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Scottish Parliament

Tuesday 29 November 2022

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

Time for Reflection

The Presiding Officer (Alison Johnstone):

The first item of business is time for reflection. Our time for reflection leader today is Reverend Anikó Schütz Bradwell, the minister of Humber linked with Yester, Bolton and Saltoun Church.

The Rev Anikó Schütz Bradwell (Minister of Humber linked with Yester, Bolton and Saltoun Church): Good afternoon. I am not a native Scot. I was born in East Germany, and in my 20s, I had the opportunity to travel and volunteer around Europe—in France, Italy, Norway and on the beautiful island of Iona. As a child, I could not have imagined that this is where I would end up, 16 years later, as a parish minister and a mama to a beautiful boy who has just started primary 1. I am so grateful for the opportunities that I have had to travel and to find a new home, here where I feel safe and welcome, especially in a world that has seen so much change and uncertainty.

I am also conscious that I have had advantages compared to other migrants. I am white, university educated and can speak and understand English. There are many people in society, including members of the church, who have barriers to overcome in order to choose where to live, where to bring up their family and where to feel safe. We know of so many people who are denied that choice, because of where they are born. It could so easily have happened to me, too. If the iron curtain had not come down, I am not sure what my life would be like today, but I almost certainly would not be standing here.

Through encounters with the diversity of humankind, we celebrate our God-given spirit of creativity and imagination. The sharing of stories and meeting of cultures is a theme that runs through scripture, and the history of Christianity is full of believers travelling and spreading the message of God's love. Modern Scotland is enriched through a variety of cultures, faiths and languages, and we can learn from one another, gaining new insights and new understanding.

As you begin your work this week, remember the gift of the opportunities that you have been given, and give thanks. Give thanks also for those stories of the lives of migrants, remembering that even Jesus himself sought shelter and sanctuary from persecution shortly after his birth. May we offer our open hearts and open minds to welcome

the stranger as a way that we can share in some of the blessings we all enjoy, grateful that they have chosen Scotland as their home and in the hope and belief that they will be a gift to our community and nation, as they serve one another and share their lives with us.

Thank you.

The Presiding Officer: Thank you, Reverend Schütz Bradwell.

Topical Question Time

14:03

NHS Scotland (Cyberattack)

1. Tess White (North East Scotland) (Con): To ask the Scottish Government whether it will provide an update on the cyberattack on 4 August 2022 which reportedly targeted NHS Scotland's patient management software. (S6T-01010)

The Cabinet Secretary for Health and Social Care (Humza Yousaf): On 4 August 2022, we were alerted by NHS National Services Scotland that Advanced, a service provider for health and social care across the United Kingdom, had experienced a cyberattack. The UK-wide incident was contained by the supplier within a few days, supported by the National Cyber Security Centre. Regular public updates on the cyber incident and subsequent recovery were reported by the supplier, Advanced, covering all the systems that were impacted. The Scottish Government commented publicly at the time.

The target for the cyberattack was Advanced, not NHS Scotland health boards. The Adastra system used by out-of-hours general practitioners in Scotland, which was the main system impacted up here, was brought back online in October. I make it clear that no NHS Scotland patient data was affected and well-established contingency arrangements were in place to sustain effective delivery.

All Advanced systems have been tested and security checked, with close working by NSS with the National Cyber Security Centre and the Information Commissioner's Office. I extend my sincere thanks to everyone who has been involved in responding to the incident so swiftly.

Tess White: Following the attack, NHS staff were forced to keep patient records on paper, in emails and in Word documents. There are serious implications for patients' safety, privacy and trust. Can the cabinet secretary confirm the scale of the data breach, including the number of patient records that were affected by the attack, and say what measures were put in place to keep patient data safe as digital systems were restored?

Humza Yousaf: Let me just confirm what I said in my response a moment ago: no NHS Scotland patient data was affected. Also, importantly—this is a really important point, which Tess White has rightly raised—contingency was absolutely put in place.

First, core systems were fully restored and on-going monitoring by Scottish Government officials was very much in place. I should say that we were

working on a four-nations basis, as it was an attack that affected every part of the United Kingdom. Local arrangements were also put in place to ensure resilience, and the contingency arrangements that were used had been in place for many years. They are well understood by both NHS 24 and the service. Contingency arrangements included updates to in-hours GP records, in line with standard processes.

Therefore, the attack took place, the contingencies that had been well rehearsed and well known about were put in place and I am pleased that, as I say, no NHS Scotland patient data has been affected.

Tess White: The alarming reality is that, with on-going geopolitical turbulence, we are seeing more and more such malicious attacks and healthcare is clearly in the perpetrators' crosshairs. How confident is the cabinet secretary in the resilience of health boards to defend against future attacks and does he agree with the former digital director of NHS National Services Scotland that the NHS needs to up its game in the face of serious cyberattacks?

Humza Yousaf: Again, I thank Tess White for raising what is an exceptionally important question. She is absolutely right to say that there are improvements to be made. Right across the board, and particularly across the Scottish Government and the public sector, we are committed to ensuring that those improvements around cybersecurity happen, for all the reasons that Tess White rightly raises, in relation to state actors as well as non-state actors.

I give Tess White some reassurance around the fact that we work exceptionally closely with the National Cyber Security Centre. It, of course, advises right across the UK in relation to cybersecurity, and we have a contingency in place to deal with any attacks that take place. There is on-going work. We work individually with health boards and—again, I will be quite frank and honest with Tess White in my response—there are some boards that need that further support from the Scottish Government, which we are providing.

Paul O'Kane (West Scotland) (Lab): It is shocking that this Parliament and, more importantly, the public might not have been aware of the scale and severity of the cyberattack, had it not been uncovered in detail by a freedom of information request from Scottish Labour. That raises significant questions over transparency. Even by the standards set by his Scottish National Party predecessors, the health secretary's report card in that regard is shocking. In 2017, following the last major cyberattack on NHS systems in Scotland, the then health secretary Shona Robison came to the chamber, made a statement and pledged to launch an inquiry so that lessons

could be learned. Will the cabinet secretary explain why he failed to come to Parliament and make such a statement and, furthermore, will he explain what impact this cyberattack has had on waiting times and figures in NHS Greater Glasgow and Clyde?

Humza Yousaf: As far as I am aware, it has had no impact, but I am happy to look into that and come back to Paul O’Kane with further detail.

The cyberattack was reported, in August, by STV News, BBC News, The Guardian and “The Nine”—a political programme on which I am sure that Paul O’Kane has appeared on numerous occasions. Further, the Scottish Government commented publicly at the time. I will double-check my records, but, in the four months since the report and the very public extensive coverage of the cyberattack in August, I do not think that I have had a single parliamentary question, a single piece of written correspondence or a single request for an urgent statement about the cyberattack from Paul O’Kane. If I have—I stand to be corrected—I will of course correct the record.

Cancer Inequalities

2. **Katy Clark (West Scotland) (Lab):** To ask the Scottish Government what steps it is taking to tackle cancer inequalities. (S6T-01004)

The Cabinet Secretary for Health and Social Care (Humza Yousaf): I thank Katy Clark for her important question. We continue to tackle cancer inequalities by ensuring equitable access to cancer services via our national cancer plan, which is backed by £114.5 million. We know that the earlier cancer is diagnosed, the easier it is to treat and even cure. That is why we continue to invest heavily in our detect cancer early programme, which also rightly focuses on closing the inequality gaps that Katy Clark has asked about.

To continue to minimise inequalities, we are currently developing a new 10-year cancer strategy and earlier diagnosis vision, which will launch in spring 2023. It will take a comprehensive approach to improving the patient pathway for all, with a focus on reducing and, indeed, eliminating those health inequalities that exist.

Katy Clark: This week, Cancer Research UK reported that, each year, around 4,900 extra cancer cases are linked to deprivation in Scotland. What proposals will the Scottish Government lay out in its upcoming cancer strategy that specifically address that challenge?

Humza Yousaf: I met Cancer Research UK yesterday, when I spoke at the Scottish cancer conference. I am grateful to the cross-party group on cancer, which was involved in the organisation

of the conference, and to Miles Briggs, who hosted it.

I met representatives of CRUK after the conference to talk through the organisation’s report. A number of interesting points were made but, ultimately, the message from CRUK to the Scottish Government was very clear: it expects the new cancer strategy to have a laser-like focus on reducing the inequalities that exist.

I will not pre-empt the cancer plan. We have had many responses to the consultation, and I am grateful to all the individuals and organisations that have responded. I am looking to launch the cancer strategy early in the new year. If Katy Clark would like to have a conversation about the cancer strategy, my door is open to that. I give her an absolute assurance that reducing the cancer inequalities gap that exists is certainly a high priority for us.

Katy Clark: I would be grateful to take the cabinet secretary up on his offer. As he knows, academics and public health experts argue that it is impossible to tackle health inequalities without addressing wealth and income disparity. Public Health Scotland argues that a reasonable income, sufficient welfare provision and what it calls an active labour market policy are essential for healthy living.

Will the Scottish Government be willing to carry out research to analyse whether those policies are being enacted, or whether an attempt is being made to enact them, particularly in deprived communities?

Humza Yousaf: I will certainly consider the research proposal that Katy Clark has asked us to look into. I suspect that there is no difference between her and me in relation to her premise, which is that wealth inequalities undoubtedly lead to poorer health outcomes. That is why the work that we are doing across portfolios in Government on, for example, the whole family wellbeing fund is so important.

Katy Clark will know about our rapid cancer diagnostic services—we have just announced the roll-out of a further two. We can see from the interim evaluation of the first three RCDs that they have had a significant impact in areas of deprivation. I can send her a further breakdown of that interim evaluation, which shows that such interventions allow us to target and focus on those areas of deprivation, which will result in better outcomes for all.

Emma Harper (South Scotland) (SNP): Cancer Research UK’s report echoes evidence that the Health, Social Care and Sport Committee heard during its inquiry into health inequalities, which showed that socioeconomic inequalities drive poorer health, as we have just heard.

Does the cabinet secretary share my concern that, in the midst of a cost of living crisis that was exacerbated by Truss's disastrous mini-budget in September, the Chancellor of the Exchequer's decision not to follow the lead of the Scottish National Party Scottish Government and match progressive policies such as the Scottish child payment, but instead to cut household incomes, will have a direct impact on the health of many low-income households?

Humza Yousaf: There can be no doubt about that. I think that even Conservative members would acknowledge that the United Kingdom Government's recent actions have exacerbated existing wealth inequalities.

As I said in my response to Katy Clark, the Scottish Government will do what we can, but the UK Government holds the vast majority of fiscal levers. If wealth inequalities are not addressed, that leads to poorer health for all. I have clearly said that, in my estimation, the cost crisis is also a public health crisis. The Scottish Government will do what we can to reduce the existing equality gap. In the meantime, I appeal to all in this chamber, including Conservative members, to use whatever influence they might have to get the UK Government to change course and to ensure that it is not making the cost of living crisis even worse for those who are already suffering in communities across Scotland.

Alex Cole-Hamilton (Edinburgh Western) (LD): The health inequalities that Katy Clark rightly identifies across all cancer diagnoses and cancer types are manifest directly because of income inequality. There is one type of cancer on which we manifestly have more to do, and on which it is in our power to do more, and that is bowel cancer.

I learned only today that we never really talk about bowel cancer in the chamber because we are meeting the target for the return of home test kits to the health service. That is because that target is set at only 60 per cent. That screening programme sends test kits to every adult of a certain age in our population, but we set the bar very low.

Will the health secretary's Government consider increasing the target for the return of home test kits, so that we might catch more people, particularly in income-deprived backgrounds?

Humza Yousaf: Alex Cole-Hamilton asks a good question and makes a reasonable point for me to consider. I will take that away. That issue is part of our consideration of screening. Our bowel screening programme has been incredibly successful and effective, but I take his point about being more ambitious with that programme. I will take that away and will get back to the member about it.

Gillian Mackay (Central Scotland) (Green):

There are significant inequalities in access to screening. For breast and bowel screening, the uptake is 20 per cent lower in the most deprived populations than it is in the least deprived. For some, particularly people in rural areas, the cost of travelling to appointments will be unaffordable. Patients can apply to the NHS low income scheme for assistance, but given the cost of living crisis, could the cabinet secretary review whether those payments are sufficient and are having the desired effect? Will he look at what other solutions and support could be offered at local level?

Humza Yousaf: Gillian Mackay is absolutely right: screening is one of the key areas in which we see inequalities. That is why I am very keen that we use our mobile screening units to ensure that we get into areas of higher deprivation.

On top of that, through the national cancer plan, we have allocated £2 million over 2021-22 and 2022-23 to tackling inequalities in the cancer screening programme. That fund provided £5 million to a number of projects over the previous five years. The specific aim was to tackle inequality in access to breast, bowel and cervical screening across Scotland.

I will, of course, consider the issue that Gillian Mackay has put to me and what more we can do in that regard.

Illegal Puppy Trade

3. **Jamie Greene (West Scotland) (Con):** To ask the Scottish Government what steps are being taken to tackle the illegal trade in puppies, in light of the Scottish multi-agency strategic threat assessment report that the trade is funding serious organised crime. (S6T-01012)

The Cabinet Secretary for Justice and Veterans (Keith Brown): The Scottish Government continues to work with a number of key stakeholder organisations and other Administrations through the puppy trade working group to disrupt the activities of those who are involved in the unlicensed puppy trade. We have also run several puppy campaigns over the past few years to highlight the cruelty of the trade, to raise public awareness and to provide advice on how to buy a puppy safely.

New animal licensing regulations were introduced in 2021 that cover the breeding and selling of dogs, and further regulation is planned using powers that are set out in the Animal Welfare (Kept Animals) Bill, which is progressing through the United Kingdom Parliament.

Serious organised crime affects us all, and we can all play a part in reducing the harm that it causes. Raising awareness of the nature of the threats that we face is one part of that response.

The Scottish Government and its partners on the serious organised crime task force oversee work to reduce the harm that is caused by serious organised crime in Scotland, and they will continue to use every means at their disposal to disrupt serious organised crime.

Jamie Greene: I thank the cabinet secretary for that response. Illegally traded puppies generate about £30 million of revenue for serious organised criminal gangs in Scotland—fuelled, no doubt, by the huge rise in demand. It is estimated that one in four dogs that are purchased could be linked back to criminality and low-welfare breeding.

A number of prolific serious crime gangs are operating in Scotland right now, both breeding in Scotland and importing through the port of Stranraer. However, the Government's serious organised crime strategy barely mentions illicit puppy trading. There are surely doubts about whether the strategy is robust enough, given the scale of the activity.

I ask the cabinet secretary for some statistics, because the law must be strong on this. How many crimes of this nature are reported to or investigated by the police each year? How many are then prosecuted by the Crown? Of those, how many cases successfully result in a criminal conviction?

Keith Brown: On the last point that Jamie Greene raised, different crimes or elements of crimes can be recorded in different ways. I am happy to make sure that the answer that I give covers all the different ways in which the illicit puppy trade might be touched on, and I will provide that information to him in writing.

I challenge the point about how much is being done. The scale and significance of the trade was the driver behind the creation of the puppy trade working group, back in early 2018. That United Kingdom and Republic of Ireland group includes key animal welfare organisations; the Scottish Government; the Department for Environment, Food and Rural Affairs; HM Revenue and Customs; the Irish Revenue; and the Convention of Scottish Local Authorities. Jamie Greene rightly identifies that one of the ports of entry is Stranraer, which is why we also work collaboratively with the Irish Government.

The principal aim is to disrupt unlicensed, low-welfare puppy farming and the associated criminal activity, which is taken very seriously. Jamie Greene will be aware that much of what we could say in relation to the SMASTA and the serious crime strategy is not made public for reasons that he will understand, but I am happy to make sure that as much information as possible is provided to him to convince him that we are doing what we need to do.

Further action is proposed, not least in relation to the age at which puppies may be transported. The transportation of dogs that are late in their gestation period, which is often hard to determine, is also going to be addressed, perhaps by reducing the periods in which pregnant dogs can be transported. We are taking serious action, and I am happy to follow that answer up by writing to the member.

Jamie Greene: I would appreciate those statistics being provided in writing where they are available.

They say that a dog is for life and not just for Christmas, but the reality is that many of these dogs will barely live beyond Christmas. Many of them come with their own health issues, incurring huge vet bills and, sadly, dying young.

It is highly likely that, right now, online selling platforms are advertising illegally traded puppies. I will not name and shame them, because we do not hold parliamentary privilege in this place, but we know who they are and they know who they are. It is shameful that we are not doing enough to tackle them by vetting advertisements and sellers.

I plug the good work of the Scottish Society for Prevention of Cruelty to Animals and its say no to puppy dealers campaign, but I ask the minister to say specifically what the Scottish Government is doing to drive wider public awareness and inform the public of the risks and the dangers, but also the moral issues that are involved in buying dogs from dodgy dealers, given that its most recent campaign was over four years ago.

Keith Brown: I have already mentioned that we carry those publicity campaigns, but there are a number of other ways in which we can raise awareness. Jamie Greene's question was perhaps prompted by a press release that was issued by the Crown Office, which draws attention to these matters. They were also highlighted when the SMASTA was published.

We do those things, and we work with other organisations. The member rightly mentions the Scottish SPCA, with which we work very closely on the matter. However, we will always look to highlight it even more, not least at this time of year, when it can be the case that people want to buy a dog or a puppy for Christmas.

Just to find some common ground, both of us are agreed that the trade is abhorrent and that we should do all that we can to limit it, not least because the very transportation of those animals is detrimental to the health of some of them.

We will continue to work on the issue. As I have said, I will provide to Jamie Greene the information that I mentioned.

Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (SNP): Further to that exchange, I advise the cabinet secretary that my proposed bill on the welfare of dogs is shortly to be presented to the Parliament. Its purpose is responsible dog ownership—in other words, the tackling of demand as a way of dealing with the supply of the illegal trade. I associate myself with the exchange with Jamie Greene. In so far as it is possible, I seek to stop online purchase from sites such as Gumtree. Although the cabinet secretary does not have the relevant portfolio responsibility, I ask whether he looks forward—as I do—to Scottish Government support for my bill.

Keith Brown: I am not unaware of Christine Grahame's member's bill. On her first point, and to go back to the previous discussion, encouraging responsible ownership has to cover people's being conscious of where they buy a puppy in the first place.

We welcome proposals that seek to improve animal welfare, including Christine Grahame's proposed bill on the welfare of dogs. I thank her for sharing a recent draft. Officials are still considering the proposals, and I look forward—or rather, Mairi Gougeon, who is the appropriate cabinet secretary, looks forward—to discussing the bill in further detail once she has had the chance to fully consider it.

As we have heard, animal welfare is an important and emotive issue. I am sure that all members will welcome the opportunity to consider what more can be done to strengthen Scotland's high animal welfare standards.

Finlay Carson (Galloway and West Dumfries) (Con): As we have heard, Cairnryan, in my constituency, has the unfortunate reputation of being the main gateway for puppy trafficking from the Republic of Ireland into the UK. Although the likes of Stena Line do a lot to detect the illegal trade, puppies are still getting into the country.

The Dogs Trust polled 2,000 puppy buyers and found that 30 per cent were willing to buy a puppy even if they thought that it had been illegally bred. Given that we are in the run-up to Christmas and that there will be a high demand for such puppies—which can go for as much as £3,000—what additional support can the Government give to the SSPCA and the police in my constituency to make sure that that trafficking does not go beyond the port? We hear of puppies being sold from the backs of vans on the A75 and the A77.

Keith Brown: I have already mentioned the support of working in collaboration with the SSPCA. Police Scotland has an overall increase of £40 million in its budget for the current year; however, the operational methods by which it

drives down the trade are, of course, a matter for Police Scotland.

I hope that Finlay Carson will take some comfort from the fact that the serious organised crime task force is looking at the issue. It involves 13 organisations, including the Society of Local Authority Chief Executives and Senior Managers, the National Crime Agency, COSLA and Police Scotland. Its refreshed strategy was published in February. Although the aims and objectives remain broadly the same, I go back to the first point that was made by Jamie Greene: as well as the trade's being appalling in itself, its proceeds sometimes feed further illicit activity, in relation to drugs.

There is a very serious focus on the issue. It is not always possible to be explicit about the way in which we are trying to deal with it, because, obviously, we do not want to forearm those who are involved in the activity. However, Finlay Carson should be reassured that there is a joint approach that takes in the Irish Government as well as the UK Government and HM Revenue and Customs.

The Presiding Officer: That concludes topical question time.

Retained EU Law (Revocation and Reform) Bill

The Presiding Officer (Alison Johnstone):
The next item of business—

Martin Whitfield (South Scotland) (Lab): On a point of order, Presiding Officer. I seek your guidance in respect of this afternoon's Government debate, which, on the face of it, appears to cut across an inquiry into the consenting or otherwise to a legislative consent motion that is currently before a committee of the Parliament.

