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Scottish Parliament

Thursday 29 June 2023

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

General Question Time

The Presiding Officer (Alison Johnstone): Good morning. The first item of business is general question time.

Antisocial Behaviour on Public Transport

1. **Kenneth Gibson (Cunninghame North) (SNP):** To ask the Scottish Government whether it will provide an update on what action it is taking to tackle antisocial behaviour on public transport. (S6O-02448)

The Minister for Transport (Fiona Hyslop): Antisocial behaviour is clearly unacceptable on Scotland's public transport and in wider society, and we are committed to tackling it. The police, local authorities and other agencies are responsible for tackling such behaviour at local level, and they have been empowered by the Scottish Government to co-ordinate activities designed to tackle it, such as formal warnings, fixed-penalty notices and antisocial behaviour orders, alongside the positive diversionary and early intervention activities that can be used.

Police Scotland and local authority antisocial behaviour teams support bus operators to enforce their conditions of carriage. British Transport Police is responsible for law enforcement on Scotland's railway network.

Kenneth Gibson: I thank the minister for that comprehensive reply. A number of my constituents have raised with me concerns that the young persons free bus travel scheme is being abused by a small minority of young people who engage in antisocial behaviour on our bus network, thereby deterring others from travelling. Have any offenders had their bus passes withdrawn? What other actions are being taken specifically to reassure bus drivers, and the overwhelming majority of passengers who are keen to travel by bus safely, that harassment and intimidation will not be tolerated?

Fiona Hyslop: The member has raised important points. It is right to remember that the vast majority of young people who travel by bus behave appropriately, with more than 68 million journeys having been made by the end of May.

Free bus travel is just one of the services that are provided through the national entitlement card, which can also be used to access a variety of

national and local public services such as free school meals and cashless catering. As such, it would not be appropriate for transport operators to remove cards from card holders due to the impact that that might have on other services.

However, the Scottish Government recognises that there is not a single approach to tackling antisocial behaviour; there is a suite of enforcement measures, which I have just mentioned, plus safe intervention. It is important that we work with our partners on tackling such behaviour. Only yesterday, at a meeting of the bus task force, I heard from various partners about how they have done so at Kilmarnock bus station.

Mental Health Support (Motherwell and Wishaw)

2. **Clare Adamson (Motherwell and Wishaw) (SNP):** Presiding Officer, I apologise for missing the start of question time.

To ask the Scottish Government how it is supporting people in the Motherwell and Wishaw constituency to access mental health support. (S6O-02449)

The Minister for Social Care, Mental Wellbeing and Sport (Maree Todd): Over the past year, the Scottish Government has provided more than £700,000 to support 25 grass-roots community mental health projects for adults in Motherwell and Wishaw. This year, we are also providing North Lanarkshire Council with more than £900,000 to fund community-based mental health support for children, young people and their families. We are working with NHS Lanarkshire to plan for long-term, sustainable improvements to child and adolescent mental health services by offering tailored support to improve the delivery of such services and psychological therapies.

I am sure that Clare Adamson and other members in the chamber will welcome today's publication of the Scottish Government's mental health and wellbeing strategy, which sets out our vision for improving mental health, building on on-going work in Lanarkshire and across Scotland.

Clare Adamson: The Scottish Government's distress brief intervention programme was launched in 2016 and was piloted in four health board areas, including Lanarkshire. It is a non-clinical form of intervention that provides quick, connected and compassionate support to people who are experiencing distress. What assessment has the Scottish Government undertaken of the impact of the pilot programmes? What plans are there to scale up distress brief intervention, and what actions will it take to promote the service to people in my constituency, particularly through primary care?

Maree Todd: The member has made good points. The distress brief intervention programme has supported more than 43,000 people since it was launched in four pilot areas in 2017. The DBI programme is designed to support people who are in emotional distress who come into contact with emergency services. In addition, national health service boards can enable general practitioners to refer people directly to the programme.

Two independent evaluations have shown the DBI programme to be highly effective in providing people with timely, compassionate help by connecting them to local services that can help them to manage their distress and address the issues that might be causing it. The DBI service is now offered widely across Scotland, including through NHS 24 and police and ambulance call-handling centres. I am pleased to say that we are well on track to meet our target of making the programme available in all NHS boards by March 2024.

