had been served or debt collectors were at the door. There will not be an MSP who does not value the work of the bureaux.

The text of the motion indicates the vast impact of many CABs throughout Scotland. I will tease out some figures: in 2019-20, they dealt with 188,000 clients and secured £170 million overall, which represents a £16 client gain for every £1 of cost to fund the service. The service has arguably been even more vital in the Covid pandemic, with its impact on every aspect of our lives, and CABs are committed to delivering their services despite all the restrictions.

The motion describes the Scotland-wide picture, but let me focus on three CABs in Midlothian, South Tweeddale and Lauderdale—my constituency—to emphasise their impact on my

constituents. I will start with Penicuik CAB and then turn to Central Borders CAB, in Galashiels, and finally to Peebles CAB. There are others, but those are the three that I will highlight.

In Penicuik, as elsewhere, advisers have been equipped for home working with secure access to their advice and case-recording systems, allowing them to provide the same high-quality confidential and impartial advice as normal during these challenging times. Penicuik CAB was established more than 80 years ago, during a period of crisis, and, during the Covid crisis, it has dealt with 5,500 clients, helped with 9,000 questions and secured almost £2 million for clients. It dealt with 960 forms, 89 benefit appeals, 4,000 benefit issues and 250 housing problems, and that is only a glimpse of what it does.

In Central Borders CAB, in Galashiels, there is a similar tally: it helped 1,830 clients and dealt with nearly 7,000 issues. The top five inquiry categories were social security—a category of complexity because of the labyrinth of the benefits system—with nearly 3,000 issues; debt, with 1,004 issues; employment, with 395 issues; and housing, with 322 issues. There were also 239 referrals to a food bank. In total, clients received a reported financial gain of £1.5 million as a result of advice that was given by the bureau, 75 per cent of which was connected to social security entitlements that were due to those clients but that they could not work out how to access. The bureau also gives specialist advice and information on Pension Wise, the patient advice and support service, kinship care, the Citizens Advice consumer service, which is for postal and utility issues, the Armed Services Advice Project, the European Union settlement scheme, help to claim universal credit, and the money talk team. It adapted quickly to working during lockdown.

The story of health continues with Peebles CAB. From 1 April 2019 to 31 March 2020, it saw 888 clients, had 2,144 client contacts and saw more than £350,000 in client gains. The pattern has been repeated in the following financial year. Those stats are important, but every statistic is a real person in need.

To bring that home and put a face to the facts, I will give an example. A client was referred when she was pregnant with her fifth child, while her partner was in prison. She had £4,000 in rent arrears and owed £3,000 for utilities. Her problems were caused when she was transferred to universal credit, as she did not know that she should pay the rent directly. She was also subject to the benefit cap. To add more pain, she had thyroid problems and suffered from anxiety and depression—it is little wonder. She was, understandably, completely overwhelmed. Who would not be in those circumstances?

What did the citizens advice bureau do? It did a benefit check and organised discretionary housing payment to top up her rent, and it arranged for the rent to be paid directly to the landlord. It helped her to apply for disability living allowance for her disabled child and other benefits for her children. A money adviser negotiated the manageable repayment of her rent arrears and utility debts, and the citizens advice bureau organised small grants to help her to buy phone top-ups that allowed her to access her universal credit account and keep in touch. Finally, it made food bank referrals and obtained a small grant for food, following a financial crisis.

However, it did more than that. Once everything was stabilised, the client felt able to look for work. The CAB did calculations using the better-off calculator, and it went through her financial options. The client was thrilled when she was able to obtain work. The CAB accessed grant money to help her to purchase shoes, a uniform and a bus pass for her new job. That is one woman and five children—and a better and stable future for them all.

Those stories are replicated throughout the citizens advice bureaux. We, as a society, and perhaps even more so as politicians, on behalf of our constituents, owe a huge debt of gratitude to our citizens advice bureaux, those who are employed there and the many dedicated volunteers who do so much for so many folk who are on the edge and are, to be quite frank, desperate.

17:37

Rona Mackay (Strathkelvin and Bearsden) (SNP): I thank Christine Grahame for bringing the debate to the chamber. I cannot speak highly enough of the citizens advice bureaux, and I welcome every opportunity to speak about the great work that they do.