The guidance that I seek relates to rule 6.2 of standing orders, which is on the functions of all committees and which, to gather it all together, suggests that the role of the committees is to hold the Scottish Government to account when it comes to policy and administration, and to deal with proposals for legislation—under which, I believe, the legislative consent motion falls.

My concern is that the motion on which we will be asked to vote pre-empts an opinion from the committee, to which members would rightly look for advice as to how to vote later on that legislative consent motion.

I seek your guidance on the apparent anomaly that has occurred.

The Presiding Officer: I thank Mr Whitfield for his point of order. There have been instances when the Parliament has debated matters that are the subject of committee scrutiny prior to committee reports being published, and I can confirm that there are no procedural limitations on the Parliament debating this topic today. This afternoon's business was agreed by the Parliamentary Bureau and then voted on by the Parliament last week. The member may be interested to know that the Scottish Government has confirmed its intention to bring forward a debate following the conclusion of the committee's consideration.

The next item of business is a debate on motion S6M-06984, in the name of Angus Robertson, on European Union retained law. I would be grateful if members who wished to speak would press their request-to-speak buttons now.

14:31

The Cabinet Secretary for the Constitution, External Affairs and Culture (Angus Robertson): I would like to return to the Brexit freedoms bill, which was last discussed in the chamber on 22 June. At that time, I said that the bill would have

“a damaging impact on this Parliament and Scotland as a whole.”—[*Official Report*, 22 June 2022; c 36.]

Although the United Kingdom Government has quietly and perhaps unsurprisingly withdrawn its misnamed position of so-called minister for Brexit opportunities, the legislation still threatens to cause havoc and significant harm. The Scottish Government's position has therefore not changed. We have since recommended that the Scottish Parliament withhold consent to this bill. Although I await with interest the Constitution, Europe, External Affairs and Culture Committee's report on the Retained EU Law (Revocation and Reform) Bill, as it is now called, such is its potential damage that it is the Scottish Government's view, as set out in the motion, that the legislation should be withdrawn entirely and immediately.

I will structure these opening remarks by focusing first on what the bill seeks to do. Members will see that opposition to the bill is now broad and firm. Secondly, I will focus on how the bill will be delivered. Members will see that the power that is invested in UK ministers and the absence of parliamentary scrutiny are extremely concerning.

I will start by making sure that we are all clear on what the bill seeks to do. The UK Government has started a countdown clock for approximately 4,000 pieces of retained EU law. I say “approximately”, as the UK Government has irresponsibly brought forward the bill without knowing the actual figure. When the clock times out, on 31 December 2023, those pieces of legislation will disappear or “sunset” from the UK statute book. That means that the default position of the UK Government is that most of the body of laws and protections that was developed while we were a member state of the European Union should be retired, with the rules affected being retained only by exception.

Blind Brexit ideology is throwing out the baby, the bath water and the bath. Ministers and officials across all four nations will have to assess each and every piece of retained EU law affected in order to save them from the sunset. The scale and pace of that arduous task is reckless in the extreme.

Retained EU law may sound dry, but its disappearance or amendment by a UK Government that is intent on pursuing its deregulatory agenda will affect the food that we eat, our rights at work, our natural environment and much more besides. Vital protections that were gained as part of our membership of the European Union, which have made the people of Scotland's lives better, and which the people of Scotland overwhelmingly wish to maintain, are at risk.

I will give some examples of what that means. Pregnant women and women on maternity leave could no longer be protected from discrimination at work. The trade union Unison has called the bill

“an attack on working women”.

Requirements for food to be labelled for allergens could be removed. Food Standards Scotland said that the bill poses

“a significant risk to Scotland’s ability to uphold the high safety and food standards which the public expects and deserves.”

The EU habitat regulations, which protect threatened habitats and species, may be revoked. The Maritime Conservation Society warns that, if passed, the bill will

“lead to catastrophic regulatory and environmental failures”.

Those are not archaic or abstract pieces of legislation. They affect our everyday lives, and we should be outraged that they are even being put at risk of vanishing from the statute book. All those examples, and many more besides, can disappear due to the ministerial powers in the bill. What is worse is that the sunset clause means that they will do so automatically on 31 December 2023, unless specifically saved.

Why the need to create that cliff edge? There are literally no businesses, no environmental organisations and no civil society groups clamouring for a review of all retained EU law by the end of next year. It is an arbitrary date, plucked out of thin air to pander to the disdain for the European Union on the part of the hardest of Brexiteers.

Martin Whitfield: Would the cabinet secretary agree that that cliff edge means that there is the potential that there are regulations that we do not even know about that will go, and no one will be aware of them until they appear in court at some later date?

Angus Robertson: Indeed. That is yet another reason why the bill should be consigned to the dustbin of history. I will come back to the Labour amendment, which I very much welcome, later in my remarks.

The bill means that already stretched officials across the four home nations will waste time assessing thousands of pieces of legislation, just to make sure that they do not disappear next year. That is the point that we just heard from the Labour benches. It means uncertainty for businesses in Scotland that are already suffering from trade barriers due to Brexit, which now find themselves desperately wondering what standards they will have to adhere to, come January 2024.

What was a slow murmuring of dissent in the summer has risen in recent weeks to a loud

chorus of opposition, uniting businesses, trade unions, the environmental lobby and constitutional lawyers, to name but a few. Indeed, only last week, a joint letter from 14 organisations was sent to the UK Secretary of State for Business, Energy and Industrial Strategy, Grant Shapps, calling on him to do exactly what the Scottish Government has been calling for since the bill was introduced: namely, to withdraw the bill. The letter is signed by the Trades Union Congress, the Institute of Directors, Greener UK, the Employment Lawyers Association, the Civil Society Alliance, the Wales Civil Society Forum—I could go on. The point is that we would be hard pressed to find anyone—literally anyone—who is in favour of the bill.

Earlier this year, the UK Government declined to share with us its impact assessment for the bill. It is not surprising that it was being coy. Last week, the UK’s independent regulation watchdog, the Regulatory Policy Committee, which has seen the report, described the impact assessment for the bill as “not fit for purpose”. There has been zero consultation with businesses and zero concern about the impact that the bill will have on them. The risk to standards and the risk of the sunset are cause for great concern to the RPC.

I turn to how the powers in the bill will undermine devolution and limit scrutiny by all four UK legislatures. UK Government ministers want to give themselves powers to intrude into devolved matters without any need for our consent. The Scottish Government has accepted that there can be circumstances in which UK or Great Britain-wide secondary legislation may be the most appropriate way to legislate. That was particularly true when faced with the volume and time constraints of legislation as a result of Brexit. Pragmatically, we were therefore able to accept “concurrent powers”, as they are known in Brexit legislation, when accompanied by understandings that allowed this Parliament to scrutinise the exercise of those powers. Unfortunately, as committees in this Parliament have pointed out, such concurrent powers are becoming more and more common in UK Government legislative proposals.

The bill also sidelines Parliaments across the UK, concentrates powers in the hands of the executive and exposes the fallacy of the Brexiteers’ “taking back control” narrative. That is totally unacceptable. The bill shows an utter disrespect for devolution, the role of the Scottish ministers and the role of the Scottish Parliament. It undermines democratic accountability and responsibility for devolved matters. However, unfortunately, that is the new norm when it comes to the UK Government. To it, the Sewel convention involves merely a need to seek consent from the devolved Governments and legislatures, which can then be ignored, whereas,

for nearly 20 years, the convention was understood as involving a requirement for such consent.

In my conversations with UK Government ministers, they have repeatedly assured me that the Sewel convention will be respected, but actions speak louder than words and the evidence is there for us all to see. Since 2018, the Scottish Parliament has on seven occasions withheld consent for a UK Government bill; it has been ignored six times. All signs point to the process on the retained EU Law (Revocation and Reform) Bill being number 8.

It is clear that the foundations on which devolution is operated are increasingly fragile. UK ministers attempt to conceal the lack of a requirement for consent by dressing the bill up as an opportunity for the devolved Governments. They say that devolved ministers will have new powers to preserve or amend retained EU law as we wish, and that devolution is in fact being enhanced. That is misdirection, plain and simple.

In the bill, devolved ministers are given powers to preserve retained EU law, but UK ministers can, even before the 2023 sunset, choose to revoke legislation in devolved areas—again, without our consent. Devolved ministers can amend retained EU law, but the bill states that any new or replacement legislation may

“not increase the regulatory burden”,

so standards can only go down; they cannot go up.

Ministers can do all that with minimum or no further scrutiny by Parliament. The great promise that Brexit would “take back control” does not appear to involve any of the UK’s Parliaments having any control over thousands of pieces of legislation. As the chair of the Bar Council, Mark Fenhalls KC, told the House of Commons,

“we are being told to trust Ministers to see what will happen, and we have no idea what they will do. We have no idea what is being left or what will be changed.”—*[Official Report, House of Commons, Retained EU Law (Revocation and Reform) Public Bill Committee, 8 November 22; c 30.]*

Clearly, Scottish Government ministers are not the only ones who are concerned: our colleagues in the Welsh Government agree. Last week, Mick Antoniw, Counsel General for the Welsh Government, and I wrote jointly to the *Financial Times* in support of the many organisations that have written to that publication, criticising the bill and calling for its withdrawal. Our letter was published in yesterday’s issue.

I noted that, in a recent debate on the impact of Brexit on devolution, several members suggested that the solution to differences of opinion between the Scottish and UK Governments regarding the

Sewel convention is for more dialogue between the two. I am open to constructive dialogue with anyone, but the problem here is one side’s refusal to acknowledge the detrimental impacts that its actions are having.

I twice met the previous Secretary of State for Business, Energy and Industrial Strategy, Jacob Rees-Mogg, to discuss the bill. It came as no surprise to him that we were fundamentally opposed to it and that our preference was for it to be withdrawn. However, I also offered proposed changes to the bill that would reduce the damage that it would do to Scotland. They were ignored and the bill remains unchanged. Grant Shapps has now replaced Mr Rees-Mogg as the minister in charge of the bill. I have written to him twice since he took office. Again, I have stated our proposed changes—this time in the form of amendments to the bill. I have heard nothing from Mr Shapps and the bill remains unchanged.

Sarah Boyack (Lothian) (Lab): It would be helpful to know what changes to the bill the cabinet secretary is suggesting so that we can get proper transparency from the Scottish Government and of course from the UK Government.

Angus Robertson: Indeed, and that is what we have already done. The amendments have been tabled in committee. I am grateful for the support of Labour members on that committee. I will be happy to forward copies of the amendments to Sarah Boyack. I believe that the suggested changes have also been published prior to their consideration at the committee stage in the House of Commons, but I will be happy to share them. I put it on record that different parties have been supporting those amendments. I should say—and underline—that, throughout the process, we have been in a close working relationship with our colleagues in the Labour-led Welsh Government.

I go back to my point about the solution to the deteriorating state of devolution being more dialogue, with the UK Government requiring to listen to the devolved Governments. I sincerely hope that Mr Shapps chooses to listen, which would be a departure from normal practice.

I finish by returning to the significance of the bill as an example of an ideology that Scotland wants no part of. Scotland is committed to maintaining alignment with the European Union, because we wish to benefit from the high standards that we gained as a member state. Alignment is, of course, a point of principle and conviction. Scotland’s attachment to the European Union has been demonstrated at the ballot box time and again, and, if the latest polls are to be believed, that desire to remain close to Europe is doing nothing other than increasing.

With UK legislation such as the Retained EU Law (Revocation and Reform) Bill, the people of Scotland can see what is at stake and can understand the devastating effect that Brexit is having on our country. To reject the bill is to reject a race to the bottom on standards, to reject a reckless approach to policy making and scrutiny, and to reject an approach that ignores and undermines the Scottish Government and the Scottish Parliament.

I move,

That the Parliament agrees that the Retained EU Law (Revocation and Reform) Bill threatens vital standards and protections built up over 47 years of EU membership and undermines devolution, and should, therefore, be scrapped by the UK Government.

14:46

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

It is not often that I get to my feet in the chamber with reluctance or with a heavy heart. I always enjoy the cut and thrust of debate in the Parliament, the battle of ideas and the to and fro with colleagues, sometimes as friends and sometimes as opponents, but not today. Today represents a low point, because I am afraid to say that this debate is an example of the ability of the Parliament, as a legislature, to scrutinise the Executive—as it is meant to do—being utterly undermined.

To recap, the Constitution, Europe, External Affairs and Culture Committee is conducting an inquiry into the REUL bill, if I can call it that. As per chapter 9B of standing orders, the committee must report on the legislative consent motion in due course. That is the established parliamentary process, mandated by law.

Our committee has just initiated our inquiry. We began to take evidence a week or so ago, and we have other evidence sessions to come—for example, with the cabinet secretary. We have also invited a UK Government minister to give evidence. Given that we are talking about a UK Government bill, it might be thought to be important—imperative even—to allow the UK Government the opportunity to give evidence. The Delegated Powers and Law Reform Committee is also looking at the bill.

Notwithstanding the significant work that is just starting on the topic by both committees, the Scottish Government scheduled this debate at short notice. Last week, all that the Parliament had notice of was that there would be a debate on EU retained law; there was just a reference to a corpus of law—nothing more, nothing less. It was

only after that had been agreed to by the Parliament that discussions in committee and with the Scottish Government last Thursday revealed the real purpose of today's debate.

Fergus Ewing (Inverness and Nairn) (SNP): The Presiding Officer has, of course, ruled that today's parliamentary proceedings can continue.

I recall that, during the 2016 referendum on EU membership, a substantial majority of Conservative MSPs were remainers—in fact, they were staunch remainers, and many of them said so volubly in public. Are we now to take it that there are no remainers remaining on the Tory Holyrood benches? Is it the case that, in Scotland, those remainers have been remaindered by Rishi?

Donald Cameron: I am not quite sure of the purpose of that intervention. I voted remain; that is on the record.

I am not naive about the politics of this debate. The cabinet secretary will know who in the Scottish Government informed the committee clerks of today's debate, but the fact remains that it is on a subject on which MSPs and parliamentary staff on two separate committees are midway through extensive scrutiny of evidence, with both committees in the process of compiling detailed reports on the bill, in line with the Parliament's obligatory process for LCMs. It is therefore clear that today's debate is premature.

Jenni Minto (Argyll and Bute) (SNP): Will the member take an intervention?

Stuart McMillan (Greenock and Inverclyde) (SNP): Will the member take an intervention?

Donald Cameron: No. I have already taken an intervention.

Today's debate is contrary to the principle of proper and objective scrutiny by the Parliament. By holding the debate now, the entire scrutiny process has been undermined.

What is the purpose of our committee continuing to look at the bill when, by decision time tonight, Parliament will have expressed a simple view on the matter? That situation has caused upset and frustration on many levels. The staff of our committee are placed in the very difficult position of, in effect, having their carefully organised timetable and work interrupted on a whim. They have spent weeks organising witnesses in preparation for writing a very difficult and technical report, as they are obliged to do in line with standing orders. The Scottish Government's approach is an insult to them and their hard work, and it renders later evidence sessions very difficult, as they will be coloured by the political contributions of any committee member who participates this afternoon.

We hear two frequent refrains in the chamber: first, that the United Kingdom Government does not send ministers to give evidence to our committees, and more widely, that the UK Government does not respect the Scottish Parliament. How much less plausible and less effective are those charges now? The lack of respect here comes from one Government alone, and it is the one sitting in this chamber. Why would a UK Government minister give evidence to the committee when the Parliament will, by decision time tonight, have debated the issue and expressed a view on a UK Government bill? Why would they come? Moreover, how could they expect a fair, objective hearing from a committee in the light of a prior parliamentary debate in which members of the committee will be on record as having voting and called for the bill to be scrapped?

There are other witnesses to think about, too. We have six witnesses who are due to give evidence on Thursday and who have submitted written evidence and taken time out of their schedules to prepare for and attend the committee, but why should they bother? Parliament will have expressed a view on the bill, and if the Scottish Government motion passes, Parliament's view will be that the entire bill should be scrapped—end of story. Anything that they say now is rendered pointless. What room is left for nuance, subtlety and the balance of opinion to be taken into account in our committee report?

The debate also makes life very awkward for the convener. She has to chair the upcoming evidence sessions on the bill in a neutral manner, and is thus unable to speak in today's debate when she would of course have had much to contribute, as she always does. The debate puts her in a very difficult position. It is less difficult for me as deputy convener, but if, for whatever reason, I have to substitute for her, how can I do so in an objective capacity?

We are placed in the wholly invidious position of being forced to debate the bill while trying to hear evidence and come to a collective view as a committee in our LCM report, as we are obliged by law to do. The constitution committee has, somewhat remarkably, given the subject matter that it engages with, achieved consensus on a wide variety of topics so far this session. It is one of the best committees that I have sat on as an MSP; every member brings different insights and experiences to our discussion, and even in the most difficult of circumstances, we have somehow managed to find a form of words to agree on, but how on earth do we draft a consensual report when the Scottish Government has blown a hole through the inquiry with this debate?

The proper process would have been to allow a debate on the LCM after the evidence sessions have finished. We did that with the Northern Ireland Protocol Bill, and we could have done it again with this bill. To those who say that Parliament sometimes debates matters that are the subject of on-going committee inquiries, my answer is that this is a legislative consent process. It is a defined procedure, not least because the subject matter is UK legislation, not Scottish Government legislation, and involves a subject area that is not *prima facie* within the remit of the Scottish Parliament—it is very different territory. That is why when it comes to LCMs, the standing orders are so clear: they provide that a motion seeking the Parliament's consent to a UK Parliament Bill

"shall not normally be lodged until after the publication of the lead committee's report."

That rule is there to protect the integrity of the committee, its members and perhaps more importantly, its staff, who work so hard in the compiling of that report. We might not technically be within the letter of those rules, but we are plainly within the spirit of those rules.

I have no objection whatsoever to debating the REUL bill, and I heard the whisper of the cabinet secretary saying that I was frightened of debating it. I have no objection to doing so, but only at the proper time, because I want to hear the evidence; it is an important piece of legislation that requires a full and rigorous debate. I remind the cabinet secretary that, as counsel, I acted for the Scottish Government—his Government—in the European Court of Justice just a few years ago. EU law is my meat and drink, and there is nothing that I would like to do more than debate the substance of the bill.

In fact, I would go further than that. I have some misgivings about certain aspects of the bill as drafted. The real tragedy of what has transpired today is that there might have been an opportunity for the Parliament to speak as one on the bill, with every party in agreement, but any good will that might have existed in that regard has vanished. In pushing for a short-term, tactical hit, the Scottish Government has rendered that impossible.

This is not about semantics; it is about the scrutiny of the Executive by the legislature. With every passing day, the Parliament feels weaker as an institution. What a sadness.

I move amendment S6M-06984.1, to leave out from "agrees" to end and insert:

"notes that the Scottish Government has lodged a legislative consent memorandum to the Retained EU Law (Revocation and Reform) Bill and that two separate committees are involved in extensive scrutiny of the bill, and have yet to formally report in line with the established process; considers that, by proceeding with a substantive

debate on this issue, the Scottish Government is undermining the entire scrutiny process of the Scottish Parliament and the work of the members and staff of parliamentary committees, and agrees that this is against the spirit of the Scottish Parliament's Standing Orders and contrary to the principle of proper and objective scrutiny by the Scottish Parliament."

14:55

Sarah Boyack (Lothian) (Lab): Today, we are again debating the fallout of Brexit, which is a situation entirely of the Tory Government's own making. I think that we are now on our third Tory Prime Minister seeking to find some sort of benefit from the mess. However, that is achieving only increasing uncertainty for workers and businesses.

At the outset of the debate, I want to put on record my frustration that we have this Scottish Government debate in front of us. The Retained EU Law (Revocation and Reform) Bill absolutely should be debated by MSPs and the Parliament, but Donald Cameron's points about our Constitution, Europe, External Affairs and Culture Committee being in the middle of an inquiry on the bill were very well made. Work on it is also been done by the Delegated Powers and Law Reform Committee.

I certainly agree that the bill undermines devolution and our capacity to hold our Governments to account. It is based on the assumption that it will be all right on the night, but Tory ministers fundamentally misunderstood and underplayed the risks that it creates. It was initially thought that there would be 2,500 pieces of legislation to be considered, but it turns out that there are more than 4,000, and we know that they are not all on the dashboard that is meant to enable people to monitor the process.

I am disappointed that we are having this debate today, because doing so shows disrespect to the committees and the Parliament by not waiting for the committees to consider the evidence that has been submitted and then to report formally. I hope that we will still get engagement from Scottish Government ministers and the UK Government and that they will come to the Constitution, Europe, External Affairs and Culture Committee, because it is fundamental that legislatures hold ministers to account. The work that is done by members of that committee across parties means that it will not just be about party politics, as Donald Cameron put it—we all have to do our jobs as individual committee members as well. We need to do heavy lifting on the Retained EU Law (Revocation and Reform) Bill in particular, because a huge amount of scrutiny is required.