I am happy to work with the member on ways to highlight the excellent service in her local constituency, because the pilot work that was done there was so helpful to us in developing this excellent service.

Meghan Gallacher (Central Scotland) (Con): I recently held an event in Parliament with the Miracle Foundation to raise awareness of the incredible work that it does to support children and young people with bereavement and trauma. It advised MSPs in attendance that it is proving extremely hard for families in the Motherwell area to access support services as a result of high costs associated with private counselling and therapy services and of waiting times of more than 24 months for NHS and child and adolescent mental health services.

Despite the pilot programme, the latest figures show that almost 1,600 children and young people are currently on a CAMHS waiting list in Lanarkshire. With charities and third sector organisations stretched, what strategy has the Government put in place to tackle mental health backlogs for children and young people in Motherwell and across Lanarkshire involving those vital organisations?

Maree Todd: The member will be aware of all the work that is going on to tackle CAMHS waiting lists. We are focused on ensuring that we tackle the long waits as well as deal with new people coming into the system. As I have said previously in the chamber, we are seeing real progress on that front.

As well as improving CAMHS waiting times, we have done a lot of work to increase resources in the community. All children will have access to a school counsellor—in the first six months of last

year, that meant that 15,000 children and young people were able to access support through their school.

In my answer to Clare Adamson, I talked about the community funding of more than £900,000 that we are providing. About 45,000 children and families around Scotland were able to access support through that funding in the second half of last year.

The Presiding Officer: Question 3 has not been lodged.

Cost of Living Crisis (Mitigation)

4. Kevin Stewart (Aberdeen Central) (SNP): To ask the Scottish Government what it is doing to mitigate the impact of the cost of living crisis on people across Scotland. (S6O-02451)

The Cabinet Secretary for Social Justice (Shirley-Anne Somerville): We have allocated almost £3 billion in 2023-24 to support policies that tackle poverty and to protect people as far as possible from the harm that is inflicted by United Kingdom Government policies and the cost of living crisis. We are supporting households by tripling our fuel insecurity fund to £30 million and delivering the game-changing Scottish child payment. We are providing free childcare to all three-year-olds and four-year-olds, and eligible two-year-olds, and free bus travel for more than 2 million people. We are also offering free school meals to all pupils in primaries 1 to 5 and to those in special schools.

Kevin Stewart: I welcome the Scottish Government's efforts to mitigate Tory austerity and the Tory cost of living crisis. What discussions have ministers had with the United Kingdom Government about the increase in interest rates and the impact that that is having on mortgages and on households throughout Scotland and across the UK as a whole?

Shirley-Anne Somerville: Households are struggling with the increasingly unaffordable cost of food, housing and bills after years of austerity, a hard Brexit and economic mismanagement at the hands of the Conservative Government. The Chancellor of the Exchequer is also failing in his target to bring down inflation, and households are facing the impact of high interest rates.

Oversight and regulation of mortgage lenders is a reserved matter, and the Scottish Government has repeatedly asked the UK Government to do more to help those who are impacted. Having a UK social security system that is based on what people need for an adequate standard of living is but one example of what the UK Government could deliver right now to help people across the country, and it is deeply regrettable that it chooses not to do so.

Paul Sweeney (Glasgow) (Lab): The cabinet secretary might be aware of research from Marie Curie and the University of Loughborough centre for research in social policy that shows the profound impact on, and the difficult choices facing, those who are living with the double burden of rising costs associated with terminal illness and a reduction in their ability to work that is brought about by their terminal illness. Those people are in a truly desperate situation. How will the Government mitigate the impact of the cost of living crisis on those who are facing death and bereavement?

Shirley-Anne Somerville: One example that I can give is our improved social security system for those who have a terminal illness and our more dignified approach to dealing with applications that come to Social Security Scotland. That shows the support that we can and do give to those people at the most difficult of times.

Autistic Children and Young People (Post-diagnostic Clinical Support)

5. **Daniel Johnson (Edinburgh Southern) (Lab):** To ask the Scottish Government what post-diagnostic clinical support is available for autistic children and young people. (S6O-02452)

The Minister for Social Care, Mental Wellbeing and Sport (Maree Todd): We continue to invest in neurodevelopmental services to ensure that support for children and young people meets the standards and availability of services set out in the national neurodevelopmental specification for children and young people.