The experience that we have all had in the past year, with this unprecedented pandemic, brings into sharp focus the crucial service that Citizens Advice Scotland provides. The statistics in Christine Grahame's motion are phenomenal and really say it all about the bureaux and their service throughout Scotland.

Before being elected, I was on the board of East Dunbartonshire Citizens Advice Bureau, and I saw how its amazing army of volunteers worked hand in hand with staff. They were often juggling tight budgets, and they all had one aim: to help people. The citizens advice network in Scotland is the largest independent advice service in the country. It is made up of 59 individual citizens advice bureaux, each of which is an independent charity in its own right. The bureaux offer free,

independent, impartial and confidential advice to clients on matters ranging from debts and benefits to employment rights and fuel poverty.

Scotland's first citizens advice bureau opened in Glasgow in 1939, during the second world war. At that time, inquiries related to wartime issues such as tracing relatives whose homes had been bombed and lost ration books. The bureaux are now dealing with inquiries relating to another global crisis: Covid-19. They have adapted quickly, and they remain able to be contacted for advice by phone and email. The bureaux have also provided face-to-face advice for vulnerable clients when essential.

Between April and November last year, the bureaux issued more than 643,000 pieces of advice on the virus. They also published regular data reports, tracking changes on the type of advice that people have been seeking during the pandemic. That information helps them to provide the best service for clients, and it also allows them to act as an early warning system for Government with regard to the policies that we make and their impact on the ground.

The CAB in my constituency of Strathkelvin and Bearsden is based in Kirkintilloch. It is very close to my office, for which it has been a valuable source of help and advice over the years. It has been exceptionally busy. In 2019-20, it dealt with 8,832 benefits claims, 886 housing inquiries and many other issues. In fact, it handled 17,393 cases that year.

My office regularly holds joint surgeries with CABs. Last year, they helped EU citizens to apply for settled status at special surgeries that we held for that. Indeed, Citizens Advice Scotland's specialist service is the EU citizens support service, which is funded by the Scottish Government and the Home Office. Free and impartial, it is designed to help EU citizens and their families as they apply to continue living in the UK after 30 June this year. The service has helped more than 11,000 people since it was launched.

As the motion says, investment in the citizens advice network is an investment in our communities. Every pound of funding that is invested in core advice unlocks £16 for citizens. That money can be life changing for individuals. The citizens advice network has a footprint in every community across Scotland, driven by the more than 2,300 volunteers who contributed almost 750,000 hours of their time in 2019-20. That is quite awesome.

In November, Citizens Advice Scotland launched the money map tool, which brings together all the options for how people can improve their incomes and cut their living costs. It covers housing, benefits and energy bills, and it

directs people to websites where they can access the various options. It also launched the big energy saving month campaign, giving people the power to save time, money and energy through everyday actions. The campaign offered a free and independent energy price comparison tool, as well as highlighting the many ways to improve energy efficiency, access lower tariffs and so on.

Citizens Advice Scotland is, indeed, our national treasure, and I thank it and the hundreds of volunteers for everything that they do to offer help and reassurance to so many people.

17:41

Jeremy Balfour (Lothian) (Con): I, too, thank Christine Grahame for bringing the debate to the Scottish Parliament, with the opportunity that it brings us to acknowledge the important work of the 59 citizens advice bureaux that are located across Scotland, which are independent and impartial, and offer confidential advice to clients.

In 2019-20, citizens advice bureaux in Lothian supported more than 21,000 clients, helping them to gain £14 million and providing advice to some of the most deprived people in our communities on issues including benefits, debt, immigration, employment and housing. The motion rightly thanks staff and volunteers for their on-going work to support clients.

Prior to the pandemic, I met Karen Nailen, manager of the Livingston CAB, who had contacted me regarding Scottish Legal Aid Board grant funding. I was very impressed with Karen's and her team's depth of knowledge and their passion to achieve the best possible outcome for their clients. Trained volunteers are at the heart of CABx, and they are invaluable in delivering the service and helping people to find a way forward with the problems that they face.

When I was a member of tribunals that heard appeals on DLA and personal independence payments, CABx often represented clients. They did so professionally, and they ensured that the client felt safe and secure and gave the best evidence possible.