I am glad that the Minister for Parliamentary Business has joined us. We do not want a token short debate in the Parliament; we need a proper

debate. The irony of the Scottish Government treating our Parliament with disrespect in a debate about the disrespect shown by the Tory Government is glorious. The scrutiny of parliamentarians in holding ministers to account is absolutely vital. Taking evidence from key stakeholders is not just about getting newspaper headlines; it is fundamental to our work as MSPs.

I hope that the Constitution, Europe, External Affairs and Culture Committee will continue with its inquiry. The evidence thus far is on the record, and it has been powerful.

Let us look at the bill. It was introduced by Jacob Rees-Mogg, who was then a minister in Liz Truss's appalling and thankfully short-lived Government. It was not dumped as the Liz Truss-Kwasi Kwarteng budget was dumped, even though it will also damage businesses and hard-fought-for workers' rights. The cabinet secretary's comments about the failures of the bill in relation to its impact assessment were well made. It is not just the headlines that are wrong; the detail is totally wrong. I call on the Tory Government to reflect on the range of objections that have already been put forward at the UK level and the well-argued alternatives to that damaging approach, because protections and safety are being put on a cliff edge.

The bill will put in place a sunset clause so that all retained EU law will be automatically removed from the statute book by December 2023, which is a year from now. That means that current laws on environmental protections and workers' rights would be scrapped with no scrutiny. The supremacy of the Court of Justice of the European Union and related EU case law in UK courts would be removed, which could threaten rights that are enshrined through EU case law, such as on equal pay.

The bill also confers Henry VIII powers on UK and Scottish ministers. I would be grateful if, in his closing speech, the cabinet secretary would rule out using those archaic and undemocratic powers from the 16th century. It would not be possible to make some of this up. It would be bad news for our health and environmental standards and would create uncertainty and increased challenges for our businesses, which are already struggling with building Covid recovery and are now dealing with the cost of living crisis initiated by the Liz Truss Tory Government.

Labour wants the Tory Government to dump the bill not because we automatically agree with every piece of law that we adopted in our 47 years in the EU but because the bill has not been thought through and means that the UK Government and our own Government in Scotland have to consider literally thousands of pieces of legislation. In Scotland, we need to consider the devolved areas

and think through those that are not devolved but could still have an impact. It will create massive uncertainty.

There is a real danger that we will lose good laws and that the impact of that will be felt when food standards drop and animal welfare is undermined. It would surely be far better to consider which EU laws we would rather not have, consult properly so that stakeholders are able to get involved, carry out risk assessments, ask lawyers about the legal implications, speak to producers and businesses, and discuss with campaigners not only the laws that need to be retained but whether we want to go further to tackle the global climate crisis and accelerate the pace of change.

One piece of legislation that I well remember from my days as a transport minister was the impact of state aid on CalMac Ferries. I had to build cross-party support among MEPs and lobby European officials to argue that our rural and island communities needed state investment and state ferries for their existence. We won the argument but it required a huge amount of compromise and reordering how CalMac worked, which led to the creation of Caledonian Maritime Assets Ltd. To ensure that the EU was happy with the solution that we developed took a huge amount of civil service work and political effort.

Let us think about the opportunities that we could deliver by not being bound to EU-defined state aid. However, we do not need to drop thousands of other valuable pieces of legislation. Consumer protection and animal welfare standards are vital to ensuring public health and avoiding the spread of dangerous diseases. Surely we need to think about that as we build Covid recovery. We need clear standards and certainty that they are being followed so that, regardless of where crops are grown, food is made or animals are brought up, the products are packaged, labelled and transported in ways that ensure consumer safety and animal welfare and safety.

We do not need a race to the bottom. We need consistency, transparency and—crucially—legal certainty for our businesses. We also need workers' rights and protections to be upheld. A race to the bottom is the last thing that people need as we try to rebuild from Covid and address the cost of living crisis.

The bill also impacts on parliamentary accountability and undermines devolution. It would see legislation that is devolved to our Scottish Parliament potentially dumped without proper consultation, without stakeholders being able to make representations and without us as elected representatives being able to hold the Scottish Government to account. The Government is already struggling to communicate effectively

which elements of EU law it intends to retain and why, never mind telling us which it does not intend to keep. The bill creates a massive workload at a time when surely we should be focusing on Covid recovery and the cost of living crisis.

I have already mentioned the concept of Henry VIII powers, which come from a king from the 1500s. They would give UK and Scottish ministers powers to approve legislation without scrutiny, which would be laughable if it were not going to happen. We need strong parliamentary scrutiny in Wales and the UK Parliament, and from our own CEEAC and DPLR Committees.

I look forward to the CEEAC Committee reporting back to Parliament. I realise that it will be a challenge for some members of the committee, given the debate but, as I said, as committee members, we have a job to do: to do the heavy lifting, look at the details and listen to the range of witnesses who are lined up to come and speak to us. The debate is about us making political statements and having a political debate, but we need to do the heavy lifting because it is critical that the damage that the bill could cause to our country is not realised.

I want to comment on Willie Rennie's amendment. Clearly, much more could be done to build stronger relationships with our European neighbours. We also need to have a better understanding of the impact of European law and its interaction with our human safety and animal safety needs, and of the needs of Scottish businesses. In addition, we need to have a grown-up approach to cross-border work.

I draw members' attention to the work that we in Scottish Labour did in the summer, which would help create the transformation that would address those issues that urgently need to be seen to across the UK. There needs to be more joint work where we share interests, such as through the common frameworks, to deliver for our constituents; the House of Lords needs to be replaced by a senate of the nations and regions, which Keir Starmer supported last week; and, crucially, we need Governments to respect our elected Parliaments.

We need there to be joint working, so that the UK operates as a union of equal nations with a duty to co-operate, so that, with the energy transition for example, we learn lessons from across the UK. Crucially, there must be respect and support for our local councils, too. It is not just at the parliamentary level that we must see accountability; we must also see local accountability.

The UK Tory Government needs to listen to the concerns of businesses and to acknowledge the fear of economic uncertainty that it is creating for

producers. That Government is putting at huge risk hard-fought workers' rights, which are critical for job retention and fairness. The environmental standards that we have can no longer simply be taken for granted. A huge amount of work will be needed. Public health is a critical issue, too, and it is certainly one of the issues that we in the committee will need to look at. Those risks are not acceptable.

We need parliamentary accountability and we need to scrutinise the legislation. A huge amount is being put at risk by the legislation. As parliamentarians—in the House of Commons, the House of Lords, the Scottish Parliament, the Senedd, and in all those Parliaments' committees—we need to ensure that, in all the work that we do, we scrutinise the bill and put in the heavy lifting.

Potentially, at the stroke of midnight, we will lose legislation that it took years to create following lots of consultation and negotiation, and by listening to our representatives, members of the public and businesses. Given what our country has gone through with Covid, it is unthinkable that the bill will undermine our recovery from the pandemic. We need the bill to be dumped.

I hope that my amendment strengthens the Scottish Government's motion, and I am glad that the Government will accept it. Let us work together, let us not forget the importance of our committee work and let us look forward to carrying out the heavy lifting that the Parliament needs to undertake. If the UK Tory Government could remove the bill, that would let us concentrate on the day job, which is what we really need to do.

I move amendment S6M-06984.2, to insert at end:

“; believes that there are clear opportunities available to each of the UK and Scottish governments to build stronger relationships with European neighbours, and considers that both governments should be compelled to cooperate and agree where their work overlaps, backed by common frameworks and a new dispute resolution process so that differences can be resolved maturely between administrations, to share power and to deliver better governance across the whole of the UK in accordance with the principles of federalism.”

The Deputy Presiding Officer (Liam McArthur): I advise members in the chamber that there is quite a bit of time in hand, so you will certainly get the time back for any interventions that you take.

I call Willie Rennie to speak to and move amendment S6M-06984.3. You have a generous six minutes, Mr Rennie.

15:07

Willie Rennie (North East Fife) (LD): Here we are, again. Frustratingly, we are stuck in yet another debate about process.

The UK Conservative Government is being cavalier, but I cannot help but think that it has generated this debate because it simply cannot find any real Brexit freedoms. Was the sunset clause created to generate some drama around the old Brexit debate, because there is not much else to shout about? Is the UK Government kicking up some dust to hide the folly of Brexit? The bill is the baby of Jacob Rees-Mogg: what more evidence do we need?

The Scottish National Party loves nothing more than a debate about Westminster process, especially when it gives the SNP yet another chance to be affronted by whatever the sleight is this week. However, this debate is even more processy than I first thought: it is now a debate on process in a debate about process. There is no doubt that the Scottish Government has, in its eagerness to complain about the UK Government, undermined the committee process of the very Parliament that it claims to cherish.

Despite all the process, there is still a matter of substance at the heart of the debate—I think. The UK Government is being cavalier, even if we do not know exactly what it is being cavalier with or who will suffer. However, neither does the UK Government know what it is being cavalier about. That is the problem—it is driving in the pitch-dark.

We can do without this situation. Businesses, charities and other organisations have enough on their plates without yet more Government-induced uncertainty and potential chaos.

Fergus Ewing: I am most grateful to Willie Rennie for giving way, and I promise that I will not be at all “processy”. I think that he invented that word. There is not much disagreement that Brexit is a disaster. That being so, why has the leader of the Liberal Democrats, Ed Davey, said that he has given up on trying to rejoin the EU?

Willie Rennie: Now it is Mr Fergus Ewing who is inventing words and putting them in Ed Davey's mouth. Ed Davey is very pro-European. He has made the case for a closer relationship with the European Union. We will always be pro-European. I remember fighting the EU referendum campaign in 2016, when the SNP was nowhere to be seen. The SNP spent more on the Shetland by-election than it spent on a campaign to keep our country in the European Union. I will not take lessons from the SNP about how pro-European we are.

Why is the UK Government introducing legislation that will make life harder for businesses? Why does it want to make it harder

for our businesses to trade with businesses in France, Germany and Spain? Every divergence in standards means that businesses face more red tape in order to export to the EU. It is reckless to take an approach whereby we do not even know whether or not we are diverging.

That goes to the heart of the Conservative Party's simplistic and inaccurate understanding of regulation. Businesses are attracted to the UK in part because of good regulations. Businesses need the comfort of a good regulatory system. They simply do not want the fantasy deregulatory agenda that lives only in the mind of Conservative members of Parliament. I would have hoped, after the events of Liz Truss's premiership, for a little more wisdom and caution from the Government. Alas, no. The uncertainty is causing real anxieties.

The Royal Society for the Protection of Birds has described the potential revocation of environmental laws by the Department for Environment, Food and Rural Affairs as "an attack on nature" and has expressed particular concern about regulation of air and water quality and of prevention of pollution. Ruth Chambers, who is a senior fellow at Greener UK, has said that the UK Government is

"hurtling towards a deregulatory free-for-all where vital environmental protections are ripped up and public health is put at risk."

The approach to employment law is the same: a host of rights including rights to holiday pay and agency workers' rights could be downgraded or eliminated. The Institute for Public Policy Research has said that the cliff edge would create

"extraordinary uncertainty for businesses and workers".

The same is true in many areas, including justice, data protection and protections for consumers.

I am not convinced that the bill is primarily a massive assault on devolution, but we do need a new way of working within the UK. Power is best exercised when it is shared effectively. In a federal UK we could chart a course together that would allow us to reflect our common interests and local needs. Rather than the minister in Whitehall always making the final decision, we should share those decisions.

During the pandemic we saw some of the benefits of devolution and joint decision making through the four-nations approach.

Bob Doris (Glasgow Maryhill and Springburn) (SNP): Willie Rennie mentioned a federal UK, which sounds a bit processy. How can we really stand up for Scotland's interests? Surely the best way is by scrapping Brexit and Scotland becoming an independent nation.

Willie Rennie: A federalism debate would be the process debate to finish all process debates—I

hope including the process debate about independence that seems never, ever to go away.

Bringing the four nations' powers together when necessary enabled the making of joint decisions throughout the pandemic, and flexing that approach for each part of the country allowed a diverse approach to be taken when that suited the circumstances.

We need a constitution that clearly recognises the shared sovereignty of all four constituent parts of the union and which can find a way to ensure that the UK Government, the Governments of Scotland, Wales and Northern Ireland, and the various parts of England can work together. That is what the public expects of politicians in these difficult times.

Governments should be compelled to cooperate and agree where their work overlaps, backed by common frameworks and a new dispute resolution process, so that differences can be resolved maturely between Administrations. I can hear SNP members getting riled by my exciting proposition to share power and deliver better governance across the whole UK, in accordance with the principles of federalism.

That is surely how we should progress, in this country. That would bring us together, rather than divide us, and it would make us work in partnership to resolve our common problems. That is something that the whole Parliament should get behind.

I move amendment S6M-06984.3, to insert at end:

"; believes that there are clear opportunities available to each of the UK and Scottish governments to build stronger relationships with European neighbours, and considers that both governments should be compelled to cooperate and agree where their work overlaps, backed by common frameworks and a new dispute resolution process so that differences can be resolved maturely between administrations, to share power and to deliver better governance across the whole of the UK in accordance with the principles of federalism."

The Deputy Presiding Officer: We move to the open debate. Again, I note that we have plenty of time in hand.

15:15

Jenni Minto (Argyll and Bute) (SNP): I will open with a slightly amended quotation from a novel that was written on Jura almost 75 years ago. It is George Orwell's "Nineteen Eighty-Four".

"It was a bright cold day in"

November,

"and the clocks were striking thirteen."

The clock is striking 13. In just 13 months, if the Retained EU Law (Revocation and Reform) Bill is passed at Westminster, thousands of laws that were retained on our statute books after Scotland was dragged out of the EU against the will of our people will be sunsetted—discontinued or terminated—unless they are signed off by UK Government ministers to be kept.

That involves up to 4,000 pieces of legislation, covering areas including workers' rights, animal health and welfare, and nature and environmental protections.

EU legislation was scrutinised and shaped over the 47 years for which we were a member state. In evidence to the CEEAC Committee, Dr Hood KC said:

"it is important to realise that that legislation, throughout the whole period of our EU membership, has become woven into so much of our law."—[*Official Report, Constitution, Europe, External Affairs and Culture Committee*, 10 November 2022; c 23.]

The Retained EU Law (Revocation and Reform) Bill has been widely criticised as "reckless" and "anti-democratic" by legal experts, because of the unprecedented powers that it gives UK ministers. The bill has been described as "not fit for purpose" by the UK Government's own independent assessor. It has been suggested that the bill represents a push for deregulation at the expense of common sense.

Food Standards Scotland, in written evidence to the CEEAC Committee, said

"The removal of Retained EU Law would not therefore return the UK statute book to the UK standards that existed prior to REUL. It would return us to a time where little in the way of any standards applied."

It went on to say that

"A critical purpose of food law is to prevent poor quality, unsafe food reaching the market. Regulation should restrict poor and unsafe practices because its purpose is to provide public protection. De-regulation that removes consumer protection should not be assumed to be an improvement."

However, even with the deluge of concern from across civil society, the business community and the legal profession, the Tory Government continues unabated on its ideological journey to take advantage of the benefits of Brexit, whatever they might be.

Scottish Government modelling shows that Scotland's economy and social wellbeing are disproportionately impacted by Brexit, with Scotland's gross domestic product set by 2030 to be £9 billion lower in 2016 cash terms than it would have been with continued EU membership. His Majesty's Revenue and Customs data shows a £2.2 billion slump in Scottish exports since Brexit.

Then there are the UK's flagship post-Brexit trade deals. The one with Australia is

"not actually a very good deal",

according to former environment secretary George Eustice. In relation to the Japan trade deal, figures that have been collated by the Department for International Trade show that exports fell from £12.3 billion to £11.9 billion in the year to June 2022.

Last week, when the CEEAC Committee heard evidence on the bill from fisheries, agriculture and food representatives, they stressed the worries about the impact on trade. For the Scottish salmon sector, its top export markets are the EU member states, which in 2019 accounted for 70 per cent of Scottish seafood exports, at a value of £774 million. In evidence at that meeting, Seafood Scotland described pre-Brexit trade by saying that

"selling to Glasgow was like selling to France",

in that it was a simple and straightforward process. The post-Brexit situation is different, and Seafood Scotland gave this stark warning:

"It has been a real, real shock to the system to try and now operate under the Brexit model in costs, time etc. So there is a real fear as well, that deregulation and any standards that are lowered from our side would interrupt that trade again".

Two weeks ago, I attended the RSPB's celebration of nature awards. Across Scotland, communities are creating projects to restore nature and halt biodiversity loss. It was fantastic to see Argyll and Bute organisations so well represented. The winner of the coast and waters award was the fantastic charity Seawilding, which works at Loch Craignish.

In other categories, Argyll and the Isles Coast and Countryside Trust and SSEN Transmission were nominated for the work that they are doing on restoring the Celtic rainforest. I declare that I am species champion for the Celtic rainforest. The Ardura community forest project on Mull and "Beataidh Banrigh Super-Bee"—the great yellow bumble bee book from Tìree—were also shortlisted. There was such positivity in the room. Those are all stakeholders.

However, there was also huge concern. Anne McCall, who is director of RSPB Scotland, has, along with more than 40 other environmental groups, called the bill "an attack on nature". She described nature as being in crisis, and said:

"The Retained EU Law Bill risks scrapping the Habitats Regulations, which safeguard our most important wildlife and wild places."

It is unacceptable that the UK Government has unveiled sweeping measures that will have major consequences for Scotland with such little discussion or, indeed, respect for this Parliament

and Scottish ministers. The bill is yet another power grab from Westminster on our devolution, which threatens Scotland's democracy, economy, consumer and worker rights and the environment. In "Nineteen Eighty-Four", Big Brother had all inconvenient truths consigned to the "memory hole" and oblivion. With the bill, the Tory Government plans to consign laws that protect precious rights to its memory hole, and oblivion.

Last night, in his Mansion house speech, the current Prime Minister laid out his Government's approach to foreign policy. He said:

"We will evolve, anchored always by our enduring belief in freedom, openness and the rule of law and confident that, in this moment of challenge and competition, our interests will be protected and our values will prevail."

Might I politely suggest that the Retained EU Law (Revocation and Reform) Bill is not "anchored ... in freedom" or "openness" and that the only way that our interests here in Scotland

"will be protected and our values ... prevail"

is by Scotland rejoining the European family of nations by regaining our independence.

15:21

Jim Fairlie (Perthshire South and Kinross-shire) (SNP): The editorial director of *Le Monde*, Sylvie Kauffman, said, a couple of years ago,

"Watching the long descent of Westminster into something resembling hell has been an exhausting experience."

It is easy to appreciate those words, given the absolutely chaotic and disastrously mismanaged Brexit that has resulted in economic catastrophe for the UK, with grim longer-term forecasts until the Tories and the new pro-Brexit Labour party find the bravery to admit the folly and change direction.

The real problem here, of course, is that, unlike our European neighbours, we are not bystanders with the ability to step back and watch the unfolding shambles; we are collateral damage in the Tory party internal struggles, and we are being denied a democratic route to stop it for the people of Scotland.

Had we voted yes in 2014, we would have been like every other European country, watching our nearest neighbour wreak havoc on itself. We might have been able to advise and cajole them into considering their actions, but we would not have been dragged down with them. That, unfortunately, is a consequence of trusting the unionist narrative, which we now know to be completely untrue.

However, we are where we are, so even more worrying is the fact that the responsibility to outline

a restructuring of the laws inherited through the European Union (Withdrawal Agreement) Act 2020 was given to two of the most prominent fantasist Brexiteers, Lord Frost and Jacob Rees Mogg. That should be a red flag to anyone. The UK Government insists that the aim is to

"take back control of our statute book"

and to do so by a sunset date of the final day of 2023. All inherited EU laws will expire on that date unless they are expressly preserved in some form.

Unsurprisingly, not only the changes but the arbitrary rush have caused great panic among those who are working on the front line of the key sectors and industries that undoubtedly contribute positively to the Scottish economy and are at most threat from that folly, and of course safeguard essential, hard-fought-for rights. Workers' rights, the environment, food standards, health and safety, aviation safety, data privacy, animal welfare, consumer rights and production standards will all be required to follow a new play book as the UK Government delivers its judgements on what exactly it means to "take back control" of those laws.

There was a very interesting evidence session in last week's Constitution, Europe, External Affairs and Culture Committee where stakeholders presented views on what the bill will change. Food Standards Scotland's deputy chief executive Julie Hesketh-Laird stated that the sunset approach is a "huge risk". She said:

"The bill seems to confuse red tape and consumer protection ... the aim of the bill is to take us back to the days when British laws were dominant."

She said that that was dangerous, as doing that

"would take us back to nothing".

She pointed out that

"EU law ... was put in place through a proper process with risk assessments"

and stressed that sunset could mean that we lose all consumer protection.