The specification makes clear that support should be put in place to meet the child's or young person's requirements when they need it, rather than their being dependent on a formal diagnosis.

In 2022-23, we allocated £46 million via the mental health outcomes framework to improve the quality and delivery of mental health services for all, including neurodevelopmental services.

We also fund a range of support in schools, including the autism toolbox, as well as materials and training events that support inclusive approaches by practitioners across Scotland.

Daniel Johnson: I remind members of my diagnosis of attention deficit hyperactivity disorder.

The Scottish Government has now completed its national autism post-diagnostic support project, which included families, children and young people. However, I hear concerning reports that it is not the Government's intention to continue that funding for families, children and young people, which compounds people's very real sense that a cliff edge is represented by a diagnosis of autism, in that people wait for years to get an assessment,

yet nothing is there once they have that diagnosis. Will the minister confirm whether the Scottish Government plans to cut that funding and, if so, what support there will be for people once they have a diagnosis of autism?

Maree Todd: The funding for the pilot project was provided for a three-year period, which came to an end in March. The £1 million fund for post-diagnostic support will be directed at adults, who currently receive very little local funding. As I set out in my original answer, we already provide significant additional funding to support autistic children and young people.

We can always build learning from pilot projects into wider services and support, and I am very grateful to the National Autistic Society and Scottish Autism for the work that they have taken forward. I expect to confirm soon that we will continue to fund Scottish Autism to provide its advice line for parents and carers.

The Presiding Officer: I call for concise questions and responses.

Stephanie Callaghan (Uddingston and Bellshill) (SNP): It is essential that the Scottish Government engages with people who have lived experience, including autistic people and their families, and that it keeps person-centred approaches at the heart of its work. With that in mind, what action is the Scottish Government taking to ensure that a range of voices continues to be involved in the planning of, decision making on and delivery of neurodevelopmental pathways?

Maree Todd: There have been a number of opportunities for people with lived experience to get involved, and we work very closely with charities that are led by people with autism. At the moment, as Stephanie Callaghan knows, we are working on developing a bill that I hope will be very powerful in upholding the human rights of such people, and we are engaging a great deal with people who have lived experience. If Stephanie Callaghan is aware of people who would like to contribute to that work, I will be more than happy to hear from her.

New Railway Stations (Dumfries and Galloway)

6. **Colin Smyth (South Scotland) (Lab):** To ask the Scottish Government what plans it has to invest in the opening of any new railway stations in Dumfries and Galloway. (S6O-02453)

The Minister for Transport (Fiona Hyslop): The Scottish Government is committed to improving connectivity in the south-west of Scotland. The second strategic transport projects review has recommended improvements to the railways in the region, including the decarbonisation of passenger services, improved

freight capability and the moving of Stranraer station.

At the moment, the Scottish Government does not have any plans to invest in the opening of any new railway stations on existing lines. Cases for investment in new or reopened stations, whether driven locally or regionally, continue to be considered by the Government as they are brought forward.

Colin Smyth: I thank the minister for confirming that the answer is none. After years of hard work and tens of thousands of pounds spent on developing cases to reopen Easttriggs, Thornhill and Beattock stations, encouraged all the way by Transport Scotland, officials there have just confirmed that there was never any chance that those stations would meet the Government's criteria. To add insult to injury, the same officials say that bus-based options are available. They are utterly oblivious to the fact that the bus network in Dumfries and Galloway is collapsing before our eyes.

I urge the minister, in her new role, to look at the reasons why her Government and transport agency are failing to invest properly in the transport infrastructure in Dumfries and Galloway. That is causing untold economic damage. Frankly, we are tired of being Scotland's forgotten region.

Fiona Hyslop: I appreciate Colin Smyth's concerns. A number of regional investments are taking place in that particular region. However, a 7 per cent real-terms capital reduction in our budget over the next period, driven by economic mismanagement by the United Kingdom Government, is not helping the situation. Colin Smyth will know about the South East of Scotland Transport Partnership's own transport appraisal reports, which said that Beattock, Easttriggs and Thornhill stations are unlikely to stack up from an economic perspective, and the cost benefit ratios for those stations are poor. That is from the local transport authority.

We should always be looking at potentially more integrated transport resolution. I commit to working with members across the south-west of Scotland in my new capacity.