During this crisis I have been reminded how essential the voluntary sector and volunteers are to our society. It has been an astonishing effort. I commend CABx across Scotland for the speed at which they adapted to the Covid-19 pandemic and the resulting lockdowns, ensuring that they remained contactable for advice by phone and email and providing face-to-face advice for vulnerable clients in essential circumstances.

The universal credit system has had to cope with a huge uplift in applications since the start of the crisis, with an increase from an average of

20,000 claims per month in 2019 to more than 110,000 between 1 March and 7 April 2020, which highlights the impact that the pandemic is having on people's finances. The citizens advice service has been pivotal in raising awareness, via Scotland's citizens advice helpline, of the financial support that is available to people. That support will continue to be important once the lockdown ends, when a number of people will not be returning to the jobs that they held at the beginning of the crisis.

Citizens Advice Scotland rightly points out that, through the services that it offers and the people whom it reaches, it can see changes in circumstances and how they will affect policies, and it has the ability to provide an early warning system to Government. That is hugely important and, as we begin to assess the long-term effect of the pandemic, it is vital that Governments and politicians understand the contribution that Citizens Advice Scotland can make, both now and in the future.

It is important to make sure that there is adequate funding of citizens advice bureaux to ensure their long-term sustainability. Many CABx provide a range of services on behalf of local authorities. However, the sad reality is that the Scottish National Party Government does not give councils the fair funding deals that they deserve. Since 2013-14, the amount of money that the SNP Government gives to local authorities has fallen by £276 million in real terms, yet, in the same period, the SNP Government's budget from the United Kingdom Government has increased by more than £1 billion, or 3.1 per cent in real terms. If councils do not have the resources available to fund the important services that many CABx deliver on their behalf, there is a danger that the bureaux will have to close down or reduce in number.

I will conclude by thanking Citizens Advice Scotland and the citizens advice bureaux for the advice and support that they have provided to consumers during the pandemic, for the free access to quality information and advice that they have offered since 1939 and for adapting and broadening their services and advice to reflect the changing nature of issues that affect consumers. Long may that continue, and I thank them for all their hard work.

17:46

James Kelly (Glasgow) (Lab): I thank Christine Grahame for bringing this important debate to Parliament. As members' contributions have shown, the debate has allowed members to pay tribute to their local citizens advice bureaux and volunteers and to highlight the tremendous work that is done across the 59 offices throughout Scotland. The Citizens Advice Scotland briefing

that has been provided highlights that the organisation has helped people to the tune of £170 million, which shows the remarkable job that is being carried out in all those locations.

The pandemic that we are currently dealing with has been challenging for individuals and communities. Far too often, people have found themselves in vulnerable and difficult positions, and, as a result, we have needed a robust and supportive citizens advice network as never before.

I pay tribute to the work of one of the local offices in the Glasgow region that I represent—Rutherglen and Cambuslang citizens advice bureau, which is under the effective stewardship of the manager, Sharon Hampson. From 1 April last year to 20 February this year, it has dealt with an astonishing 2,912 individuals, which amounts to 9,296 cases. Incredibly, the office was able to help people to the tune of £1.163 million, which is fantastic across such a small area.

Unsurprisingly, over the past year, the main issues that the Rutherglen and Cambuslang office dealt with were benefits, employment and debt. As other members have highlighted, during Covid there have been benefit challenges as people's circumstances have changed. When that happens, individuals worry about how they will deal with matters, and they need somebody to turn to. The local citizens advice offices are excellent at providing practical support to people who are dealing with difficult circumstances.

There have been a lot of employment issues, which we MSPs also deal with. The citizens advice bureaux have been very good not only at providing advice but at pointing people in the correct direction to get support if their employment circumstances have changed or if their employers are not operating appropriately under the Covid guidelines.

All those citizens advice bureaux—including Rutherglen and Cambuslang citizens advice bureau—could not operate without the volunteer network. It has been very difficult for them over the past year, but they have continued to make themselves available, either over the phone or online, when the offices have not been able to open. The numbers that they have been able to service, as I have quoted, show what a fantastic job they have done.