Not only is it a major risk to consider fundamental changes to a wide range of laws at pace, it is clear that this is also an attempt by Westminster to interfere in Scotland's current devolved responsibilities. We have of course witnessed the reaction to last week's Supreme Court ruling, which shows that the UK establishment does not have any respect for Scotland's democracy. The Scottish Government was elected with the largest-ever majority in favour of holding a referendum and, in the context of today's debate, Scotland voted overwhelmingly to stay in the EU. However, we now have Alister Jack considering sticking his nose into the business of the Scottish civil service. The intention

is clear, and it is not just the loss of EU laws that is at stake.

Sarah Boyack: Will you tell us where in the motion, as amended by our amendment, it says that we are staying in the European Union? This is about retained EU law, so there is a bit of a distinction.

The Deputy Presiding Officer: Through the chair, please.

Jim Fairlie: I am not entirely convinced where Sarah Boyack's intervention comes from. I am talking about the fact that her party is now entirely committed to Brexit.

If the two great public democratic expressions that I mentioned are ignored, we should fear what disregard Westminster will have for long-established best practice on issues such as the welfare and treatment of animals or on weakening stringent checks on animals entering the food chain. During the 19 October House of Commons debate on the Scottish devolution settlement, which was secured by my Scottish National Party colleague Brendan O'Hara MP, the UK Government minister refused to answer a question on what would happen if food regulations were reduced and chlorinated chicken was allowed into the country, even if the Scottish Government prohibited that in terms of food safety responsibilities under devolution. The silence spoke volumes.

We should not just use the dodging of political questions by the UK Government to illustrate concerns. As I have stated in the chamber many times before, my background is in farming, and I have an awareness of many of the issues that the agricultural industries face. Scotland's food and drink sector employs 365,000 people in one way or another, and industry voices tell us that all those people have legitimate concerns over their future. Farmers feel forgotten and undervalued, thanks to the reckless post-Brexit trade deals with Australia and New Zealand. As Jenni Minto has pointed out, the former Government minister who agreed to the deals at the time has now recognised that they are bad deals, especially for our industries in Scotland. Further, the "sea of opportunity" that was peddled to our fishing folk simply did not materialise.

The Sunak Government has an opportunity to slow down on the current destructive path that Westminster has wandered down since dragging Scotland out of the European Union against its wishes. Unfortunately, in an interview about the economy that he gave last week, Mr Sunak was more concerned about preventing refugees seeking safe haven on this island than considering the economic wrecking ball that he and his Brexiteering friends have taken to the economy.

The Cabinet Secretary for the Constitution, External Affairs and Culture has outlined that Westminster should not bypass our Parliament on matters that potentially deregulate high existing standards and in ways that clearly go against the wishes of the Scottish public.

A week on from Scotland's right to democracy being ignored at the Supreme Court, the bill goes some way to showing what the future will look like. I fear that the mission statement of "taking back control of our statute book" is just another way of enacting a hard Brexit. This is just another reason why Scotland should be able to make the democratic decision to stay in this disaster or to choose our own path with independence.

15:28

Alex Rowley (Mid Scotland and Fife) (Lab): The Retained EU Law (Revocation and Reform) Bill does not, in itself, make any major policy changes directly. It is a framework bill that provides extensive powers to ministers to decide whether to amend, retain or revoke any of at least 2,471 pieces of retained EU law. However, a sunset provision means that any piece of retained EU law will be revoked by default at the end of December 2023, unless ministers actively decide to save it by that point. That flags up major dangers for the quality of standards in the UK.

The Hansard Society says that the Government's approach to retained EU law—or REUL—in the bill is fundamentally and irresponsibly flawed. In its briefing, it focused on five areas in which it highlights problems with the bill. It is worth restating those issues in the debate. The briefing says:

1. Acceptance of the automatic expiry (sunset) of REUL will be an abdication of Parliament's scrutiny and oversight role;
2. It will introduce unnecessary uncertainty—legal, economic and political—into the REUL review process;
3. The broad, ambiguous wording of powers will confer excessive discretion on Ministers;
4. Parliamentary scrutiny of the exercise of the powers will be limited; and
5. There are potentially serious implications for devolution and the future of the Union."

Despite all the attacks in this place by the Scottish Tories when we discuss independence, the UK Tory party seems to be determined to do all that it can to undermine the devolution settlement and, indeed, to undermine the very fabric upon which the UK is constituted.

The Hansard Society goes on to say:

"The Bill ... Sidelines Parliament because it proposes to let all retained EU law expire on the sunset deadline,

unless ministers decide to save it, with no parliamentary input or oversight.”

So, the bill is not just about undermining democracy here; the Tories clearly want to undermine democracy across the UK, particularly in Westminster.

The society also says:

“The Bill ... Provides Ministers with a series of broad ‘blank cheque’ powers to amend or replace retained EU law—including to make ‘alternative provision’ that they ‘consider appropriate’—across policy areas as diverse as animal welfare, consumer rights, data protection, employment, environmental protection, health and safety, and VAT, and all subject to only limited parliamentary oversight.”

It is a power grab, but it is a power grab by the executive in Westminster that threatens much of everyday life for us here and across the UK.

The society goes on to say that the bill gives no indication of

“What internal review process will be adopted by the Government to assess 2,417 pieces of retained EU law and how much resource this will require”

or of

“the timescale for decision-making by ministers about whether to let a piece of retained EU law fall away, or whether to amend or save it.”

That detail is just not there. The society also points out that the bill does not say

“How Ministers propose to use the powers to alter policy, other than the intention to move in a de-regulatory direction”,

treating retained EU law

“as a regulatory ceiling rather than a floor.”

Finally, the society warns that

“The potential for dispute in areas of devolved competence risks undermining the Union. There are significant complexities involved, not least in relation to divergence and the operation of the UK internal market.”

We can see that, for the Tories, Brexit is a race to the bottom, with major risks to all aspects of environmental laws and protections, food standards and much more.

To be clear, the bill is yet another attack on devolution. All of us who support devolution and who would support this Parliament having far greater powers should be prepared to stand up and fight such attacks by a Tory party that seems hell bent on destroying the very fabric upon which the union is built.

There is widespread opposition to the bill. It has been opposed by the groups as wide-ranging as the Institute of Directors, the Trades Union Congress and the Chartered Institute of Personnel and Development. Roger Barker, director of policy and governance at the Institute of Directors said:

“Getting to grips with any resulting regulatory changes will impose a major new burden on business, which it could well do without”.

So, business is speaking out against the party that claims to be the party of business and is saying that the bill should be ditched.

TUC general secretary Frances O’Grady described the legislation as “a recipe for chaos”, and said:

“This bill has been rushed through with no consultation and no real thought for the impacts on workers, businesses, consumers and the environment.”

She added that it

“must be withdrawn before lasting damage is done”.

Tony Danker, director general of the Confederation of British Industry, said that the Government should instead focus on improving its trading relationship with the EU.

The UK Government’s Regulatory Policy Committee described the impact assessment of the effects of the bill on the economy as “not fit for purpose”.

The consumer rights group Which?, the National Farmers Union of England and Wales and the British Safety Council have all called for the bill to be delayed or scrapped.

The Tories at Westminster have managed to unite most of the country in saying that the bill is wrong and that it would be bad for the country. I hope that our Tory colleagues in this Parliament will join us in standing up for Scotland and demanding that the bill be scrapped.

15:35

Kaukab Stewart (Glasgow Kelvin) (SNP): I make no apology for starting my speech by expressing my on-going dismay and anger at the position that Scotland finds itself in with regard to EU membership. We have made it crystal clear at every poll and election before and since 2016 that we choose to be an EU nation. Brexit must surely rank as one of the most deceitful and self-destructive policies ever to be visited on the population of a country.

Of course, it does not matter whether people voted for it or against it. The on-going and worsening consequences of withdrawing from the world’s most successful trading block with nothing to replace it were entirely predictable. Pursuing Brexit at all costs was a feckless and dishonest thing to do, but pursuing the hardest of Brexits, as Tory Government after Tory Government has done, is an on-going scandal.

What of Labour? I do not agree that Labour and the Tories are two sides of the same coin on every policy and debate that is brought to this

Parliament. However, on Brexit, Labour seems to have no more interest than the Tories in representing Scotland's democratically expressed choice.

Whether or not we have given up on Scotland being a European nation, as the pro-Brexit Tories, Labour and the Lib Dems have, we should all be deeply concerned by what the Retained EU Law (Revocation and Reform) Bill would mean for workers, employers, consumers and the viability of businesses around the country.

Alex Rowley: It is disappointing to hear the approach that you are taking. Labour has opposed the bill at Westminster and we are absolutely opposed to it here. You seem to be—

The Deputy Presiding Officer: Please speak through the chair, Mr Rowley.

Alex Rowley: Sorry, Presiding Officer. You seem to be more interested in stoking division than you are in trying to unite people in Scotland to stand—

The Deputy Presiding Officer: Through the chair, Mr Rowley.

Alex Rowley: Do you mean that I have to look at you rather than looking across there, Presiding Officer?

The Deputy Presiding Officer: No. You need to address the chair rather than the member.

Alex Rowley: Okay. You seem to be more interested in stoking division and trying to create division in Scotland than you are in trying to build unity whereby parties can come together and stand up for Scotland.

The Deputy Presiding Officer: I think that you mean "the member". You do not mean me.

Kaukab Stewart: With this disastrous bill moving through Westminster despite the concerns of experts, the Welsh Senedd and the Scottish Parliament, I wonder whether Alex Rowley agrees that there is simply no way to make Brexit work.

I will return to where I was in my speech. Bear with me, Presiding Officer. I will try to find my place.

The union Unison describes the bill as having

"set a fast-moving conveyor belt in motion, which will see all protections for workers and UK citizens that come from EU law fall off a cliff in December 2023, unless the government decides to produce new and equivalent UK laws."

I reiterate that the bill would impact about 2,400 regulations. So far, 2,000 pieces of retained EU law have not been amended, repealed or replaced. We should make no mistake—there is huge upheaval and disruption ahead, and there is

the potential for massive loss of rights and protections if the bill proceeds.

The cost of doing business with the EU, and the amount of bureaucracy that is about to be set in train, will rise to unsustainable levels for many businesses. For business and employment, the bill spells disaster—as does Brexit itself.

Recent statistics from the Federation of Small Businesses continue to show my constituency of Glasgow Kelvin as having the second-largest business population in Scotland, with over 10,000 local businesses. For local businesses, Brexit has already taken its toll—on recruitment and on the cost and administrative hassle of trading with EU countries. Now, with the latest mitigating measure in the shape of the EU retained law bill, we are being asked to accept a real bonfire of the vanities when it comes to workers' rights, consumer protection, food standards, animal welfare and literally hundreds of other quality assurance measures that we benefited from as members of the EU.

However, we should be extremely concerned about what the bill means at its heart—at its very core—for Scottish democracy. It will drive a coach and horses through Scotland's devolved settlement and—make no mistake—it is fully intended that it should do so. If it becomes law, it will return to Westminster the responsibility for legislation in vast areas of currently devolved decision making. Coupling that with the disgraceful and undemocratic United Kingdom Internal Market Act 2020 will mean that Scotland's political voice is silenced and overridden on issue after issue.

The Conservatives' amendment to the motion refers to parliamentary scrutiny. The bottom line is that, if we do not stop the bill, there will be no scrutiny of many areas of policy that the Scottish Parliament currently has responsibility for. A massive Westminster power grab may be what Conservative MSPs want and are working for, but it is not what Scotland wants.

I support the Government's motion, which calls on the UK Government to scrap the bill completely—in the interests of good governance, public protection and, most significantly, democracy for Scotland.

The Deputy Presiding Officer: I call Stuart McMillan, to be followed by Maggie Chapman. You, too, have a generous six minutes, Mr McMillan.

15:42

Stuart McMillan (Greenock and Inverclyde) (SNP): I am grateful for the chance to speak in the debate. However, I touch on something that Donald Cameron said. Sadly, he is no longer in

the chamber. He highlighted that committees are midway through their scrutiny. Certainly, the Delegated Powers and Law Reform Committee is not midway through its scrutiny; it is just about to begin that process.

I will speak not as the convener of that committee but as an SNP back-bench member. It is clear that Brexit has been utterly awful for Scotland, and the Retained EU Law (Revocation and Reform) Bill will enable the UK Government to abandon vital legislation that has protected Scottish interests for almost half a century. That will undermine devolution, as Alex Rowley spoke about powerfully. Certainly, as the motion states, the bill should be scrapped.

The issue is not just about democracy, though. The so-called Brexit freedoms bill creates huge uncertainty for citizens and businesses. It threatens to revoke key environmental protections, food standards and workers' rights. That was touched on in the Labour amendment and by Sarah Boyack. Devolved areas would be heavily affected if the bill were to pass—and, with that, the power grab from Westminster would continue, as Alex Rowley also spoke about powerfully. It would only add to the already disastrous impacts of a Brexit that the people of Scotland did not vote for.

Those impacts include a decline in the number of EU nationals who work in Scotland—as has been detrimental for the hospitality, agriculture and meat-processing sectors. That has been highlighted time and again, in the chamber and in committees of the Parliament, as a particular set of problems. Sadly, from everything that we have heard over the past few years from the UK Government and members of the Scottish Conservative Party here, in this Parliament, we know that they have absolutely no answers on how to deal with and address those problems.

Scottish universities have also been affected and have experienced substantial declines in student numbers and, importantly, research grants. I was afforded the opportunity to study abroad through taking part in the Erasmus programme and qualifying for European social fund funding. The UK Government's decision to withdraw from that exchange programme really appals me. I know how important it was for me and for many people whom I studied with. I know, from seeing it at first hand, how it helped to transform the lives of many students. Sadly, I have to say that the Turin scheme certainly does not come anywhere near Erasmus.

Willie Rennie: Has the member worked out why the Scottish Government has not even done what Wales has achieved? It has thousands of places already available for students, thanks to its Government. Has the member worked out why his Government has not done that as well?

Stuart McMillan: Mr Hepburn answered a question on that last week. I am not sure whether Mr Rennie was in the chamber for that, so I would advise him to go and have a wee look at the *Official Report* to get the reply.

At the outset of my speech, I say that I fully support the Scottish Government's position and I share the concerns that are shared across civil society, the business community and the legal profession. The UK Government's own independent assessor described the Tories' plans to rip up EU law as "not fit for purpose".

The bill has been condemned in a letter signed by over a dozen British businesses, and legal, worker and environmental groups, including the Trades Union Congress and the Institute of Directors.

I turn to the amendments. It seems that Labour agrees that the Retained EU Law (Revocation and Reform) Bill jeopardises

"environmental and health standards and protections built up over 47 years of EU membership"

and

"creates enormous uncertainty for workers and businesses".

Why, then, have Keir Starmer and Anas Sarwar vowed not to overturn Brexit if the Labour Party ever come to power again? Why have they become Brexiteers?

Sarah Boyack: If the member had a look at the discussions that we have had, both in Scotland and at the UK level, he would see that it is clear that we are saying that the bill needs to go. There is an opportunity for us. Keir Starmer is talking about reflecting the will of the people, but that does not mean that we have to support the bill. We are pushing the Tories to dump it because it is so damaging.

The Deputy Presiding Officer: I can give you the time back for those interventions.

Stuart McMillan: Thank you.

I hear what Sarah Boyack is saying, but, fundamentally, the issue of Brexit is bigger than this one bill. Scotland's position—and, I would argue, the UK's position—should actually be to work with, rather than against, the trading partnership potential of the other 27 EU members.

I turn to the Lib Dems' amendment. For many years, Willie Rennie and his party have argued for federalism, which is one of the party's policies, and they are quite right to do so. Similarly, independence is a policy of my party, and we are quite right to argue for independence. If Mr Rennie's party is democratic, I genuinely do not understand why it is arguing that Scotland should not have the opportunity to have a referendum on

independence and then, potentially, go back into the European Union. In the past, Willie Rennie has argued that being a member of the EU is hugely important for Scotland. Sadly, once again, his party does not want to rejoin the EU either.

So many things have happened since 2014, with Brexit being one of them. If the unionists are so sure that they would win, why not allow Scotland that independence referendum?

Willie Rennie rose—

Stuart McMillan: Mr Rennie might want to answer this. His amendment talks about building “stronger relationships with European neighbours”.

Can Willie Rennie explain what that means? Surely, building stronger relationships is actually about becoming a member of the EU?

Willie Rennie: I am very keen on developing stronger relationships with the European Union, which I think is important. Equally, though, I want to have stronger relationships within the United Kingdom—something that Mr McMillan wants to undermine.

Stuart McMillan: I am sorry, but Mr Rennie is sadly wrong in that regard. As an English member of the Scottish National Party, I want to have the strongest relationships with the rest of the UK; I just want to do it on equal terms, because Scotland is clearly not an equal partner in the United Kingdom.

Finally, I come to the Tory amendment, which is simply an attempt to deflect from rather than debate the way in which the Tories’ obsession with Brexit has harmed Scotland’s economy. Many colleagues across the chamber have mentioned the damning evidence that has been gathered by the Constitution, Europe, External Affairs and Culture Committee, which has highlighted the real fears among Scottish legal experts, exporters and consumer rights bodies. The post-Brexit power grab is real. The Welsh and Scottish Governments have urged their respective devolved legislatures to refuse consent, fearing for the future of devolution. Scotland rejected Brexit out of hand, but we have been dragged out of the European family of nations against our will.

In 2014, the no campaign infamously argued that voting yes would remove our EU citizenship. It is now clearer than ever that only independence offers Scotland a way to rejoin our fellow Europeans and retain EU-wide protections on the environment, food standards and workers’ rights. If our closest European neighbours can be wealthier, happier and fairer, why cannot Scotland be? Why should Scotland be prevented from helping to lift our constituents, neighbours, friends and families out of poverty?

The Tories’ talk of Brexit opportunities and benefits is absolute nonsense. As I said in the chamber last week, Adam Posen, a former member of the Bank of England monetary policy committee, has suggested that Brexit is responsible for up to 80 per cent of the price increases in the UK. If that is a Brexit opportunity or benefit, I really do not know what kind of parallel universe the Tories are living in.

In the meantime, the Scottish Government continues to present its prospectus for a fairer and greener future as an independent European country, in the “Building a New Scotland” papers. I welcome the fact that, when we do get an independence referendum, we will win that independence referendum, so that Scotland can be a better country—the country that we know it can be.

15:52

Maggie Chapman (North East Scotland) (Green): I will do my best to channel my colleague Mark Ruskell, who is unable to be here this afternoon. I am pleased to be able to speak in the debate, because the topic is one that should concern all of us, whatever our committee membership.

I understand the discontent that is felt by some members of the Constitution, Europe, External Affairs and Culture Committee about the timing of the debate, but the suggestion that we heard earlier that we should not discuss the Retained EU Law (Revocation and Reform) Bill because it is UK legislation is, quite frankly, baffling.

As Willie Rennie has said, there is a matter of substance to discuss. The bill has wide-reaching consequences in many aspects of all our lives. Retained EU law includes many essential environmental, human health and employment protections on a vast range of subjects: air and water quality; species and habitats protection; pesticides and chemicals levels in our food and water; workers’ rights; and consumer protections and other business regulations. Its withdrawal will have significant implications for our citizens and communities, for workers’ rights, for Scotland’s natural environment, for our food standards and for animal welfare.

The bill includes a sunset provision in clause 1. As we have heard, that means that, unless action is taken to retain, replace or amend a retained EU law, it will automatically be revoked on 31 December 2023—just 13 short months away.

The Cabinet Office has published a dashboard that includes more than 570 statutory instruments relating to the environment alone, but the devolved implications for Scotland are entirely unknown. Scottish Government officials will need to work

through thousands of statutory instruments prior to the deadline of December 2023, alongside delivering on the programme for government commitments for this year. Although there is scope for some laws to be subject to a later sunset of 2026, the power to extend that sunset date is available only to a minister of the Crown and not to ministers in any of the devolved Administrations.

Martin Whitfield: Returning to the dashboard that Maggie Chapman mentioned, does she share my disappointment about its complete inability to calculate those regulations that are of a devolved nature, as opposed to those that are reserved legislation, and those that have a crossover effect, which means that each individual set of regulations will have to be examined to find out how it is interpreted and applied?

Maggie Chapman: Yes, I share Martin Whitfield's deep concern about how we will deal with those.

The sunset provision means that everything in Scotland will need to be reviewed before the end of 2023, with time having to be set aside before 31 December to retain, revoke and/or amend the legislation, and all the parliamentary processes that are required for that. As Martin Whitfield has pointed out, that is no simple, linear task.