The Presiding Officer: We will move on to question 7. We must have concise questions and responses.

Football (Accessibility)

7. Stuart McMillan (Greenock and Inverclyde) (SNP): To ask the Scottish Government when it last spoke to the Scottish Football Association about its efforts to make elite men's football in Scotland as accessible as possible to everyone, specifically children from disadvantaged backgrounds. (S6O-02454)

The Minister for Social Care, Mental Wellbeing and Sport (Maree Todd): The Scottish Government meets the SFA frequently to discuss a wide range of issues, including the accessibility of the game.

Stuart McMillan: I thank the minister for that brief reply.

The minister will be aware of the two recent Scotland men's games that were televised on Viaplay, which is a monthly subscription service, in addition to the Scotland men's home shirt costing £50 for juniors and £70 for adults. What discussions has the Scottish Government had with the SFA about televising our national men's game on free-to-air television so that everyone across Scotland can have access and show their support?

Maree Todd: Unfortunately, neither the Scottish Government nor the SFA plays a role in the selling of match rights for the Euro 24 qualifiers. There is a centralised process that is run by the Union of European Football Associations. We believe that men's and women's Scottish international football matches should be part of the crown jewels of free-to-air sporting events. However, sadly, the United Kingdom Government has absolutely failed to act on that matter. We will continue to press the UK Government to expand the listed events regime, and we will continue to work with the SFA to continue to make football more accessible to everyone across society.

Asylum Seekers (Free Bus Travel)

8. Mark Ruskell (Mid Scotland and Fife) (Green): To ask the Scottish Government whether it will provide an update on the pilot providing free bus travel to people seeking asylum in Glasgow. (S6O-02455)

The Minister for Transport (Fiona Hyslop): The Scottish Government-funded pilot led by the Refugee Survival Trust and partners in Glasgow commenced on Monday 30 January, and it will run until July. It provides travel support to people who are seeking asylum and are living in Glasgow through the provision of a 12-week digital pass, along with information and digital support. Participants will provide information on how often they travel by bus, the reasons for their journeys and how having access to bus travel impacts their lives. The findings that are collected will help to inform longer-term solutions to provide free bus travel to people who are seeking asylum in Scotland.

Mark Ruskell: I warmly welcome the minister to her new role in the Government, and I look forward to working with her in the months and years ahead.

The pilot in Glasgow will show us exactly how life changing free travel can be for people who are seeking asylum, who, thanks to Tory hostility, are forced to live on barely £45 a week. We already have similar stories from schemes in Aberdeen and Wales that make the case for change. Will the minister agree to meet campaigners to discuss the next steps on extending the scheme to all those who are seeking asylum in Scotland?

Fiona Hyslop: Yes, I will be happy to meet representatives of those groups following the conclusion of the pilot to discuss how free bus travel can best be provided to people to help to support them in really challenging circumstances. They are in a difficult position—generally, they are not allowed to work to support themselves or eligible for benefits. The Scottish Government takes an inclusive approach to people who are seeking asylum. It works to enable access to support and services on the same basis as other Scottish residents, where that is possible.

Kaukab Stewart (Glasgow Kelvin) (SNP): The minister will be aware that the Equalities, Human Rights and Civil Justice Committee has undertaken an inquiry on the experience of asylum seekers here in Scotland. Given the severely limited financial support, it is clear that free bus travel will better enable access to services. Will the minister outline what discussions have been had with the United Kingdom Government about providing wider support to asylum seekers accessing transport services?

The Presiding Officer: I ask for a brief response, please, minister.

Fiona Hyslop: In the “Ending destitution together” strategy, the Scottish Government recommends that the United Kingdom Government should ensure that the financial element of asylum support reflects the real costs of daily life, including travel.

I am limited for time, so I will just reiterate that the Scottish ministers continue to raise issues that have an impact on people seeking asylum who are living in our communities, and to push the United Kingdom Government for positive change.

The Presiding Officer: That concludes general questions.