The debate is highlighting that a lot of people are struggling with serious issues in Scotland—for example, employment, debt and benefit issues—and the role that Citizens Advice Scotland has played in stepping in to support and help individuals has been very welcome. It is excellent that we have had the debate, in order to pay

tribute to that work and to highlight the fact that, I am sure, it will continue very robustly in the future.

17:50

Maurice Corry (West Scotland) (Con): I join other members in thanking Christine Grahame for bringing us a most important debate. The work of Citizens Advice Scotland to provide free, independent and confidential advice is certainly worthy of our utmost appreciation. I strongly support the citizens advice bureaux. I know that they do a lot of work for our veterans in Scotland—I have seen that work in the Armed Services Advice Project and other programmes.

As a councillor, I saw the need for councils to robustly fund citizens advice bureaux—we should remember that it is for elected members of councils to decide a budget line for that work every year. If they do not get the money right, citizens advice bureaux will not stay open.

For example, Argyll and Bute Council, where I was a councillor until 2016, had the choice of opening a CAB in Helensburgh, Oban or Campbeltown. I could only get enough money to fund one in Helensburgh, where there was the base as well as other obvious issues; it is also close to Dumbarton. It was scandalous that we could not open bureaux in areas of need and deprivation such as Campbeltown and Oban.

My worry is about the underpinning of citizens advice bureaux. That needs to be fundamentally reviewed, because the funding cannot be left to the whim of a council vote. I am all for their being funded by councils, but a more robust system is needed. I have given the example of two areas that are crying out for that help.

During 2019-20 alone, the citizens advice network assisted one in every 24 adults in Scotland. That points to the network's incredible reach in helping our communities. It relies on its volunteers; each is open minded, happy to listen and able to offer impartial advice without pre-conceived ideas or judgment. That approachability is key to how it operates. I join my colleagues in commending the volunteers' continued vital contribution.

Through that provision of support and the listening ear of its staff, Citizens Advice Scotland is well placed to influence improvement in policies. It gathers together troubling experiences or complaints, which gradually inform its recommendations for wider policy changes on citizens' behalf.

Citizens Advice Scotland is sorely needed. Its support, which is rooted in expert knowledge and experience, has positively impacted the lives of those whom it helps, in many cases helping to

ward off unemployment, homelessness or bankruptcy, for example.

Of course, the Covid-19 pandemic has affected nearly every corner of our lives, and, for many people in Scotland, it has created even more problems. Citizens advice bureaux have responded amazingly, given the challenges that they face. They have sought to stay just as connected to and available for those who are in need of advice and support, whether through their websites or over the phone. For those who are more vulnerable and in need of essential assistance, CABx have often chosen to maintain face-to-face advice. Since April 2020, the service has helped more than 22,000 people through Scotland's citizens advice helpline alone. The helpline was launched in response to a rising number of concerns about, in particular, benefits, debt, housing and employment.

My own region of West Scotland is fortunate to have a number of citizens advice bureaux. I know that the staff and volunteers at the West Dunbartonshire and Helensburgh bureaux have continued to make themselves available to local residents throughout the pandemic and at all hours, working to ensure that clients understand their options and helping to minimise and mitigate the issues that they face. Those teams—like those across the network—have collated specific advice relating to the wide-ranging impact of Covid-19 that covers employment rights and benefit entitlements as well as crisis guidance and support.

The place that Citizens Advice Scotland occupies in our communities is wholly needed and the service is very welcome. It is a lifeline for many people who are living through difficult and challenging times. The service is built on the commitment of its staff and volunteers, and it deserves ample credit for its advice, in-depth support and representation.

I suggest to members that we need to look at the funding of the organisation and its operation, because we must bolster the service in local council areas. I would be enormously grateful for anything that the cabinet secretary could do in that regard.

17:55

Beatrice Wishart (Shetland Islands) (LD): I am pleased to take part in the debate, and I thank Christine Grahame for securing it. The valuable work of Citizens Advice Scotland, not just in her area but across Scotland, is well covered in the motion. Helping to unlock more than £170 million for clients is a remarkable achievement.

Members have spoken about the great work of the Scottish citizens advice bureau network as a

whole. It is a service that we cannot do without. I have said in the past that, if the CAB network did not exist, we would have to invent it. Every day, citizens advice bureaux help people to avoid debt, poverty and homelessness. They help clients to complete benefit forms and assist with tribunal and court hearings. They offer free, impartial, independent and confidential advice.