Having such a cliff edge constitutes irresponsible law making: it involves using a legislative sledgehammer instead of an evidence-driven, targeted and cost-effective process. Moreover, due to the sheer amount of retained EU law, there is a real danger that important laws will fall automatically at the end of next year, simply because they have not been identified and/or restated or amended in time. That could lead to significant gaps in our legislative framework. As we have heard, because many laws are interlinked and dependent on one another, removing one could have dire consequences for a whole regulatory framework. For example, changes to our environmental law framework will have knock-on effects on other domestic and assimilated laws, such as those on food standards.

As we have heard in the debate, the UK Government's own watchdog, the Regulatory Policy Committee, found that the impact assessment for the bill was not fit for purpose—it was red rated—due to inadequate analysis of its full impacts, including those on businesses and trade and investment, and other impacts across the devolved Administrations.

Emma Harper (South Scotland) (SNP): I have spoken about food standards in previous debates and have raised issues around the US Food and Drug Administration's handbook on the acceptable level of defects in food, which allows in certain food products elements such as mould, insect

parts and even rat poo. Does Maggie Chapman share my concern that we really need to be focused on that?

Maggie Chapman: I absolutely do. We cannot allow a reduction in standards, whether on the food that we eat, the food that we give to our children or the food that we tell our citizens and communities is appropriate and healthy to eat. We should have the highest possible standards, but the bill puts all of those at risk.

It is clear that a sunset date of the end of next year is completely arbitrary. Not even bodies that want divergence with the EU, such as the Scottish Fishermen's Federation, believe that the UK Government should be getting rid of EU laws that quickly. Most argue for a phased approach to be taken that involves reviewing laws sector by sector and priority by priority, in a planned and measured way. If laws do fold, some sectors will have to make up their own voluntary standards—and hope that people will stick to them—in an effort to stay aligned with the European market, otherwise they will not be able to trade with the EU, for example.

The bill also has significant implications for the civil services of both our Governments. Departments that are already stretched from dealing with the cost of living crisis and other Brexit issues, as well as other problems that have been caused by our coming out of the Covid pandemic, will not have the capacity to cover the thousands of pieces of legislation in question in 13 months—it is actually less than that, if we are to do it properly. The Scottish Government's programme for government and other parliamentary priorities will be threatened as resources are refocused so that departments can work through the laws and prepare to save them from the guillotine.

There are uncertainties in the bill, too. It states that retained EU law must

“not increase the regulatory burden”,

but what is the definition of such a burden? It must also not increase costs. Again, what does that mean? Does it include externalities?

The potential interactions between the bill and the United Kingdom Internal Market Act 2020 are unclear. Such interactions could have collective impacts on the ability and freedom of the devolved nations to retain in devolved areas higher standards than the UK Government seeks to retain.

It is also unclear how our higher courts would determine the extent to which EU case law

“restricts the proper development of domestic law”,

as suggested by a clause in the bill.

It seems that there is nothing good in the bill. There is everything to cause consternation and concern. We need to emphatically express our opposition to the bill and to what it represents: a UK Government that cares not one jot about the devolved Administrations or their priorities and political identities. I look forward to hearing more detail from the committees that are scrutinising the bill on how we can at least try to protect the standards and regulations on which our health and wellbeing, and that of our environment, should be able to rely.

16:00

Michelle Thomson (Falkirk East) (SNP): When speaking at this point in a debate, it is often difficult to add something fresh, but I will endeavour to do so.

I must comment on how empty the Conservative benches are. Can Conservative members not bring themselves to come here to defend their policy?

One might have imagined that the UK Government would have learned something about the risks of cliff-edge legislation, but it appears that it has not. The Tories are making the damage of Brexit worse and, regrettably, the Labour Party has become their pro-Brexit handmaiden.

I, like anyone who has been paying attention, am deeply concerned about the implications of the Retained EU Law (Revocation and Reform) Bill, which is taking us down a Tory blind alleyway, with scant regard for standards and protections and for businesses being able to trade effectively.

The sunset date—or drop-dead date—of 31 December 2023 means that, unless the UK Government or the Scottish Government and its respective Parliament review individual pieces of legislation and make amendments, existing legislation will cease to have effect. The scale and complexity of what is involved is staggering, and effective implementation is quite simply impossible in those timescales.

As has been mentioned, the recent letter that was signed by trade unions, the Institute of Directors and others notes:

“It is unclear how the UK’s governments and parliaments will cope with the vast amount of legislation this will involve ... There is a huge risk of poor or potentially detrimental law entering the statute book.”

Other commentators such as the Hansard Society have also made their concerns clear. It has determined that the bill represents a complete abdication of the scrutiny responsibilities of the UK Parliament.

The UK Government has suggested that there would be no fewer than 2,400 pieces of legislation

involved, spread across 21 areas of government, but it is worse than that. We should note the comments of Brendan O’Hara MP during the bill’s committee stage. He said:

“no fewer than 1,400 other pieces of legislation have been discovered, and goodness knows how many more are yet to be identified. If the Bill passes unamended, all those will be added to the almost 4,000 existing pieces of legislation that will be sunsetted in 13 months’ time. Why on earth did the Government set such an arbitrary deadline for themselves?”—[*Official Report, House of Commons, Retained EU Law (Revocation and Reform) Bill Committee, 22 November 2022; c 94.*]

Of course, huge swathes of the bill involve areas of law that are devolved to our Scottish Parliament. The Hansard Society notes that the bill

“encompasses a range of policy areas which are within devolved competence, including agriculture, culture, education, environment, fisheries, health, housing, rural development, tourism and transport.”

The process by which powers can be used by a UK or Scottish minister is not clear, and the bill has no provision on what should happen in cases in which a UK minister alone decides to pass secondary legislation in an area of devolved competence. The UK Government’s impact dashboard does not even differentiate between reserved and devolved powers. The fact that the bill is being described as

“creating a framework for these conversations to be had”

shows that there has been completely inadequate planning. Yet again, the UK Government is failing to deal with the Scottish Parliament with respect.

The incoherence continues. For example, only UK ministers are given the power to extend the sunset deadline, but the power to remove the sunset entirely is granted to both UK and devolved ministers. How exactly will that work and give certainty to businesses and the legal profession?

The bill will make worse the already difficult complexities that have been created because of the interaction between divergence from the EU, the devolution settlements and the operation of the imposed internal market act. The final committee stage is being held at Westminster today, but we already know that the Tory Government has rejected a series of amendments that have been tabled.

All that is a nightmare for many sectors, and it invites chaos for many areas, from employment law to health and safety and all else in between. It is legislation that is aimed not at creating stability but at vastly increasing uncertainty, and which is aimed not at making trade with Europe easier, but the precise opposite. It is little wonder that the Hansard Society has said that there are serious implications for the future of the union. At least

that is one area where we know what the answer is—Scottish independence in Europe.

16:05

Bob Doris (Glasgow Maryhill and Springburn) (SNP): Brexit has been a slow-moving car crash for the people, businesses and economy of Scotland. The Retained EU Law (Revocation and Reform) Bill, which has been dubbed by Brexiteers the “Brexit freedoms bill”, is the latest part of a Brexit car crash that has been perpetrated on our nation, which firmly rejected Brexit.

Scotland has already been removed from barrier-free access to the EU export market, which is worth £16 billion to Scottish businesses. The impact in Scotland is real; it is not political rhetoric. For instance, a London School of Economics study earlier this year showed that Brexit-related trade barriers have driven a 6 per cent increase in food prices, and that was before the current rise in costs. Recent HM Revenue and Customs data shows a £2.2 billion slump in exports since Brexit, with a 13 per cent drop in exports over a two-year period alone.

Scottish Government modelling shows that Scotland’s economy and social wellbeing are disproportionately impacted by Brexit. Scotland’s GDP in cash terms at 2016 prices will be £9 billion lower by 2030, which is a 6.1 per cent cut. Let that sink in as the Scottish Government wrestles with settling pay claims in health, education and beyond while being hampered by UK cuts to our budget and soaring inflation that is fuelled by the Tories’ botched handling of the economy. Let it sink in that we will be £9 billion poorer because of the Tories and Brexit.

Rather than taking an alternative route to limit the damages of Brexit as best we can or, indeed, slamming on the brakes and hitting reverse gear—my preference would be an independent Scotland in the European Union—the UK Government’s Brexit freedoms bill hits the gas, tears through and rips up hard-fought-for social and environmental protections and crashes important business alignments between the UK and the EU.

The bill will erase more than 2,400 items of EU legislation. It could put in the dustbin Scottish workers’ rights that are embedded in the working time directive, with employees potentially being sacked for refusing to work a 48-hour week or beyond. It could compromise the rights of pregnant women at work or women on maternity leave and leave them open to discriminatory practices. We should be going further on social progress, not undermining it.

Food Standards Scotland is concerned that the bill could impact on the most basic of food hygiene

standards and food labelling requirements. I note that green non-governmental organisations are concerned that the ditching of 570 environmental regulations could herald the use of previously prohibited pesticides, which could damage wildlife and pollute rivers. Businesses are hugely concerned about the further disruption to trade, with EU partners and the UK dashing to destroy much of the environmental alignment that aids and supports trade. That trade has already been made much more fragile by Brexit.

This is not a debate about process; it is about the reality of Brexit as we know it under the UK Tory Government. The UK Government’s proposed sunset clause is an act of social, economic and environmental self-harm, but the UK Government wraps itself up in a union jack and exclaims, “Brexit freedoms!” in time for Big Ben to chime at midnight on 31 December 2023—it is Brit-nat jingoism at its worst.

That will, of course, impact on all the nations and regions of the UK.

As we have heard this afternoon, the bill is also a less-than-subtle attempt by UK ministers to grab and gain legislative control over a whole swathe of matters that should fall within the competence of Scotland’s Parliament. Layered on top of the UK Government’s United Kingdom Internal Market Act 2020, that is a further overt attack on devolution. Alex Rowley had some very thoughtful reflections on that. With devolution as we know it directly in the firing line and the social gains of devolution in peril—as Alex Rowley pointed out—it is important that we all sit up and take notice, and that we make common cause across parties.

As members would expect me to say, there has never been so vital a time for Scotland to express its democratic position on independence in a referendum. There is, of course, already a clear mandate for a referendum. If only we were in a voluntary union.

I was frustrated by the comments of Labour’s Sarah Boyack—I know that she is not in the chamber at the moment. I am sure that those comments were made with great sincerity, but tinkering with the relationship between the nations and regions of the UK and hinting at House of Lords reform is, at best, just a fanciful solution. It was said that Nero fiddled while Rome burned. Pro-Brexit Labour tinkers while Scotland suffers. However—this is important—I agree that, irrespective of our different constitutional positions, we must do all that we can to come together, ideally to defeat the UK Government’s plans.

I go back to the car crash that I started off with. It seems that the UK parties’ plan to tackle the harms of Brexit is to ask us all to put our seatbelts on as the Tories drive the car off the Brexit cliff. I

do not want any part of that, and I support the Scottish Government's motion.

16:12

Colin Beattie (Midlothian North and Musselburgh) (SNP): From what I have heard in the chamber this afternoon, the impact that the Retained EU Law (Revocation and Reform) Bill will have on Scotland is, frankly, quite appalling and extremely worrying. In principle, the bill seeks to revoke around 2,400 pieces of legislation, which is incredible. However, in giving evidence to the Constitution, Europe, External Affairs and Culture Committee, the director of law reform at the Law Society of Scotland, Michael Clancy, advised that it could impact up to 5,000 pieces of legislation.

I cannot see how the UK Government thinks that that is in any way a sensible or manageable result, and I do not believe that the UK Government has even slightly grasped the extent to which the bill will impact on our daily lives. However, it hopes to deliver on the bill by 31 December 2023. To put that into perspective, that is only 397 days from today. The idea of sunsetting most retained EU law by that date is alarming. That does not give the devolved nations or the UK Government sufficient time to consider and scrutinise each piece of impacted legislation and, where necessary, to find a suitable alternative to fill the gap, let alone sufficient time for the UK Government to consult the devolved nations fully on the impact and ensure that they have full engagement throughout the process. The speed with which the UK Government seeks to pursue the legislation is nothing short of irresponsible and careless.

Martin Whitfield: Does Colin Beattie agree that, as we approach the end of next year, the UK Government is, sadly, going to be unwilling to extend that time because of the race to placate some Conservative Party members down the road?

The Deputy Presiding Officer (Annabelle Ewing): I can give Colin Beattie some time back for that intervention.

Colin Beattie: I absolutely agree with Martin Whitfield on that point. There is no doubt that the UK Government is listening to only a small number of hard Brexiteers, who are driving its policy.

It must be said that the UK Government has become accustomed to taking drastic actions without listening to or consulting the devolved nations. There is a reason why devolved Parliaments were established: to allow the nations of the UK more autonomy over matters that directly impact on their people. We, the elected Parliament of Scotland, are best placed to make those decisions for our people. However, the bill

will allow UK ministers to make decisions in policy areas that are currently devolved to the Scottish Parliament and the Welsh Senedd without any prior consent or consultation.

The devolved nations face being completely overruled and will be left to face the serious consequences of those decisions. We have already seen the lengths to which the UK Government is willing to go to ensure that Scotland is silenced, threatening our democracy. The bill is not the only power grab that we have seen by the hard Brexiteers in Westminster; there has also been the United Kingdom Internal Market Act 2020 and tension over the Northern Ireland Protocol Bill. The bill that we are discussing is just another to add to the growing list.

Scotland neither asked nor voted for any of that. We are now left with the life-changing cost of Brexit with no control over which direction Scotland is going in. The past week has shown us that, contrary to the better together campaign promise, we are certainly not an equal partner in a voluntary union, and we clearly never were.

Brexit has already done enough damage to Scotland without taking the bill into consideration. I find it concerning that, since the UK's exit from the EU, our rights, privileges and freedoms—gained over many years—have been slowly sliced away and, most disturbingly, that has happened without many of us realising it. In principle, the bill means that many standards and protections that have been built up over 47 years of EU membership will cease to exist. It is vital that people understand what is at risk and how the standards with which we have become so familiar will be stripped from us.

We face the threat of regulations such as those that protect rights for pregnant women at work and essential environmental standards being compromised, thereby creating massive uncertainty for individuals and businesses. Brexit has already proved challenging for our businesses. Trade is now more difficult, export markets are limited and, against its will, Scotland has been removed from a market that is worth £16 billion in exports for Scottish companies. That is without considering the financial burden passed on to businesses and consumers.

The bill will add further to burdens on businesses and consumers who are already facing challenging times due to the cost of living crisis while trying to recover from Brexit and the global pandemic. It underlines once more the now well-known fact that Scotland's votes do not matter or influence Westminster in any shape or form. That is why it is so important that the devolved nations stand united, as we are today, and so important to raise these concerns on behalf of the Scottish people.

The Parliament has limited powers to defend itself against the wreckage of a hard Brexit-obsessed Tory Government that does not want to listen to the devolved nations and does not appear to care about the severe impact that the bill could have on them. The only way that Scotland can escape the damage of the bill is for the bill to be withdrawn in its entirety. We still face greater uncertainty about how many pieces of legislation will further impact the devolved nations and we must address the fact that Scotland does not have the capacity or the resource to adequately scrutinise such vast and extensive changes in such a limited time.

Our warning calls must not fall on deaf ears. It is pertinent that the UK Government should listen to the Parliament's calls. Scotland did not vote for the Tory Government at Westminster or to leave the EU. Those decisions have been imposed on us and were outwith our control. Once again, Scotland is expected to sit back and pay the high price for the cost of reckless decision making by Westminster.

Scotland is a proud European nation and has benefited hugely from EU citizenship for almost 50 years. It is unjust and undemocratic that we are punished further by the bill for a decision that we did not make. The Parliament should not give legislative consent for the obvious reasons that have been highlighted. The bill should be ditched completely for all our sakes.

16:50

Willie Rennie: I have made the popular case for federalism and I fully expect everyone in the chamber to get behind that popular movement. I have made the case for partnership, which many members on the SNP benches have argued for this afternoon; for shared decision making, which members on those benches also advocated for; and for a dispute resolution procedure, which is long overdue and which I know is at the beating heart of every SNP member. Therefore, I hope that, at decision time today, there will be a unanimous vote in favour of my amendment, because there is so much consensus in the chamber this afternoon.

Jim Fairlie: Although I fully agree that the common frameworks that you refer to in your amendment are laudable, it is clear that they work only if you do not have the United Kingdom Internal Market Act 2020 running right over the top of them. Would your expectation have been for the UK Government not to introduce legislation that would overrule the common frameworks?

The Deputy Presiding Officer: We need to address members through the chair.

Willie Rennie: Mr Fairlie should not be so miserable and negative. I am optimistic that the UK Government will come behind the Scottish Parliament when it advocates for federalism, leading to a renewed relationship across the United Kingdom. I hope that I can persuade Jim Fairlie to be more positive in future debates.

Graeme Dey outed me in my opening speech when he pointed out that I had complained throughout my contribution about this debate being too processy before then advocating for the best process of all. If I am honest, I think that he was correct in that regard. However, I believe that federalism is the process to end all process debates. That would be a great advantage to this Parliament, which loves a great debate on process.

Bob Doris pointed to the core issue and to the substance of the debate in highlighting that food prices have gone up, that exports are down and that revenue has fallen. Those aspects have the biggest consequence of all. That is what we should be focusing on in this Parliament, because people outside the Parliament are facing in their daily lives cuts to public services and rising food and energy prices, and the exports in the businesses where they work are going down.

We should be focused on that, and I hope that the Parliament can return to those substantial issues—

Michelle Thomson: I am thoroughly enjoying Willie Rennie's discussion about federalism while fully disagreeing with him. I gently point out that federalism would not in any way address the issues that he highlights around the cost of living crisis, as it does not enable the critical macroeconomic powers that are needed to grow our economy.

Willie Rennie: That is getting pretty heavy, is it not? I will move on; we do not want any talk of substance. [*Laughter.*]

To be frank, we are not even sure whether we are diverging from the European Union. The debate has not moved on in six years. I remember the debates that took place early on in the previous session of Parliament, when we were arguing about the process of being involved in decision making. Again, at that point, I made the case for federalism. Sadly, other members did not support it, and I was crushed.

It is quite interesting that this debate is marked by the frequent use of terms to describe the impact of the regulations—that they “could have significant consequences”, that they “could be devastating” and that they “could be something else that is bad for the country”. Nothing is certain. To my mind, that is damaging, because we are working in the dark. We must have much more

certainty for businesses—particularly at this time, given Liz Truss’s premiership, which created so much uncertainty in the country and caused us so much economic harm.

We need more certainty. However, we are not really sure whether we have diverged from the European Union yet. That begs the question why we bothered going through the whole Brexit process if we were not going to get the so-called Brexit freedoms.

We need to put the bill into the context of being unsure whether Brexit has been progressed. That makes it even more difficult to understand why the UK Government has jumped the gun. Donald Cameron’s contribution was excellent. He was clearly very angry that the UK Government has undermined the processes of this Parliament and of the committees that are looking at the issue in a sober and considered way.

We could have had a unanimous position in the Scottish Parliament, but there is a danger that the Scottish Government has undermined that. We could have sent a clear message to the Westminster Government of its folly in pursuing its approach; potentially, the Scottish Government has undermined that. I hope that that is not the case, and I hope that the committees are given the opportunity to scrutinise the legislation in time and to make their views known.

It has been a remarkable debate this afternoon, with some remarkable speeches—Alex Rowley even cited the CBI in support of his argument. Stuart McMillan extolled the virtues of the Erasmus scheme—about which I agree with him whole-heartedly—but he could not tell me why his Government has not done something similar to Wales, which has a replacement for the Erasmus scheme. Kaukab Stewart says it is all Keir Starmer’s fault. Jim Fairlie complained about Brexit and then argued that we should repeat the follies of Brexit with independence and putting up more barriers. Colin Beattie did exactly the same. He has ignored the warnings of Darren McGarvey, the pro-independence supporter, who said:

“You can’t expect an electorally significant mass of people to suddenly warm to idea of more political/economic upheaval in middle of a cost of living catastrophe. Not least when Brexit (painful breakup of a political/ economic union) is being used as the justification for it.”

Those members should start listening to some of the voices in their own ranks—those who argue for independence but who also argue that the SNP is pursuing the wrong strategy to achieve its goal.

It has been an interesting debate. I hope that we can have fewer debates on process in the future and that we will unite around the best process of all, which is federalism. We need more certainty about the future. We need to give confidence to

businesses and charities so that they can get on and do what they do best. That would be the best way to serve our country through the cost of living crisis.

The Deputy Presiding Officer: I call Martin Whitfield to wind up on behalf of Scottish Labour.

16:26

Martin Whitfield (South Scotland) (Lab): It is always a pleasure to follow Willie Rennie—and to learn about process.

Brexit has marked a change in the relationship between the UK and Scottish Governments, with powers in devolved areas being conferred on UK ministers to manage the withdrawal process. That is undemocratic and undermines our devolution settlement. The bill that we have talked about today is one of the broadest examples of that, and it confers broad powers on UK ministers to act in devolved areas—for example, to preserve the retained EU law without the need for consent from or consultation with the Scottish Government or the Scottish Parliament.