First Minister’s Question Time

12:00

Sam Eljamel (Public Inquiry)

1. Douglas Ross (Highlands and Islands) (Con): At the weekend, members of the Scottish National Party met in Dundee to have an independence conference. During Humza Yousaf’s speech, a brave woman spoke out. Theresa Mallett protested on behalf of herself and a group of more than 100 other patients of the disgraced surgeon Sam Eljamel. Dr Eljamel left NHS Tayside patients who came for help scarred, broken and devastated. Theresa wants answers, and she is demanding a public inquiry. When Humza Yousaf was Cabinet Secretary for Health and Social Care, he refused to grant one. Can he tell Theresa and all of the victims of Dr Eljamel why he refused to grant that public inquiry? (S6F-02283)

The First Minister (Humza Yousaf): I have agreed to meet Ms Mallett—I believe that I am due to meet her early next week. When I was Cabinet Secretary for Health and Social Care I also met a number of other victims of Professor Eljamel. I start by reiterating just how much sympathy I have for the trauma that they have undoubtedly suffered at the hands of Professor Eljamel. I also put it on record that a number of MSPs from across the back benches, including Douglas Ross’s colleague Liz Smith, have raised issues on behalf of their constituents who have been traumatised by the disgraceful actions of Professor Eljamel.

I, as First Minister, and Michael Matheson, as Cabinet Secretary for NHS Recovery, Health and Social Care, will not just continue to engage with all those who have been affected by Professor Eljamel’s disgraceful actions; we will seek to get the answers that they want. That goes to the heart of why a public inquiry has not been completely ruled off the table. The reason why we have not committed to a public inquiry on the issue of Professor Eljamel’s actions is twofold. First and foremost, all of us in the Parliament know that a public inquiry can take some years—rightly and understandably so. Is there a way of getting the answers that the victims of Professor Eljamel want? Can we get those quicker, as opposed to the years and years that it can often take for a public inquiry? That is the first reason why we have not instructed a public inquiry.

The second reason, of course, is that Professor Eljamel is not in this country; he is practising—I believe as a doctor—abroad, and I think that the likelihood of Professor Eljamel co-operating with any public inquiry is very low. Would a public inquiry therefore be able to get the answers that

victims such as Ms Mallett and others are seeking?

I will end where I started. A public inquiry has not completely been ruled off the table, but we are seeking to ascertain whether we can get all the victims of Eljamel the answers that they deserve in a way that is quicker and more expeditious than going through a public inquiry.

Douglas Ross: I will address the two points that the First Minister has made, starting with the pace of a public inquiry. Surely the quicker a public inquiry is actioned and starts, the quicker we can start to get answers for victims such as Theresa and so many others. Secondly, we should not be letting Dr Eljamel off by assuming that he will not respond or co-operate. He is a key part of this matter, but there are others at NHS Tayside, as well as the victims, that we need to hear from. Ms Mallett told the First Minister on Saturday that she wants the people responsible to be under oath, so that victims might finally get answers, which the First Minister and I agree they deserve.

The First Minister also mentioned the cross-party group of MSPs that has actioned the matter with the current health secretary. The group met Michael Matheson in April. He promised an update by the end of May, but we are now at the end of June. My colleague Liz Smith has written to him twice in the past week seeking an update. This morning, Mr Matheson responded to say that he is currently too busy to meet the cross-party group of MSPs but that he will look to do so in the coming weeks. However, surely, given that the allegations came to light more than a decade ago, we cannot wait any longer. Can the First Minister ensure that his health secretary responds immediately to all MSPs who are concerned about the matter?

The First Minister: As Douglas Ross referenced in his question, Michael Matheson has engaged with cross-party MSPs. I have engaged with the issue, as have health secretaries before me; we have engaged with cross-party MSPs as well as the victims of Professor Eljamel. It would be fair to say that a range of actions have been taken to try to learn the lessons from what happened in those traumatic and tragic cases and, I hope, to prevent other cases from happening. It should be made clear that the responsibility for Professor Eljamel's actions sit with him—a disgraced surgeon. Therefore, it is right that NHS Tayside looks to learn lessons, but I do not think that we should ever look to absolve Professor Eljamel of responsibility for his actions, although I know that Douglas Ross is not doing that.

Undoubtedly, Douglas Ross will be aware that a review was commissioned by the Scottish Government, which included detailed reviews of the care that was received by a couple of the victims of Eljamel: Mr Kelly and Ms Rose, who

have spoken out very publicly. I applaud them for doing so. That was undertaken by two independent consultant neurosurgeons and their recommendations have been accepted by NHS Tayside. I mention that review because there may be an option that is short of a public inquiry that will allow an independent review of cases to look at and explore what more can be done and what lessons can be learned from what has been a tragic episode for all those who have been affected.