The work of CABx has continued during the pandemic, as bureaux could be contacted by phone and email. A staggering 643,000 pieces of advice were issued between April and November 2020.

I am sure that all members are proud to support the bureaux in their areas. I want to reflect on the work of the citizens advice bureau in Shetland, which is run by Karen Eunson and her team of paid staff and volunteers. During the past year, Shetland Islands CAB has delivered advice to nearly 1,400 individuals on more than 5,000 issues. Financial support has been the main focus, with 63 per cent of advice relating to benefits. Advisers have carried out 523 benefit checks to ensure that people maximise their incomes.

Karen Eunson notes that demand for advice on unemployment has grown and that requests for advice on how to tackle high energy costs represent about 8 per cent of inquiries. There has been noticeable growth in demand for advice on fuel debt, and in referrals for emergency fuel vouchers. That is in line with a trend that I have seen in my casework, in which I have encountered serious issues to do with poor customer service from energy suppliers, including misinformation about tariffs, switching and changing meters. All of that is linked to the appalling levels of fuel poverty in island areas, which are evidenced by the figures that the Scottish Government released yesterday.

Shetland's bureau has helped clients to achieve financial gains of more than £1.25 million, which will have been a much-needed boost to household incomes during the pandemic. It is important to recognise the boost that that gives to local economies, too, because the money will be spent on essentials in local shops and businesses.

I am pleased to report that, despite the shift to remote delivery, clients of the Shetland bureau report high satisfaction rates, with 94 per cent of respondents happy with their access to advice.

Specialist energy advice is just one of the services that Shetland's CAB offers. Innovative use has been made of new technology to deliver remote energy and money advice clinics. The bureau is part of a pilot project, led by the national health service, to use Near Me video-calling software to deliver advice. It is particularly concerned to reach isolated older people and those without digital access. It is working with

partnership agencies and community groups to meet the needs of the most vulnerable people in the community.

It is important to recognise the citizens advice network's vital immigration advice, especially through the free and impartial EU citizens support service, which offers help to EU citizens and their families as they apply to continue living in the UK after 30 June 2021. Since it was launched, the service, which is funded by the Scottish Government and the Home Office, has helped 11,000 people.

I concur with the sentiments that are expressed in the motion, and I thank all staff and volunteers across the network for everything that they do for our citizens.

17:59

Elaine Smith (Central Scotland) (Lab): Like others, I congratulate Christine Grahame on securing the debate, and I join her in thanking all the CAB staff and volunteers, who are under enormous pressure during this on-going pandemic as the economic situation worsens.

During this difficult time, it is impressive that they have managed to launch the Scotland's citizens advice helpline. In addition to the normal services that they provide, and along with the new money map tool to help households to budget more effectively, it is assisting thousands of people.

The independent nature of each citizens advice bureau and the fact that they are managed locally and help in each community mean that they can tailor their services to meet the needs of local people in a unique way. Providing support and advocacy in the community is a powerful instrument in fighting for social justice. I know well the excellent service that is offered in my local bureau in Coatbridge, which is run by Marian Tobin and her team. Like those in other bureaux across Scotland, they provide invaluable help to constituents. The chair of the Coatbridge bureau is my friend and former MP Sir Tom Clarke. I was pleased to see the bureau, along with the local community, recently celebrate Tom's well-earned knighthood. During my 17 years as a constituency MSP, I worked very closely with the local CAS staff—who were in the same building as my office—and, in particular, with CAS's housing specialist, Jim Melvin, who undoubtedly prevented many of my constituents from losing their homes.

Knowing how vital those services are, like many, I was concerned by the news last year of proposals to cut funding to bureaux and other advice services, which would affect those who desperately need help. That is the last thing that anyone would expect during these difficult times.

After all, as Christine Grahame said, every £1 of funding for core advice services secures £16 of gains for clients. I understand that that threat still hangs over those services, and it really must be lifted.

The reports and statistics that are provided by Citizens Advice Scotland are invaluable for policy makers. Its work during the pandemic has allowed us to map what is happening to the economy, as well as the growing concerns and worries of citizens. It is therefore imperative that the Scottish Government guarantees adequate funding for advice services.