Scottish Labour does not support the bill. The UK Government’s failure to respect the devolution settlement is unacceptable. That two Governments work together in the public’s best interests wherever possible should not be too much for the people living in Scotland to expect. Scottish Labour has proposed a series of reforms that would embed co-operation between Scotland’s two Governments, strengthen Scotland’s position, influence the UK and replace the House of Lords with a senate of nations and regions, to reflect the distinct voices of the nations around the UK.

Jim Fairlie: The member talks about Scotland having an influence in leading the UK, but, given that we have already got the vast majority of Scottish MPs at Westminster and the majority of members in the Scottish Parliament, how much more influence could we have when our democratic rights are still being refused?

Martin Whitfield: I cannot comment on the ability of SNP MPs to influence the Government down at Westminster, or the choices that they make.

I turn to the interesting speeches in today’s debate. I will start with Donald Cameron’s speech and the Conservative and Unionist amendment, which Scottish Labour is unable to support because of its pre-emptory nature. However, that does not take away from the important issues that Donald Cameron raised and the fact that the Scottish Government placed committee members—both in the debate and outside the chamber—in an incredibly difficult position with the

motion. The motion could have been drafted to highlight, for example, the letter that was jointly signed with the Welsh Government. We could have debated that letter fully without risking the ability to step on the committee's decision.

As I said, although we are unable to support the Conservative amendment because of its preemptive nature, I welcome the point that it highlights and that Donald Cameron made in his speech. Members of the Scottish Government and the Scottish Parliament should sit back and think about going forward to protect the very purpose of parliamentary committees, which is to hold the Government to account.

When listening to Willie Rennie's speech, I wrote, "He loves a good process." I would like to leave it there, but that would be unfair, because actually he highlighted the importance of working together and said that, during Covid, we saw the benefits of joint working as well as the flexibility of different approaches when that mattered in different areas.

Jenni Minto rightly talked about food—I mean food—protection; that is not easy to say and possibly even less easy to do. She talked about the connection between the safety and the regulations for consumers that could potentially vanish overnight. Among a number of other speakers, she talked about the evidence that has been heard in the Scottish Parliament that that will be a real shock to the system and that our businesses are truly struggling to operate under the post-Brexit regime.

Jenni Minto also referred to the comment from the RSPB that the proposals are an "attack on nature". Nature does not have a voice in this place, other than the voice that we choose to give it. It is important for our young people, our nature, our environment and, indeed, for Scotland that that voice is brought in here. I hope that the Government elsewhere will listen to that voice, although I fear that that will not be with the seriousness that the issue deserves. That voice should be listened to.

A number of members pointed to the strength and volubility of Alex Rowley's contribution and the importance of what he said. It is right to remind ourselves of what the Hansard Society said about the loss of scrutiny with regard to the sunset provisions, the uncertainty that those are creating, the "excessive discretion" that is being given to ministers and the "limited parliamentary oversight". The final comment from the Hansard Society that Alex Rowley mentioned was that Parliament is being sidelined. Far too frequently, we see a power grab by the Westminster Government, which sidelines the Westminster Parliament. I am tempted to say something about the Scottish

Government, although I deeply hope and believe that it would not pursue that approach in Scotland.

I echo Stuart McMillan's comments about the Erasmus scheme. It is important that our young people witness and experience other cultures, not just in Europe but around the world. That has value for our young people as they grow up, and it gives them empathy and understanding. Similarly, there are the great benefits that we see from overseas students spending time here, in Scotland, and elsewhere in the UK. It is a great shame that, apart from in Wales, students have lost that opportunity.

I frequently hear the statement that it will be all right when we rejoin the European Union, but that is a lifetime away for the students who are now thinking about which university to go to. Even on the best-case timetable, the students who are now applying to universities in Scotland and who might otherwise have taken up the Erasmus offer will be unable to do that, and that remains the fault of both Governments.

I highlight the discussion of where the power grab is taking place. I gently urge members to be careful about where they think the power is going. I do not think that it is going to the Westminster Parliament; I think that it is a power grab by the Tory Government, which wants to exclude the power of oversight, comment and, indeed, consent. A more careful choice of language would, I believe, help people to understand who perhaps—I put this in quotes—the "real villain" is, which is the Conservative Government.

I would like to spend a moment or two speaking about Maggie Chapman's excellent contribution. She talked about the dashboard and said that the risk is red. Although time prevented her from going into this in detail, she was one of the few commentators who talked about the role of EU case law and whether that will or will not influence court decisions, even though aspects of some questions might be about what was European law but is now lost.

Joint working remains difficult, but both Governments need to move away from a competitive and combative approach to the union. I say with the greatest of respect that the SNP is not helped by the megaphone diplomacy that it uses at times. It was fascinating to hear from the cabinet secretary about the amendments that are going through the Westminster committee, and I am glad to hear that they originated with the Scottish Government. That is something that it should be proud of and that will be supported going forward.

I will finish with the dashboard—that spreadsheet, frozen in time, highlighting 2,500 regulations, which may, indeed, be up to 5,000. I

will use Bob Doris's metaphor about the car crash analogy, although I am not sure that I am going to let Bob Doris drive if he is just going to slam the brakes on and shove the car into reverse. My driving instructor told me to pay attention to the dashboard in the car because it tells me important information that I need to know. However, to drive you need to look around, to anticipate and to listen to the engine, because that is the way to drive properly. I would urge the UK Government to lift its eyes from the dashboard, look at the damage that the bill is doing and withdraw it.

16:36

Maurice Golden (North East Scotland) (Con):

As a member of the Constitution, Europe, External Affairs and Culture Committee, I am disappointed that we are debating the Retained EU Law (Revocation and Reform) Bill in the chamber at the same time as our committee is conducting an inquiry. My colleague Donald Cameron made his points eloquently on the subject earlier and he is right in his assertion that, by holding the debate, the Scottish Government has undermined the entire scrutiny process of the Parliament. Today is about cheap political point scoring.

Less than two weeks ago, members debated the impact of Brexit on devolution. I said at the time that the challenges that exist are not insurmountable, that both Scotland's Governments would have to work together and want to resolve the issues, and that the UK Government has a clear incentive to ensure that, as a result of Brexit, the devolution settlement is protected.

I also said at the time that the SNP had a choice. It could act in the interests of the Scottish people and engage in the process constructively or continue to use every opportunity to sow division and use it for political grandstanding. In less than two weeks, through calling today's debate and the contributions of the SNP members, it has answered that question. Political grandstanding has won out.

The Constitution, Europe, External Affairs and Culture Committee will continue its inquiry into the Retained European Law (Revocation and Reform) Bill and, when the time comes, despite the SNP Government undermining the process, there may still be an opportunity to debate the subject with the appropriateness and rigour that it requires. We can do that having completed our evidence sessions and after the publication of the committee's report on the subject. Evidence-based policy making and decision making are critical to a properly functioning modern democracy.

For now, I will make a few general observations about the rhetoric that we have heard today and the text of the SNP's motion. We have heard a lot

from the SNP about the bill undermining the devolution settlement. However, it is the SNP that has undermined the important scrutiny process of the Parliament. It has undermined the parliamentary committee function and, in doing so, it has undermined the whole Scottish Parliament. That, to me, is a significant undermining of the devolution settlement.

We have also heard, over and over again, about the bill's impact on standards here in Scotland. The SNP's motion says that the bill

"threatens vital standards and protections built up over 47 years of EU membership".

We have heard that sort of claim before, of course. The SNP claimed that the United Kingdom Internal Market Act 2020 would green-light the UK Government to halt progress in the setting of regulations and standards, but where is there evidence for that? The fact is that there has been no roll-back on regulations. In areas such as the environment, the UK is making even firmer commitments than the EU, including setting tougher carbon emissions targets, ending the sale of petrol and diesel cars five years earlier and going considerably further when it comes to supporting sustainable agriculture and farming practices. All of those should accelerate the move towards net zero.

Alex Rowley: Does Maurice Golden accept that, across the country, organisations such as environmental groups, trade unions and the CBI are raising serious concerns about the bill? I look forward to the committee finishing its work so that we can go further into the detail of those concerns.

Maurice Golden: I share those concerns. We are here debating the issue today, but we have representatives of environmental organisations, including my former professor of environmental law, coming to the committee on Thursday, and I think that it would be better for the Parliament to see the evidence session and hear from the experts, and then debate the issue. That is the substantive point of the amendment in Donald Cameron's name.

Of course, compared with the reality of their actions, SNP members have been full of bluster in their rhetoric regarding the importance of EU standards and protections. If we recall, the reason for the SNP's UK Withdrawal from the European Union (Continuity) (Scotland) Bill was that it was imperative that the Scottish Parliament had the powers to keep pace with European law. The policy statement for the continuity bill states:

"Maintaining alignment with EU law and the high standards that Scotland has enjoyed as part of the EU is a priority of the Scottish Ministers."

It was so much of a priority that the policy statement for the bill also states that alignment to

newly introduced EU law is the SNP Government's stated "default position".

However, in the two years since the bill was passed, not once has the SNP Government aligned to a single piece of EU law, and, despite it being the Government's default position to align, no one is any the wiser as to why it has not chosen to align, because it will not tell anyone. It also will not tell anyone what its policy is on the speed of alignment, whether it routinely monitors EU legislative changes or how decisions are taken about what legislative approach to take to achieve alignment. Therefore, when SNP members throw their hands up in the air, as we have seen today, and talk about the rolling back of regulations, their actions—or inaction—when it comes to their own policy on the alignment of EU laws speak a lot louder than their words.

The only outputs from today's debate will be an SNP Government press release about the will of the Scottish Parliament and the odd grievance-filled TV interview from Angus Robertson. However, the outcome of today's debate is far more significant, and it is not a positive one. The Parliament has been undermined today, and it has been weakened as a result. Perhaps all those members who have harped on in the debate about the undermining of the devolution settlement should take a look in the mirror.

16:43

Angus Robertson: In my opening remarks, I set out the Scottish Government's view on why the UK Government's retained EU law bill is reckless legislation. In closing, I will reflect further on the bill as an example of Westminster's attitude to devolution since Brexit. First, however, I will respond to points that have been made during the debate.

For context, I note that the really important and widely known fact that has been missing, in particular from Conservative members' speeches, is that right now in Westminster consideration is being given by the new UK Government, the new UK Prime Minister and the new minister with responsibility for the bill to whether it should go forward as planned. That makes our consideration, as a Parliament, a first-order issue. I appreciate that members want committees of inquiry to continue with their work, but in no way does their doing so mean that this Parliament cannot or should not take a view on a matter that is so timeous and pressing, and on which there is an opportunity to change the UK Government's course of action.

Donald Cameron, in opening for the Conservative Party, suggested that the debate is about a "short-term, tactical hit". He is totally

wrong: the issue is live and current, so now is the time to press with the strongest unified opposition that includes not only the Scottish Government, but the variety of third sector and representative bodies that we have heard about, and voices from across this chamber.

As I mentioned in my opening remarks, I await with interest the report by the Constitution, Europe, External Affairs and Culture Committee, and look forward to providing evidence to the committee in December. The Government has lodged a legislative consent memorandum, so I am more than prepared to return to the chamber to debate the bill when the committee issues its response.

However, such is the potential damage that will be caused by the bill that it is the Scottish Government's view, as set out in today's motion, that the legislation should be entirely and immediately withdrawn. The very existence of the bill is causing concern and uncertainty for businesses, employers and employees alike, and it must be withdrawn. Incidentally, this is a Scottish Government debate, not an LCM debate and, because we are not recommending consent, we will not be lodging a legislative consent motion. We are therefore not breaching standing orders in respect of the issue.

I welcome Sarah Boyack's opening speech and the Labour amendment. She asked for assurances about the legislative process in relation to the Retained EU Law (Revocation and Reform) Bill and about the reaction of the Scottish Government. I give her all the comfort that I can give that I will keep her informed about the process once we have made progress on the scoping work to protect EU standards and legislation. I think that she understands the scale of the challenge that we face. We are in a unique situation, so I give her the commitment that I will happily meet her and discuss the matter, as we go forward.

Willie Rennie made a great start to his speech. It was a fantastic and strong start, in which he described the UK Government as "cavalier". Sadly, after signposting the risks of it turning into a "processy" speech, he did exactly that and made a processy speech. He said how important it is that we find a federal solution. Incidentally, I think that we were promised a federal solution in the run-up to the 2014 independence referendum, although we have had neither sight nor sound of that since. I am sure that Mr Rennie will want to talk about that at great length when we have more time for debate, but I point out to him I am still looking forlornly for one single workable model of multinational federation in which 85 per cent of the population lives in just one part of the federation. There has never been one.

Mr Rennie made a point about common frameworks, but blithely glossed over the reality of the common frameworks that we now have and their interrelationship with the United Kingdom Internal Market Act 2020. There is a sadly disappointing equivalence with the Lib Dem amendment, which does not take the opportunity to stand up for our devolved institutions.

I turn to other contributions. Jenni Minto, in focusing on the environment, gave examples of the deregulatory risks that are posed by the UK Brexit agenda and the Retained EU Law (Revocation and Reform) Bill.

Jim Fairlie gave real-life examples of challenges to the agriculture and food and drink sectors, and of the undermining of Scottish democracy and decision making.

Alex Rowley, speaking for the Scottish Labour Party, made a fantastic speech on deregulatory risks to devolution, highlighting the particular dangers that are posed by the sunset provisions and the power grab by the Westminster Government. Probably for the first time, I heard Alex Rowley quote the Trades Union Congress, and the Confederation of British Industry and the Institute of Directors. I say that half in jest and half in seriousness, because it underlines the point that opposition to the bill, in Scotland and across the UK, goes right across the spectrum. Those voices should be listened to.

Kaukab Stewart told us about the dangers to quality-assurance measures and to the devolved settlement in Scotland.

Stuart McMillan highlighted the concerns of civic society, business and trade unions, and reminded us of the importance of the European Union, especially of EU nationals, to our life in Scotland. He was correct to describe the Tory amendment and contributions as deflections, because that is exactly what they have been today.

We heard from Maggie Chapman from the Scottish Green Party about the risk to the highest standards, because that is what EU standards are, and about the challenge to public administration and governance. How on earth are we, as a Parliament, supposed to ensure that potentially thousands of pieces of legislation go through Parliament with maximum scrutiny by the end of next year, as her party's front-bench members suggest is required? We do not even know exactly what legislation will be in play, although we know that a great proportion of it relates directly to devolved governance. Maggie Chapman said that it is right for us to emphatically state our opposition to the damaging bill; we will have the opportunity to do so at decision time.

Michelle Thomson pointed out that there had not been a single contribution by a Tory back-bench

MSP in the debate. Even the Tory back benchers know that the UK Tory Government's proposal is utterly indefensible, which is why they did not take part. To be frank, that is a more credible explanation for their unwillingness to deal not with the substance but with synthetic process points, which are aimed at avoiding immediate action.

Bob Doris talked about the potential damage to business and the workforce at this difficult economic time.

Colin Beattie made the important suggestion that we need to work together with colleagues in other devolved nations—indeed, that is what we are doing. In the letter in yesterday's *Financial Times* that was signed by me and my Welsh opposite number Mick Antoniw MS, who is Counsel General and Minister for the Constitution in the Welsh Government, we wrote:

"The bill will cause significant confusion and disruption for businesses, working people and those seeking to protect the environment. It will bring uncertainty to established legal principles and has the potential to disrupt trade with the EU."

We stated that the

"bill allows UK ministers to take decisions in policy areas that are devolved to the Welsh senedd and the Scottish parliament and to do so without consultation or the need for their consent. Convention requires the UK government to adjust legislation to reflect the will of elected representatives of the devolved parliaments."

I and my Welsh Government colleague ended by saying that

"We urge that the UK government withdraw the bill."

It should do that now—not in a few weeks or a few months, but right now. That is why it is really important that the Scottish Parliament take a view now on the bill and its withdrawal.

I turn to the summing-up speeches from the other parties. Willie Rennie reminded us, helpfully, why we will not be supporting the Liberal Democrat amendment. In contrast, Martin Whitfield made a sensible contribution on the dangers of the bill. They were in keeping with the sensible Labour amendment, which we will support this evening.

From Maurice Golden, we heard a reassertion of the novel but unsustainable position that Parliament cannot take a view on a pressing matter while a committee is conducting an inquiry. At least that gave him the opportunity to say nothing about the bill. We cannot sit idly by and miss the opportunity to bury the bill once and for all.

The Retained EU Law (Revocation and Reform) Bill poses concrete risks to a swathe of protections and standards in Scotland. Its practical effect on our day-to-day lives alone is reason enough for

this Parliament to make it clear that it should be withdrawn. I argue that when we add to that the bill's pernicious effect on devolution, which exposes the true attitude of Westminster towards Scotland, Wales and Northern Ireland, it is clear that this Parliament should agree to the motion and agree that the UK Government must withdraw the bill.

Motion without Notice

16:54

The Presiding Officer (Alison Johnstone): I am minded to accept a motion without notice under rule 11.2.4 of standing orders that decision time be brought forward to now. I invite the Minister for Parliamentary Business to move such a motion.

Motion moved,

That, under Rule 11.2.4, Decision Time be brought forward to 4.54 pm.—[George Adam]

Motion agreed to.

Decision Time

16:54

The Presiding Officer (Alison Johnstone):

There are four questions to be put as a result of today's business. I remind members that, if the amendment in the name of Donald Cameron is agreed to, the amendment in the name of Sarah Boyack will fall.

The first question is, that amendment S6M-06984.1, in the name of Donald Cameron, which seeks to amend motion S6M-06984, in the name of Angus Robertson, on European Union retained law, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division. There will be a brief pause, to allow members to access the digital voting system.

16:55

Meeting suspended.

16:58

On resuming—

The Presiding Officer: I remind members that, if the amendment in the name of Donald Cameron is agreed to, the amendment in the name of Sarah Boyack will fall.

We come to the vote on amendment S6M-06984.1, in the name of Donald Cameron. Members should cast their votes now.

The vote is closed.

Alexander Stewart (Mid Scotland and Fife) (Con): On a point of order, Presiding Officer. My connection was not available. I would have voted yes.

The Presiding Officer: Thank you. We will ensure that that is recorded.

James Dornan (Glasgow Cathcart) (SNP): On a point of order, Presiding Officer. I could not get connected and I would have voted no.

The Presiding Officer: Thank you. We will ensure that that is recorded.

For

Balfour, Jeremy (Lothian) (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)
 Dowey, Sharon (South Scotland) (Con)
 Findlay, Russell (West Scotland) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)

Golden, Maurice (North East Scotland) (Con)
 Gosal, Pam (West Scotland) (Con)
 Greene, Jamie (West Scotland) (Con)
 Gulhane, Sandesh (Glasgow) (Con)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Hoy, Craig (South Scotland) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Lumsden, Douglas (North East Scotland) (Con)
 McCall, Roz (Mid Scotland and Fife) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Ross, Douglas (Highlands and Islands) (Con)
 Simpson, Graham (Central Scotland) (Con)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 White, Tess (North East Scotland) (Con)
 Whittle, Brian (South Scotland) (Con)

Against

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Brown, Siobhian (Ayr) (SNP)
 Burgess, Ariane (Highlands and Islands) (Green)
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
 Chapman, Maggie (North East Scotland) (Green)
 Choudhury, Foyso (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Constance, Angela (Almond Valley) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don, Natalie (Renfrewshire North and West) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Dunbar, Jackie (Aberdeen Donside) (SNP)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 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)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Leonard, Richard (Central Scotland) (Lab)
 Lochhead, Richard (Moray) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Gillian (Central Scotland) (Green)
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 Marra, Michael (North East Scotland) (Lab)
 Martin, Gillian (Aberdeenshire East) (SNP)

Mason, John (Glasgow Shettleston) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 McAllan, Màiri (Clydesdale) (SNP)
 McArthur, Liam (Orkney Islands) (LD)
 McKee, Ivan (Glasgow Provan) (SNP)
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 Minto, Jenni (Argyll and Bute) (SNP)
 Mochan, Carol (South Scotland) (Lab)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 O'Kane, Paul (West Scotland) (Lab)
 Regan, Ash (Edinburgh Eastern) (SNP)
 Rennie, Willie (North East Fife) (LD)
 Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Slater, Lorna (Lothian) (Green)
 Smyth, Colin (South Scotland) (Lab)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Collette (East Kilbride) (SNP)
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sweeney, Paul (Glasgow) (Lab)
 Swinney, John (Perthshire North) (SNP)
 Thomson, Michelle (Falkirk East) (SNP)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Villalba, Mercedes (North East Scotland) (Lab)
 Whitfield, Martin (South Scotland) (Lab)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Wishart, Beatrice (Shetland Islands) (LD)
 Yousaf, Humza (Glasgow Pollok) (SNP)

The Presiding Officer: The result of the division on amendment S6M-06984.1, in the name of Donald Cameron, is: For 29, Against 83, Abstentions 0.