In terms of Douglas Ross's direct question, Michael Matheson will respond. I know that this is the last First Minister's question time before the recess, but I suspect that we will all continue to work throughout the summer. I expect that Michael Matheson will make himself available, where he can, to continue to engage with cross-party MSPs as well as the victims of Professor Eljamel.

The Presiding Officer: It is indeed the last FMQs before the recess and there are many members who are keen to put questions to the First Minister.

Douglas Ross: I stress again that this is an issue that Scottish Conservative, Labour, Liberal Democrat and SNP members met the health secretary about in April. We were promised an update in May and have been told this morning that it will now be several more weeks. There is an urgency here. I hope that the health secretary and the First Minister can agree to update the concerned members today before we leave for the summer recess—then there can be further updates throughout the summer. There are so many unanswered questions.

The First Minister mentioned two victims and said that NHS Tayside had accepted the outcome of the independent review of their cases. However, the victims have not. One of the patients, Jules Rose, who the First Minister mentioned, said:

"I have still not got answers two years on from the independent review of my case commissioned by the Scottish government, so how can I be reassured that this new independent review will help patients?"

That is what patients are saying about the current process that is being suggested by the First Minister.

A reply to a freedom of information request that was published by the Scottish Government this morning contains minutes of a meeting that was held between NHS Tayside and Dr Eljamel on 3 June 2013. During that meeting, Dr Eljamel seemed to have been let off practically scot free. Junior doctors were blamed for his mistakes and the health board seemed to accept his heartless promise to

"maintain the quality of his service."

That is just scandalous. When he was health secretary, did Humza Yousaf demand to know from NHS Tayside chiefs what they knew and when they knew it?

The First Minister: I had a range of conversations with NHS Tayside, including with the chief executive and chair about the issue of Professor Eljamel. Douglas Ross will be well aware of the actions that were taken forward by NHS Tayside, and I am happy to ensure that he gets a written update on that.

I am not standing here and saying—and I know that the chair and the chief executive of NHS Tayside would not say this—that there were not lessons to learn from this tragic case, which has affected many victims, including Ms Rose and Mr Kelly, who are two patients I have met and will continue to engage with.

On the specific issues of engagement with patients, there has been an established process for former patients of Professor Eljamel to contact NHS Tayside. An independent mediator has been appointed to work with NHS Tayside and two former patients, whose experiences were reviewed by the Scottish Government and two independent consultant neurosurgeons. Such engagement with patients absolutely will continue.

As I said, there are outstanding questions that I know that patients want answered. We can work with NHS Tayside to try to get those answers.

A number of MSPs, including Douglas Ross, have requested a public inquiry. That has not been taken off the table, but there may be other ways to get the answers that Ms Mallett, Mr Kelly, Ms Rose and many other victims of Eljamel deserve.

Douglas Ross: The freedom of information response that the Scottish Government published this morning shows that, although complaints were mounting from victims, they were dismissed in many cases. Complaints were also growing from NHS Tayside staff, who appear to have originally raised the alarm back in 2009. However, healthcare professionals say that they were warned not to speak out. One whistleblower said:

“I did raise concerns at the time but I was shut down ... It went all the way up to the board. They all knew about it.”

The First Minister says that a public inquiry is not off the table, but he needs to be clearer—he needs to say that it is on the table and that it will happen. Dr Eljamel’s actions ruined people’s lives, but the health board’s actions suggest a cover-up at the highest level. Does that not demand a full public inquiry?

The First Minister: I will take in turn the points that Douglas Ross raises. By any objective observation, there have been improvements in the whistleblowing processes since 2009. When I was

the Cabinet Secretary for Health and Social Care, I met whistleblowing champions in our territorial health boards. There have been improvements in the whistleblowing process since 2009—since the period that the member of staff made their statement about.

I reiterate that, as my predecessor often said when she stood here, whistleblowers can and should go through the appropriate whistleblowing route but, if they ever want to contact the Government directly about their concerns, they can absolutely do that, too. We take whistleblowing issues extremely seriously, regardless of which health board is affected.