As others have said, across central Scotland in 2019-20, benefits were the single biggest area in which advice was sought from bureaux. Research has shown that £460 million lies in unclaimed benefits in Scotland each year. It is a scandal that so much of the money that is supposed to lift our most vulnerable out of poverty sits unclaimed. Unlocking that money is one of the key benefits of the services that are provided by CABs. Entitled to estimates that, across the UK, more than £15 billion is unclaimed by low-income households. That figure is staggering and means that millions of the most vulnerable are not getting the help that they are entitled to.

Both the UK and Scottish Governments need to increase their efforts to make sure that everyone understands what their legitimate entitlements are and to make it easier for them to claim that amount. I hope that, as Social Security Scotland evolves, it will take some of that burden from the citizens advice network. It should create a more transparent and accessible system for claimants as well as fulfilling its aim of putting dignity, fairness and respect at the heart of everything that it does.

Citizens Advice Scotland warns us that levels of personal debt are soaring and becoming unmanageable for many, and we need to pay attention to that warning. If the £20 universal credit uplift ends, it will fall below its 2013 value in real terms. That is very worrying when around 480,000 people in Scotland are claiming universal credit, many of them with families. Given that UK Government statistics show that around 446 people were still making new claims for universal credit every hour in the first week of 2021, I fully support the Joseph Rowntree Foundation and its #keepthelifeline campaign, which calls for a commitment to keep that uplift for at least a year. If the UK Government fails to do that, I hope that the Scottish Government will be able to use its devolved powers to somehow make up the difference.

The pandemic has shown how financial security can quickly vanish, and many have had to claim benefits for the first time. Citizens advice bureaux

have continued to be a lifeline for many who are navigating these difficult times. I whole-heartedly thank them for everything that they do and, once again, I thank Christine Grahame for securing the debate.

18:04

The Cabinet Secretary for Communities and Local Government (Aileen Campbell): I thank Christine Grahame for giving us the opportunity to acknowledge and reflect on the work of the citizens advice bureaux service and Citizens Advice Scotland. We have heard members give well-deserved praise for their local bureaux, and I add my voice to that chorus of appreciation. The support that the bureaux service provides to our communities is enormous, as has been particularly evident during the coronavirus pandemic.

I pay tribute to my colleagues Rona Mackay and Christine Grahame, who, in their contributions, disclosed the fact that they have volunteered for or served on the board of Citizens Advice Scotland. I can therefore imagine just how pertinent and important the debate has been to both of those members personally. I thank all members who have taken part in the debate and who have described so vividly just how important the bureaux and Citizens Advice Scotland have been to them in their time as members of the Parliament.

In 2020, overall sponsorship of Citizens Advice Scotland and the bureaux service within the Scottish Government was transferred to my portfolio responsibility. My officials and I have worked hard to establish a strong relationship with the service, which is based on collaboration and a shared passion for the greater good of our communities and citizens. I welcomed the opportunity to meet Citizens Advice Scotland's chief executive officer and the chair of its board in October 2020, when we set the foundations for that relationship. I know that whoever is in my role in the Government in the future will continue to build on that work.

As Rona Mackay mentioned, the citizens advice bureaux service was established at the outbreak of the second world war in 1939, so it has been part of our communities for as long as most of us can remember. Since the 1970s, the bureaux in Christine Grahame's constituency have worked tirelessly to serve their local communities. In my constituency, Clydesdale citizens advice bureau is a comparative youngster, dating from 1990. However, it has provided the same advice and support and a listening ear for more than 30 years. All bureaux are supported at a national level by Citizens Advice Scotland.

As other members have rightly recognised, during the pandemic, the citizens advice service has worked even harder to help people. That has only been possible thanks to the remarkable commitment of the army of volunteers who have continued to give their time and energy to their local communities throughout this incredibly difficult and challenging time. It is that embodiment of selflessness, care and community spirit that represents all that is best about our communities across the country. I take this opportunity to give my heartfelt thanks to each and every one of them. The voluntary effort that is found across Scotland has been essential to the country's response to Covid. Moving from the second world war to now, although times have changed and the challenges might differ, the care and compassion that have been so pivotal in the work of the citizens advice service have remained constant.