Amendment disagreed to.

The Presiding Officer: The next question is, that amendment S6M-06984.2, in the name of Sarah Boyack, which seeks to amend motion S6M-06984, in the name of Angus Robertson, on EU retained law, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

The vote is closed.

Craig Hoy (South Scotland) (Con): On a point of order, Presiding Officer. My app closed. I would have voted no.

The Presiding Officer: Thank you. We will ensure that that is recorded.

For

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)

Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Brown, Siobhian (Ayr) (SNP)
 Burgess, Ariane (Highlands and Islands) (Green)
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
 Chapman, Maggie (North East Scotland) (Green)
 Choudhury, Foysol (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Constance, Angela (Almond Valley) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don, Natalie (Renfrewshire North and West) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Dunbar, Jackie (Aberdeen Donside) (SNP)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 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)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Leonard, Richard (Central Scotland) (Lab)
 Lochhead, Richard (Moray) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Gillian (Central Scotland) (Green)
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 Marra, Michael (North East Scotland) (Lab)
 Martin, Gillian (Aberdeenshire East) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 McAllan, Màiri (Clydesdale) (SNP)
 McArthur, Liam (Orkney Islands) (LD)
 McKee, Ivan (Glasgow Provan) (SNP)
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 Minto, Jenni (Argyll and Bute) (SNP)
 Mochan, Carol (South Scotland) (Lab)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 O'Kane, Paul (West Scotland) (Lab)
 Regan, Ash (Edinburgh Eastern) (SNP)
 Rennie, Willie (North East Fife) (LD)
 Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Slater, Lorna (Lothian) (Green)
 Smyth, Colin (South Scotland) (Lab)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Collette (East Kilbride) (SNP)
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sweeney, Paul (Glasgow) (Lab)
 Swinney, John (Perthshire North) (SNP)
 Thomson, Michelle (Falkirk East) (SNP)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)
 Torrance, David (Kirkcaldy) (SNP)

Tweed, Evelyn (Stirling) (SNP)
 Villalba, Mercedes (North East Scotland) (Lab)
 Whitfield, Martin (South Scotland) (Lab)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Wishart, Beatrice (Shetland Islands) (LD)
 Yousaf, Humza (Glasgow Pollok) (SNP)

Against

Balfour, Jeremy (Lothian) (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)
 Dowey, Sharon (South Scotland) (Con)
 Findlay, Russell (West Scotland) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Golden, Maurice (North East Scotland) (Con)
 Gosal, Pam (West Scotland) (Con)
 Greene, Jamie (West Scotland) (Con)
 Gulhane, Sandesh (Glasgow) (Con)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Hoy, Craig (South Scotland) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Lumsden, Douglas (North East Scotland) (Con)
 McCall, Roz (Mid Scotland and Fife) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Ross, Douglas (Highlands and Islands) (Con)
 Simpson, Graham (Central Scotland) (Con)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 White, Tess (North East Scotland) (Con)
 Whittle, Brian (South Scotland) (Con)

The Presiding Officer: The result of the division is: For 83, Against 29, Abstentions 0.

Amendment agreed to.

The Presiding Officer: The next question is, that amendment S6M-06984.3, in the name of Willie Rennie, which seeks to amend motion S6M-06984, in the name of Angus Robertson, on EU retained law, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Baker, Claire (Mid Scotland and Fife) (Lab)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Choudhury, Foyso (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Dornan, James (Glasgow Cathcart) (SNP)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Griffin, Mark (Central Scotland) (Lab)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Marra, Michael (North East Scotland) (Lab)
 McArthur, Liam (Orkney Islands) (LD)
 Mochan, Carol (South Scotland) (Lab)
 O'Kane, Paul (West Scotland) (Lab)
 Rennie, Willie (North East Fife) (LD)

Rowley, Alex (Mid Scotland and Fife) (Lab)
 Smyth, Colin (South Scotland) (Lab)
 Sweeney, Paul (Glasgow) (Lab)
 Villalba, Mercedes (North East Scotland) (Lab)
 Whitfield, Martin (South Scotland) (Lab)
 Wishart, Beatrice (Shetland Islands) (LD)

Against

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Balfour, Jeremy (Lothian) (Con)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Briggs, Miles (Lothian) (Con)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Brown, Siobhian (Ayr) (SNP)
 Burgess, Ariane (Highlands and Islands) (Green)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
 Cameron, Donald (Highlands and Islands) (Con)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Chapman, Maggie (North East Scotland) (Green)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Constance, Angela (Almond Valley) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don, Natalie (Renfrewshire North and West) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dowey, Sharon (South Scotland) (Con)
 Dunbar, Jackie (Aberdeen Donside) (SNP)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 Findlay, Russell (West Scotland) (Con)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Golden, Maurice (North East Scotland) (Con)
 Gosal, Pam (West Scotland) (Con)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Greene, Jamie (West Scotland) (Con)
 Greer, Ross (West Scotland) (Green)
 Gulhane, Sandesh (Glasgow) (Con)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Harper, Emma (South Scotland) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hoy, Craig (South Scotland) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lochhead, Richard (Moray) (SNP)
 Lumsden, Douglas (North East Scotland) (Con)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Gillian (Central Scotland) (Green)
 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)
 McAllan, Màiri (Clydesdale) (SNP)
 McCall, Roz (Mid Scotland and Fife) (Con)
 McKee, Ivan (Glasgow Provan) (SNP)
 McLennan, Paul (East Lothian) (SNP)

McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 Minto, Jenni (Argyll and Bute) (SNP)
 Mundell, Oliver (Dumfriesshire) (Con)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 Regan, Ash (Edinburgh Eastern) (SNP)
 Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Ross, Douglas (Highlands and Islands) (Con)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Simpson, Graham (Central Scotland) (Con)
 Slater, Lorna (Lothian) (Green)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Collette (East Kilbride) (SNP)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Thomson, Michelle (Falkirk East) (SNP)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 White, Tess (North East Scotland) (Con)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Whittle, Brian (South Scotland) (Con)
 Yousaf, Humza (Glasgow Pollok) (SNP)

The Presiding Officer: The result of the division on amendment S6M-06984.3, in the name of Willie Rennie, is: For 22, Against 92, Abstentions 0.

Amendment disagreed to.

The Presiding Officer: The final question is, that motion S6M-06984, in the name of Angus Robertson, on EU retained law, as amended, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

The vote is closed.

Jim Fairlie (Perthshire South and Kinross-shire) (SNP): On a point of order, Presiding Officer. Unfortunately, my app would not open. I would have voted yes.

The Presiding Officer: Thank you, Mr Fairlie. We will make sure that that is recorded.

Craig Hoy: On a point of order, Presiding Officer. My app is still frozen. I would have voted no.

The Presiding Officer: Thank you, Mr Hoy. We will make sure that that is recorded.

For

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)

Baker, Claire (Mid Scotland and Fife) (Lab)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Brown, Siobhian (Ayr) (SNP)
 Burgess, Ariane (Highlands and Islands) (Green)
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
 Chapman, Maggie (North East Scotland) (Green)
 Clark, Katy (West Scotland) (Lab)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Constance, Angela (Almond Valley) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don, Natalie (Renfrewshire North and West) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Dunbar, Jackie (Aberdeen Donside) (SNP)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 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)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Leonard, Richard (Central Scotland) (Lab)
 Lochhead, Richard (Moray) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Gillian (Central Scotland) (Green)
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 Marra, Michael (North East Scotland) (Lab)
 Martin, Gillian (Aberdeenshire East) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 McAllan, Màiri (Clydesdale) (SNP)
 McArthur, Liam (Orkney Islands) (LD)
 McKee, Ivan (Glasgow Provan) (SNP)
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 Minto, Jenni (Argyll and Bute) (SNP)
 Mochan, Carol (South Scotland) (Lab)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 O'Kane, Paul (West Scotland) (Lab)
 Regan, Ash (Edinburgh Eastern) (SNP)
 Rennie, Willie (North East Fife) (LD)
 Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Slater, Lorna (Lothian) (Green)
 Smyth, Colin (South Scotland) (Lab)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Collette (East Kilbride) (SNP)
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sweeney, Paul (Glasgow) (Lab)
 Swinney, John (Perthshire North) (SNP)

Thomson, Michelle (Falkirk East) (SNP)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Villalba, Mercedes (North East Scotland) (Lab)
 Whitfield, Martin (South Scotland) (Lab)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Wishart, Beatrice (Shetland Islands) (LD)
 Yousaf, Humza (Glasgow Pollok) (SNP)

Against

Balfour, Jeremy (Lothian) (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)
 Dowey, Sharon (South Scotland) (Con)
 Findlay, Russell (West Scotland) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Golden, Maurice (North East Scotland) (Con)
 Gosal, Pam (West Scotland) (Con)
 Greene, Jamie (West Scotland) (Con)
 Gulhane, Sandesh (Glasgow) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Hoy, Craig (South Scotland) (Con)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Lumsden, Douglas (North East Scotland) (Con)
 McCall, Roz (Mid Scotland and Fife) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Ross, Douglas (Highlands and Islands) (Con)
 Simpson, Graham (Central Scotland) (Con)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 White, Tess (North East Scotland) (Con)
 Whittle, Brian (South Scotland) (Con)

The Presiding Officer: The result of the division on motion S6M-06984, in the name of Angus Robertson, on EU retained law, as amended, is: For 84, Against 29, Abstentions 0.

Motion, as amended, agreed to,

That the Parliament agrees that the Retained EU Law (Revocation and Reform) Bill threatens vital environmental and health standards and protections built up over 47 years of EU membership, creates enormous uncertainty for workers and businesses, and undermines devolution, and should, therefore, be scrapped by the UK Government.

The Presiding Officer: That concludes decision time.

Pancreatic Cancer Awareness Month 2022

The Deputy Presiding Officer (Liam McArthur): The final item of business is a members' business debate on motion S6M-05853, in the name of Clare Adamson, on pancreatic cancer awareness month 2022. The debate will be concluded without any question being put.

Motion debated,

That the Parliament marks Pancreatic Cancer Awareness Month, which takes place in November, and World Pancreatic Cancer Day, which takes place on 17 November 2022; understands that pancreatic cancer is the deadliest common cancer in Scotland and the UK, with more than half of people diagnosed dying within three months; further understands that survival rates have barely changed in 50 years; considers that data on the experience of patients with this disease is incredibly scarce and poor, leading to concerns of patients' voices being lost in the system; believes that support and information for patients with pancreatic cancer is often neither readily available nor forthcoming; applauds the work of the range of pancreatic cancer charities that do provide information and support for patients and their families; notes the view that more needs to be done to ensure that all patients get immediate and easy access to such support as soon as they are diagnosed, given that, it understands, currently only 12% of people diagnosed with pancreatic cancer in Scotland are using such support channels; commends all the charities and activist organisations and their dedicated supporters for their tireless efforts to raise awareness of pancreatic cancer, and wishes everyone involved with Pancreatic Cancer Awareness Month every success in their endeavours.

17:09

Clare Adamson (Motherwell and Wishaw) (SNP): It is a privilege to open this debate to mark pancreatic cancer awareness month in our Parliament—how wonderful it is to see the gallery bedecked in purple by supporters this evening. It is great to be back in the chamber in person for our sixth debate to mark awareness month. It is testament to the extraordinary efforts of campaigners, many of whom are in the gallery, that we can now say that the debate is an annual event.

Michelle Thomson (Falkirk East) (SNP): I just want to put on the record that I note the presence in the gallery of my constituents Wendy and Ian Thomson, who tragically lost their daughter at a very similar age to the age that my daughter is now. I applaud and salute their bravery and efforts in cascading and getting out information about this tragic disease.

Clare Adamson: I welcome that intervention from my colleague.

What has always struck me about the debate is the number of MSPs who have—as has just been demonstrated—personal or immediate knowledge

of pancreatic cancer through a family member, friend, loved one or constituent.

I send my best wishes to John Scott, the former Deputy Presiding Officer, whose account of his wife's passing from this disease, and the challenges that he faced as a result, left not a dry eye in the chamber a few years ago. Although my interest in the subject was driven by my former employee Nicky McManus, whose mum sadly passed from pancreatic cancer, I would like to pay special tribute to Mark McCall this evening.

It will come as no surprise to anyone who knows me that I am about all things safety in the Parliament, and I hosted the Scottish Community Safety Network event earlier this year. Mark helped to start the Fife Council safer communities team in 2016. He was also a director of the Scottish Community Safety Network, and his leadership and expertise made a lasting impact on safety policies and on his colleagues working in that area. Mark sadly passed away in September after a diagnosis of pancreatic cancer, and the tributes that poured in for him show the enormous impact that he had on his community. His legacy will last, and I thank him for his wonderful contribution.

We have in the gallery Mark's family: Claudette, Ross, Jordanne, Amy and Sarah—you are all very welcome. I thank everyone who is in the gallery this evening; you stand out as some of the most dedicated, knowledgeable and tenacious campaigners with whom I have worked. It is through your tenacity that we have made strides in raising the policy profile of this devastating disease, and we have put pancreatic cancer on the national agenda. I thank the Cabinet Secretary for Health and Social Care and the Minister for Public Health, Women's Health and Sport for their engagement in the areas that we have highlighted over the years.

However, public awareness of the symptoms of pancreatic cancer remains low, which is a concern. That is why pancreatic cancer awareness month is important, as ever. Early diagnosis is crucial. We know that, and we speak every year about the need for early intervention. The message cannot get lost.

The following statistics highlight the challenge that we still face and show why this debate is so needed. According to Pancreatic Cancer UK, less than 20 per cent of people with pancreatic cancer are diagnosed at an early stage. Seven in 10 people with pancreatic cancer will never receive any treatment, and only one in 10 will receive surgery. About half of pancreatic cancer patients visit their general practitioner with symptoms at least three times before being referred to hospital, while 16 per cent visit their GP seven times or more before receiving a correct diagnosis.

According to Pancreatic Cancer Action Scotland's October survey, 62 per cent of people in Scotland know "almost nothing" about pancreatic cancer. Meanwhile, two thirds of people in the United Kingdom cannot name a single symptom, so I want to remind people of the symptoms to look for. Common symptoms include back pain, indigestion, tummy pain and unexplained weight loss or loss of appetite. Anyone with jaundice or yellowing of the eyes or skin should immediately go to an accident and emergency department.

Research that was commissioned by Pancreatic Cancer Action Scotland found that a new diagnosis of diabetes that is not associated with weight gain can occur one to three years before a diagnosis of pancreatic cancer. With 30 per cent of pancreatic cancer patients presenting with new onset diabetes before the diagnosis of cancer, we have the potential to diagnose 270 more patients a year at an earlier stage.

As Pancreatic Cancer UK has exemplified with its new "No Time To Wait" campaign, people cannot afford to wait and have a late diagnosis. For context, Scotland's five-year survival rate is just 4.6 per cent. Those who are diagnosed in time for potentially life-saving surgery have a five-year survival rate of about 30 per cent. With early intervention, people can be diagnosed, live longer and have a better quality of life.

Scotland is leading in that regard. I have spoken previously about the work of Precision Panc in Glasgow, and my colleagues will highlight some of that good work today. I have the pleasure of continuing to work with Lynda Murray, whose father, Mr Begley, died from pancreatic cancer. She keeps me abreast of the progress of the work of Ross Carter and his colleagues on the pancreatic and hepatocellular cancer pathway improvement project, or PHCC PIP for short.

The project commenced phase 1 of its roll-out earlier this year. I understand that the first referrals have already been received, and planning continues for phase 2 of the roll-out, which will be confirmed for Monday 5 December. However, challenges exist. The Royal College of Radiologists warns us that, without immediate measures to grow the pancreatic cancer workforce, treatment success and patient care will be compromised.

We know that the infrastructure of the national health service is under pressure, and we have fewer scanners in the UK than there are in most comparable countries in the Organisation for Economic Co-operation and Development. More generally, getting the right support is crucial. Pancreatic Cancer UK has a team of specialists and pancreatic cancer nurses, but only 125 people called its helpline from Scotland last year.

The third sector is vital, but it cannot be a panacea for support, and I am grateful that successive health secretaries in Scotland have listened and understood the challenges. Pancreatic cancer is uniquely aggressive, and its survival rates are tragically low, but investment in addressing that has increased since we began holding these debates six years ago.

We need to continue to raise public awareness of the symptoms and impact of pancreatic cancer, and we need to consider how current policy deals with it. Pancreatic cancer represents 20 per cent of cancer deaths in the UK, but it receives only 3 per cent of all research funding. Engagement on such issues is essential, and I thank the minister, Maree Todd, the cabinet secretary, Humza Yousaf, and all my parliamentary colleagues who visited the drop-in event that was hosted by Pancreatic Cancer UK earlier this month. The people and families behind the figures are counting on us to listen, and even more to act.

17:17

Sue Webber (Lothian) (Con): I thank Clare Adamson for bringing the debate to the chamber and for her speech, which was full of emotion. It brought some harsh realities of the disease to the chamber, but it was also full of hope. I also thank members of the public who are in the gallery for taking the time to come along this evening to hear us speak.

November is pancreatic cancer awareness month, and I welcome the chance to speak in the debate to show my support. It is a fantastic chance for the pancreatic cancer community to come together to raise awareness and funds, and to remember loved ones who have, sadly, died of the disease.

Across the UK, 10,000 people are diagnosed with pancreatic cancer each year, yet only one in four people who are diagnosed survive beyond a year. Pancreatic cancer is the deadliest form of cancer in Scotland, with about 900 people dying of the disease each year. More than half of those who are diagnosed will die within three months, and only 7 per cent will survive for more than five years.

My life before I came to the Parliament allowed me unparalleled access to the surgical treatment of this deadly cancer. I worked alongside upper gastrointestinal surgical consultants across the country, and I know at first hand of the complex nature of the surgery that is needed to treat pancreatic cancer. Those specialist surgeons are committed to adopting innovative techniques to reduce surgical operative time, even by the slightest margins, and to seeking new ways to reduce risk, including surgical risk, and the

number of post-operative complications. That all serves to make survival rates better and people's lives as liveable as possible. Those surgeons all work collaboratively across the NHS to do all that they can to increase the five-year survival rate of their patients, but the outcomes following the potentially life-saving surgery are still a long way from being acceptable.

There has been barely any improvement in pancreatic cancer survival rates in the past 50 years, and the survival gap between pancreatic cancer and other cancers has doubled during that time. The likelihood of surviving other cancers beyond five years is 50 per cent, while it is just 7 per cent for pancreatic cancer.

There can be no progress without change, and the need to improve pancreatic cancer diagnosis and outcomes in Scotland is urgent. After all, pancreatic cancer is the fifth biggest cancer killer in the UK. However, as Clare Adamson rightly said, it receives only 3 per cent of the annual UK cancer research budget.

Raising awareness is key, because two thirds of people in the UK cannot name a single symptom of pancreatic cancer. In October, Pancreatic Cancer Action Scotland completed a national awareness survey, which produced some concerning results. It found that 62 per cent of people in Scotland know "almost nothing" about pancreatic cancer. Pancreatic cancer has vague and non-specific symptoms, and it lacks a simple test for detection. That is what makes it hard to diagnose and, unfortunately, about half of pancreatic cancer patients visit their GP with symptoms three times before being referred to hospital.

Although those stats paint a bleak picture of the disease, pancreatic cancer can be survived with early diagnosis. For those who are diagnosed in time for potentially life-saving surgery, the five-year survival rate increases to about 30 per cent. That presents an opportunity for intervention to allow people to be diagnosed earlier and to live longer, with a far better quality of life.

A diagnosis of pancreatic cancer can affect every aspect of life, bringing emotional, financial and practical problems that can last long after the treatment ends. If anyone is in such a position and is listening to the debate, I direct them to the practical, emotional and financial support that is available from Macmillan Cancer Support. As a first step, they can call its telephone line—the Macmillan support line—on 0808 808 0000, which is open seven days a week, from 8 am to 8 pm, or they can go to Macmillan's website for help.

I reiterate my thanks to Clare Adamson for bringing the debate to the chamber and helping to raise awareness of pancreatic cancer.

17:22

Gillian Martin (Aberdeenshire East) (SNP): I, too, thank Clare Adamson for bringing the debate to the chamber. She has led six consecutive debates on pancreatic cancer and her dedication to the cause gives us a chance to raise awareness of the symptoms of that terrible disease, which—as we have heard from other members—it is so crucial that we catch early.

In last year's debate, I said that I am always aware that when we read out the statistics on pancreatic cancer, there will be people watching at home or in the gallery who may have just received a diagnosis, or may be in treatment or close to someone who is. Ahead of this year's debate, I spoke to my constituent Christine Wilson, who is currently undergoing treatment for pancreatic cancer.