As a Government, we have supported those at the sharp end during the pandemic by quickly responding to the changing situation. For example, we made almost £800,000 available to the citizens advice service from the wellbeing and immediate priorities funds. That included support for the establishment of a national helpline in April 2020, connecting people with their local bureau when they sought help, and the purchase of protective equipment and adaptations to premises so that local bureau offices could operate safely. In August 2020, we also allocated an additional £600,000 from the debt advice levy to help bureaux to deal with the increased demand for debt advice across the country. Including grants agreed before the pandemic, our total investment in the citizens advice service network in 2020-21 is almost £8 million.

Crucially, as part of that, more than £1.4 million has been used to support people who are still struggling with the impact of welfare reforms. In a difficult year in which to do so, bureaux have built and maintained partnerships with more than 550 organisations across the public and voluntary sectors, to ensure that clients do not fall through the gaps. For example, the Penicuik bureau, which is in Christine Grahame's constituency, works with local children and families teams to deliver income maximisation advice and support to social work clients with children who are on the at-risk register or under home supervision. Another example close to her constituency is the Roxburgh and Berwickshire bureau, which works with Berwickshire Housing Association to promote digital inclusion and provide digital buddies to local people who need a helping hand to access benefits online.

We have also continued to fund the citizens advice network's money talk team service, which aims to ensure that people are receiving all the benefits to which they are entitled and are not

paying more than they need to for basic goods and services. We have backed that service with £1.5 million this year. In the first two years of its delivery, up to October 2020, it has supported almost 27,000 clients across Scotland. Of those, more than 14,300 are better off by a total of almost £24 million.

My colleague Jamie Hepburn, the Minister for Business, Fair Work and Skills, and his team have also benefited from the network's willingness to collaborate. Throughout this financial year, and with a view to the establishment of the new consumer advocacy body, consumer Scotland, officials have worked with Citizens Advice Scotland to take forward a new programme of consumer advocacy.

That work has focused on championing the voice of bureau clients at both local and national levels. It has gone hand in hand with new governance arrangements for Citizens Advice Scotland's advocacy work, including a co-design approach to advocacy that harnesses the talents of both bureaux and Citizens Advice Scotland policy colleagues. The bureaux network—and the work of Citizens Advice Scotland that supports it—will therefore continue to form an essential part of consumer advocacy in Scotland.

We have had a positive debate about CAS and have talked about numbers, statistics, facts and figures and levels of investment. Christine Grahame is right to tie that discussion to what she called the faces behind the facts. Ms Grahame shared the story a woman whose life had spiralled out of control, which had caused trauma, anxiety and strain for herself and her family. Her problems were patiently and purposefully sorted out. CAS held out a metaphorical hand and helped that woman to navigate a complex benefits system, and, through that patient support, to emerge with confidence to find a job and a brighter future. That lady's talents, assets and abilities were recognised, and she was able to have autonomy and agency in her own life. That story epitomises the importance of the service that CAS provides; long may it continue.

That example reminds us that it is critical that we continue to fund and collaborate with the bureau service and Citizens Advice Scotland to meet our shared priorities of tackling poverty and improving wellbeing in our communities.

The pandemic also created, almost overnight, a digital and phone-based revolution in advice provision. That, in turn, has prompted a desire for change across the advice sector. I know that we can harness and use that in the future to create a modern, multi-channel advice service that is able to serve the needs of everyone in our communities.

That positive change in culture and practice, which was prompted by the harsh and brutal impact of Covid, was what prompted us to set up the social renewal advisory board to capture and harness some of that positive impact. We must ensure that we do not lose that but continue to see benefits. The board's report included a number of calls for action, including that we should consider how we can continue providing support for those with financial problems or personal debt.

This has been an insightful debate. Members have spoken passionately about the help that CAS has provided for many years. The story that Christine Grahame shared brings us back to the purpose of CAS: to help people to realise their potential and to navigate difficult situations in life so that they can go on to a brighter future. Citizens Advice Scotland has done that since 1939. I wish it a bright future for many decades to come, enabling us to have the fairer Scotland that I know we all hope for.

Meeting closed at 18:13.

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Published in Edinburgh by the Scottish Parliamentary Corporate Body, the Scottish Parliament, Edinburgh, EH99 1SP

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