Christine was not well enough to make it to the parliamentary event that Clare Adamson hosted a couple weeks ago, so we had a Zoom call instead. At the time of last year's debate, she was undiagnosed. She has urged me to relay the message that continuous and strong public messaging around the symptoms is vital.

Christine was one of those people who did not know what her symptoms were, and who went to the doctor repeatedly and had other diagnoses before they actually hit on the right one. In our conversations, she made the point that one of the reasons why her back and stomach pain was not identified as pancreatic cancer was because she did not fit the profile. Her cancer was thought to be something else related to digestion.

I have heard that quite a few times when I have been speaking to colleagues from Pancreatic Cancer UK. The fact is that anyone can get pancreatic cancer. Christine and I are putting out a press release after the debate so that we can jointly get the message out to our local media. She said that one thing that she wants to do is let others know what to look out for. She said that if publicising her story can help others to know about the symptoms, something positive can come out of it. I am happy to help her to do that in any way that I can.

Pancreatic Cancer UK has produced a wallet-sized leaflet—which I am holding up; I hope that the Presiding Officer will forgive me for using a prop—that details some of the symptoms of the disease. Last week, some colleagues from PC UK and I had a wee chat with the minister, Maree Todd, about putting links to PC UK on NHS Inform so that those with a diagnosis can get in touch with the organisation for immediate support. That is especially important for those for whom surgical options are too late.

I promised Christine that I would do what I could today to raise awareness of the symptoms that could be pancreatic cancer so that anyone who has them—as Christine did—will have a better idea of what they mean or could mean and will go to the doctor with that in mind. That is how I will end my contribution. It will repeat what Clare Adamson has already said, but that is the point. We need to repeat what the symptoms are.

I urge people to get to the GP if they have any of the following symptoms. If their back or stomach hurts, it could be that a tumour is pushing against nerves or organs near the pancreas and blocking the digestive tract. Similarly, if they feel bloated, they should get it checked because pancreatic cancer might cause gas, bloating or a build-up of fluid in the abdomen. A loss of appetite, indigestion or nausea is common with people who have pancreatic cancer, as is constipation or diarrhoea. If someone is losing weight and does not know why, it could be because cancer is causing their body to burn more calories than usual. Finally, if someone's skin or eyes look yellow, it could be jaundice caused by a tumour that might be blocking the bile that should flow from the gallbladder to the small intestine.

The message from Christine is clear: do not stay silent if you have any of those symptoms. I thank Christine for taking the time to talk to me about her story. Like her, I hope that at least one person watches the debate, listens to all of us, acts on the advice that we are giving and will be able to get life-saving treatment.

17:22

Carol Mochan (South Scotland) (Lab): I, too, thank Clare Adamson for bringing the debate to the chamber and I welcome the people who join us in the gallery. On behalf of Scottish Labour, I mark pancreatic cancer awareness month and world pancreatic cancer day, which took place earlier this month.

Raising awareness of illnesses such as pancreatic cancer is pivotal to ensuring early diagnosis and improving the prognosis. Indeed, I consider it important to highlight in the chamber, as I did last year and as others have done, the key symptoms of pancreatic cancer, including abdominal or back pain or discomfort, unexplained weight loss or a loss of appetite, yellowing of the skin or eyes and/or itchy skin, a change in bowel habits, nausea or vomiting and indigestion that does not respond to treatment. Knowing those symptoms and seeking medical advice, even as a precaution, can be life saving or life prolonging and it is key that we continue to support the public awareness campaigns.

I will mention our NHS. We cannot avoid the fact that, in Scotland, we have an NHS that is not always working for patients and staff. An NHS that was founded to be universal, free at the point of need and accessible is, through no fault of our first-class workforce, now struggling daily to survive. We cannot fill the vacancies. We need to be more honest and talk about the reality for patients, families and staff as we face that.

I do not particularly want to labour the point, but I will talk about the reality of inequality in health in Scotland. In the debate on this topic around this time last year, I warned that the Scottish Government had to do more to tackle the widespread health inequalities that, to this day, remain a stain on our society and adversely impact people from our most deprived areas. The reality is that the Government does not show enough urgency in dealing with the problem.

Research released this week by Cancer Research UK highlighted that people who live in deprived areas in Scotland are more likely to get cancer and, tragically, more likely to die. It highlighted that cancer death rates are a devastating 74 per cent higher in the most deprived populations than they are in the least deprived populations. The research also confirms that there are lower one-year and five-year survival rates among the most deprived groups. That is the reality for people in Scotland's poorest communities. We should all be shocked by it.

It is right that we have such members' business debates and that we do them in a consensual manner, but I urge the minister to commit in her closing speech to come to the chamber during Government time to set out a clear plan for what has already become a crisis in health inequalities in Scotland. We must take action to address the health inequalities linked to cancer that our country faces.

The most recent data from Public Health Scotland confirms that pancreatic cancer remains among the top 10 most common cancers for men and women. As the motion states, it is the deadliest of the common cancers, which should encourage serious and prompt action even if nothing else does.

It is important that we take this opportunity to highlight the symptoms of pancreatic cancer and to encourage everyone who has even the slightest doubt or concern to seek the medical advice that could be life saving. The decisions that we make as elected members can save lives. The radical and determined fight against health inequalities can make a difference, and I urge members to make time to debate the subject further.

I again thank Clare Adamson for bringing the debate to the chamber and I thank the visitors who are in the gallery.

17:30

Willie Coffey (Kilmarnock and Irvine Valley) (SNP): I congratulate my colleague Clare Adamson for bringing the subject of pancreatic cancer to the chamber. Clare has been a strong advocate on the subject for a number of years and her continuing endeavours are much appreciated.

We probably all have our own stories to tell about this difficult cancer. My own family's experience dates back to 1985, when my mother died from the disease. She was taken far too early, at the age of 53. There is never a day when family members do not think about her and this debate helps to keep her with me.

My previous speech on this subject was in 2020. I wonder whether members recall the very moving speech made by our colleague John Scott, who, thankfully, recovered his own health at that time after a long illness. Such powerful contributions help us to get the message out to the Scottish people about the work that is going on and the real hope that progress is being made in the fight against this cancer.

The statistics are challenging, to say the least, with pancreatic cancer having a far lower survival rate than other cancers. Pancreatic cancer is not the most common cancer in Scotland, as it ranks about 12th in the list, but it climbs up the table due to the number of deaths it causes. That is why more work is needed to fight it. The new 10-year cancer strategy will surely focus attention on this most deadly of all the cancers that we worry about and will help us to drive up survival rates.

The ability to spot symptoms early is always important. So are the rapid cancer diagnosis pilot programmes operating in three health board areas in Scotland, in which 12 per cent of patients have received an early cancer diagnosis, including for pancreatic cancer, which is crucial in the fight against the disease. Evaluations show that those pilots are useful way of ruling cancer out, or in, for patients who have non-specific systems. As Pancreatic Cancer UK says, that could be life-changing for patients with that cancer. Early diagnosis can save lives.

As ever, there is great work going on in the research field, with Scotland leading the way with some innovative approaches. The Glasgow cancer tests use patient biopsies to collect information that can be used to direct clinical trial treatments that are personalised to individuals. Precision Panc, which Clare Adamson mentioned today and in our debate two years ago, is led by a team at the University of Glasgow and is a collaborative

endeavour that focuses on uncovering people's molecular profiles and matching those with the most effective clinical trials for them. As part of its future leaders academy, Pancreatic Cancer UK is collaborating with the Beatson Institute for Cancer Research to fund five PhD students to work on the disease.

A piece of work being done at the Institute of Cancer Research sounds really interesting. It is called "gremlin therapy". The idea is not easy to follow, but, apparently, the presence of the gremlin protein has been demonstrated to reverse the actions of dangerous cells in the body. There is another chemical that regulates the amount of that protein, and those two molecules work hand in hand to create something called a self-inhibitory feedback loop, which has been shown to restrict the spread of cancer to only 15 per cent of test samples. What is perhaps even more interesting is that the modelling was first predicted by none other than the computer science genius Alan Turing. There is great hope that that therapy can bear fruit.

We all know that pancreatic cancer is one of the hardest cancers to fight, but I was encouraged to read about the current work that is going on in Scotland and across the world to try to tackle it. The research is exciting, and early results are positive, so let us hope that the work ultimately makes a difference and helps to deliver the breakthrough that we need against what is one of the most dangerous cancers that we face.

I congratulate Clare Adamson on bringing the subject to the attention of the Parliament.

17:35

Miles Briggs (Lothian) (Con): I thank Clare Adamson for bringing the debate to the chamber this year—it is very welcome that members can contribute to it. I also welcome all the guests in the public gallery—it is great to see so many people who have been campaigning for such a long time, and who ensure that we continue to have these debates, which are so important.

As Willie Coffey and Sue Webber said, the debate is now a really important event in the parliamentary diary, as it presents an opportunity for us all to remember those whom we have lost to the disease, as well as those who have lived, which it is also important to recognise.

I thank colleagues for their kind words about my former MSP colleague, John Scott, who was in Parliament just a couple of weeks ago with his grandchildren. He is well and enjoying life outside of politics, which is maybe a lesson for us all, to be quite honest. It was good to see him. I know that he follows these debates.

I will touch on some of the information that was provided to me during the drop-in session that was held on 17 November, during pancreatic cancer awareness month. In my region, in 2020, 251 people were diagnosed through our South East Scotland Cancer Network. Statistically, the situation is grim: on average, only 27.3 per cent of people with pancreatic cancer survive for more than a year after diagnosis. That is what we need to focus all of our thoughts on.

As Carol Mochan mentioned, yesterday, along with Jackie Baillie, I co-chaired the Scottish cancer conference. The report that I am holding is one of the most shocking reports that I have ever seen. Sorry, Presiding Officer—it is another purple prop. The report is called "Cancer in the UK: Deprivation and cancer inequalities in Scotland", and I hope that everyone across the Parliament has a chance to read it, because it shows the need for an emergency response to the location of cancer services in Scotland.

I welcome the work that is currently taking place around the Scottish Government's national cancer strategy, which overlaps with what for many years we have been calling for with regard to pancreatic cancer, which is real investment in rapid diagnosis and decision-to-treat pathways. We need to see improvement on those.

I will close on a positive note. Just before the pandemic, I was delighted to visit the Precision Panc project at the Beatson west of Scotland cancer centre. Ahead of the debate, I reached out to find out what work has been going on, because it is important to recognise the amazing achievements in Scotland at the moment. Thirty-two recruitment centres have been put in place, and I believe that 500 patients are registered and 300 patients have been able to progress to clinical trials. The primus 006 and 008 trials will be coming over the next three to six months. We are taking welcome steps forward.

I was also told that biopsy for pancreatic cancer has now become the norm, which it is incredibly important and welcome. Speaking to patients, I heard that many people progress to a palliative pathway without any investigation. It is also important that we are now seeing the molecular profiling of pancreatic cancer becoming a reality in the NHS.

However, there are two challenges, specifically around research, which I will close on. We know that there is a need for sustained investment and for pharmaceutical partners to be part of that by investing in pancreatic cancer research.

On the back of this debate, I hope that ministers will look at the issue as part of consideration of the national cancer strategy. We need pancreatic cancer to be given priority for rapid diagnosis and

decision-to-treat pathways, because the country is not where it needs to be in that regard. Each and every one of us should challenge the Government on that. I know from the conversations that I had yesterday at the Scottish cancer conference that that is what the sector wants. We should all work towards that.

17:40

Marie McNair (Clydebank and Milngavie) (SNP): I congratulate Clare Adamson on securing this debate and on her excellent and compassionate opening speech. It is important that we take this opportunity not just to recognise pancreatic cancer awareness month but to strive to improve the response to a dreadful disease.

I use this debate to ensure that the voices of my constituents who have been impacted by pancreatic cancer are heard in the Parliament. My constituent Annmarie Adams and her mother Margaret have travelled through from Clydebank to support today's debate, and I welcome them both. Annmarie's husband Billy passed away peacefully on 17 June this year, just two months after his diagnosis. He was surrounded by his loving family, who had to cope with losing him at 55 years of age.

Billy was a born-and-bred Bankie, who worked in security and pubs in his local area. A die-hard Liverpool and Glasgow Warriors fan, he had hoped to visit his beloved Anfield before he died, but he did not get the chance. However, Annmarie and her mum visited Anfield at the start of this month to mark Billy's 56th birthday on 8 November and to scatter some of his ashes in the River Mersey.

Annmarie feels that the general public and health professionals need to be more aware of the signs and symptoms of pancreatic cancer, to enable quicker diagnosis. Her experience has convinced her of the need for enhanced end-of-life care and support. She thinks that better communication and streamlined services are essential if we are to enable people to use the time that they have left to greatest effect. Billy's cancer was, unfortunately, too far advanced for him to receive treatment. Annmarie wants everything to be done to prevent other families from having to face the same heartache.

I welcome another constituent: Katie Hendry, from Milngavie, who is watching online. She also wants more awareness of this terrible disease, to which she lost her grandmother Christine, who, sadly, passed away on 25 June 2021 at the age of 79. Christine left behind her husband of 57 years, Bill, her three children, her five grandchildren and two grand-dogs. Christine was a retired primary school teacher who loved singing in rock choirs—

her favourite number was "Dancing Queen", by Abba. She was a devoted grandmother and had a large network of friends. She always managed to make people feel special while they were in her company.

Christine had been back and forth to her GP, who eventually referred her to hospital for tests. She was tested for bowel cancer in December 2020, but the results came back clear. She continued to feel unwell, so, knowing that something was not quite right, she decided to go private to get a scan. The scan detected a shadow on her pancreas. Further tests were carried out and Christine was eventually diagnosed with pancreatic cancer on 26 March 2021.

Christine's ashes were scattered in Mugdock country park and on the beach at Anstruther—places she had enjoyed visiting and where she had had happy times with her family.

Christine's granddaughter Katie would like there to be increased funding and scanner capacity, quicker referrals from doctors, person-centred care and more clinical trials and research.

It is an honour to share my constituents' heartbreaking experiences in the Parliament. I pay tribute to their strength and determination to highlight how important early diagnosis is to saving lives.

We know that pancreatic cancer is one of the deadliest cancers, with 900 people dying from it each year in Scotland. However, two-thirds of people in the UK cannot name a single symptom. We must do more to get the message out there about the symptoms and to ensure that pancreatic cancer gets the correct response in the new cancer strategy for Scotland.

I praise Pancreatic Cancer Action Scotland and Pancreatic Cancer UK for everything that they do to raise awareness and for their support for today's event. The powerful testimonies of my constituents must drive us to do everything that we can to get the best possible answers when it comes to the dreadful impact of pancreatic cancer. We must show that we have listened and we must ensure that the response to pancreatic cancer gets the priority that it deserves.

The Deputy Presiding Officer: I invite Maree Todd to respond to the debate, for around seven minutes.

17:44

The Minister for Public Health, Women's Health and Sport (Maree Todd): I, too, thank Clare Adamson for lodging the motion today, and I am grateful for my colleagues' important contributions.

In addition, I thank Pancreatic Cancer UK for its continued efforts in raising awareness of pancreatic cancer and supporting pancreatic cancer patients. I attended its parliamentary drop-in event a couple of weeks ago and I was delighted to see how many members from across the chamber were engaging with the event.

Today's now annual event has been very powerful—as ever. It is always a pleasure to have the stories of the citizens of Scotland brought to life in the chamber and to have people in the public gallery for whom the debate is so meaningful. It really is the Scottish Parliament at its best. I, too, welcome the friends, families, volunteers and workers from Pancreatic Cancer UK.

At the event a couple of weeks ago, I had a chance to speak to a few of the charity's employees and volunteers, many of whom have personal experience with pancreatic cancer. Those individual, personal stories are so impactful, and it is through those testimonies that we can identify areas where we can further improve services.

From my conversations a couple weeks ago, I heard that patient information remains an issue when a patient is diagnosed. It can be really difficult for an individual to understand all of the information that is provided while they are processing the initial diagnosis. Therefore, it is important that we provide resources for patients, not just at the beginning of their cancer diagnosis but throughout their treatment pathway.

That is why the Scottish Government is piloting 12 programmes across Scotland. The single point of contact programme sets out to ensure that all patients will have a constant point of contact throughout their cancer pathway, to whom they can continually refer back, rather than needing to make new contacts as they proceed with testing, treatment and post-treatment support. That single point of contact will ensure that patients receive timely and accurate advice on their appointments, tests and results. They will offer the opportunity to discuss the non-clinical support that is available, and help patients to self-manage some aspects of their condition.

However, not only is it crucial that patients have information throughout their pathway, it is crucial to ensure, as many members have mentioned, that there is awareness of pancreatic cancer among people who have not been diagnosed. As we all know, November is pancreatic cancer awareness month. Raising awareness of pancreatic cancer and its common symptoms—back pain, yellowing skin, indigestion, tummy pain and weight loss—is absolutely crucial in detecting that cancer early.

We know that the earlier that cancer is detected, the easier that it is to treat. This is why we continue to invest in our detect cancer early—DCE—programme, which takes a whole-systems approach to early detection and encompasses primary and secondary care, public awareness, data and screening. In 2018, an overarching DCE social marketing campaign, called “Survivors”, was developed in close consultation with the Scottish Cancer Coalition, which includes pancreatic charity representation. The campaign aimed to reduce the fear around cancer and to empower people to take early action. To coincide with the campaign, an interactive tool was developed for DCE's website—getcheckedearly.org—to raise awareness of the early signs and symptoms of cancer, including pancreatic cancer. A new DCE awareness campaign is under development and will launch next spring. I encourage any individual who might be experiencing common symptoms of cancer to present to their GP.

As committed to in our “NHS Recovery Plan”, work is under way, through the centre for sustainable delivery's earlier cancer diagnosis programme board, to develop a new earlier cancer diagnosis vision. That will form part of Scotland's new cancer strategy, which is expected in spring 2023.

To date, extensive engagement has been undertaken to develop our next cancer strategy. Our consultation analysis has been published and it pulls out a number of key themes and priority areas for the Government to consider. Pancreatic cancer, as one of the less survivable cancers, has, yet again, been highlighted as an area of need. Through our national cancer plan, we have previously highlighted less survivable cancers and we have focused a number of our actions and investment in that area.

Notably, we are working with the Scottish HepatoPancreatoBiliary Network to improve pathways across pancreatic and liver cancers. We have invested £653,000 in funding that network, over two financial years, to redesign those cancer pathways. That work is aimed at improving patient outcomes and experience. As do all members, I look forward to our making the technological advances that are required—particularly in early diagnosis, because, as we have heard today, far too many people have advanced cancer at the point of diagnosis.

A number of members mentioned the Cancer Research UK report on inequalities, which was published yesterday. The Cabinet Secretary for Health and Social Care, Humza Yousaf, attended the conference at which it was launched, made a short speech and took a question-and-answer session. He also met the CRUK chief executive afterwards, to discuss the report in more detail.

We continue to tackle disparities in deprived areas by ensuring that there is equitable access to cancer services, via our national cancer plan. The new 10-year strategy, which will launch in spring next year, will take a comprehensive approach to improving patient pathways, from prevention and diagnosis through to treatment and post-treatment care.

However, whenever I discuss health inequalities—as we often do in the chamber—I am also aware that the way in which poverty impacts on health involves a level of complexity. People who live in poverty are more likely to get cancer in the first place. They are more likely to smoke and to be obese, which are the two biggest risk factors for cancer. They are more likely to have a later diagnosis. Yesterday, I heard a patient advocate speak very powerfully, on the radio—a man called Ally, who was a fireman and who, throughout his life, has worked with people from socioeconomically deprived communities. He talked about the difficulties of accessing healthcare and of being listened to.

There is a lower uptake of screening among that group. We have invested a huge programme of work in trying to ensure that people who are living in poverty take up the offers of screening. For example, if screening for cervical cancer is taken up, it can prevent cancer—screening does not just detect cancer early, but catches it before it even becomes cancer.

In reality, poverty kills. We in the Parliament are doing much to tackle poverty. However, as has been mentioned many times before, not all the levers are in our hands. We are tackling poverty through a raft of initiatives such as the Scottish child payment and promotion of the real living wage.

To sum up on health inequalities: they are complex; they relate to inequalities in wealth, status and power; and a cultural shift is required to tackle those. Again, work is going on in the Scottish NHS to ensure person-centred care, realistic medicine and shared decision making. All those things are designed to empower the people who come through our system.

The Scottish Government is clear in its commitment to improving cancer awareness. We have continued to prioritise cancer services throughout the pandemic, and will continue to do so as we recover and head into the winter. It is absolutely crucial that we continue to raise awareness of cancer symptoms—in particular, of those of the less survivable cancers such as pancreatic cancer. I thank everyone who is helping us to do so.

Meeting closed at 17:53.

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