I end where I started in responding to Douglas Ross’s questioning. The issue is incredibly serious, and individuals have been left utterly traumatised. We will work with those individuals—the victims and survivors—to try to get them the answers that they absolutely deserve. A public inquiry is not ruled off the table, but let us look at how we can get those people the answers that they deserve as quickly as we possibly can.

Scottish Covid-19 Inquiry

2. Anas Sarwar (Glasgow) (Lab): This week, the United Kingdom Covid-19 inquiry has started to take evidence from Scottish Government witnesses. This is the first time that we have heard from the Scottish Government in any public inquiry about its response to the Covid pandemic. Three years on from the start of the pandemic, bereaved families are still waiting for answers. Here in Scotland, families will have to wait even longer, because the chair of the Scottish Covid inquiry and its legal team walked out last year. We still have little idea of when that inquiry will begin questioning ministers and officials, let alone of when it will conclude. Will grieving families get the answers that they deserve by the end of this parliamentary session?

The First Minister (Humza Yousaf): I thank Anas Sarwar for raising an incredibly important issue. He will be observing the UK Covid inquiry, which has a number of Scottish witnesses in front of it today. As an experienced member of this Parliament, he will know that it would be deeply inappropriate for me as the First Minister to interfere or intervene in an independent public inquiry.

Of course, we want the Covid inquiry to be delivered at speed, but I say to Anas Sarwar that, having met the bereaved families, I can completely understand why they want the Scottish Covid inquiry to move at pace. It is so important that the Covid inquiry takes the necessary steps that it has to get those answers in a transparent manner.

The final thing that I will say to Anas Sarwar, which I am happy to repeat time and again, is that whatever the Scottish Government can do to co-operate with the inquiry, we absolutely will do that.

Anas Sarwar: I hear what the First Minister said, but this is important to thousands of families who have lost a loved one, to national health service and care staff and to everyone across Scotland who will be frustrated by the Scottish inquiry running behind, because we must learn the lessons of the pandemic.

The inquiry's conclusions will be only as good as the evidence that it receives. Over the past few weeks, people have been horrified by the UK Government's decision to withhold evidence from the UK inquiry. In Scotland, the Scottish inquiry team issued do not destroy letters to public bodies, including the Scottish Government, last August. It made clear that all documents, including emails, texts and WhatsApp messages, should be retained and that any destruction of such messages is a criminal offence.

Will the First Minister confirm that all ministers and officials, past and present, have complied with the do not destroy instruction? Will he give a guarantee that all requested emails, texts and WhatsApp messages will be handed over in full to the inquiry?

The First Minister: Yes, they will. It is important that I abide by the rules of the UK public inquiry and the Scottish public inquiry. Section 17 of the Inquiries Act 2005 gives the chair alone the responsibility to decide how an inquiry should operate. It is therefore a matter for the independent inquiry chairs to make decisions as to what material they request from the Scottish Government or other participants. Both inquiries have taken the decision—again, it is an independent decision; not a decision that I interfere in whatsoever—not to publish details of the requests that they are making of participants. All participants, including the Scottish Government, have been asked by the inquiry not to share the content of requests that they receive. Of course, the Scottish Government will comply with the request.

However, to ensure that there is simply no doubt whatsoever, any material that is asked for—WhatsApp messages, emails, Signal messages, Telegram messages or whatever—will absolutely be handed over to the Covid inquiries and handed over to them in full.

Anas Sarwar: That is really significant. To confirm, the First Minister has told us that all ministers and officials, past and present, have complied with the do not destroy instruction, and that all ministers and officials, past and present, will hand over all evidence in full without omission

and evasion. That is a really significant intervention from the First Minister.

Covid took a heavy toll on everyone in this country, and we continue to feel its impact. The least that we can expect is that, when grieving families come looking for answers, this Scottish National Party Government provides them. We know, sadly, that this is a Government that is famed for its culture of secrecy and cover-up.

Last week, Aamer Anwar, a lawyer for bereaved families across Scotland, said this at the UK Covid inquiry:

“No person, no institution, no matter how powerful, whether it be in England, Scotland, Wales or Northern Ireland, Westminster or Holyrood, can obstruct this search for truth.”

Will the First Minister commit to writing to me and other members of this Parliament outlining what steps the Scottish Government has taken to ensure that all ministers and officials, past and present, have complied with the do not destroy order, how that data is being retained and how it will be handed over to the inquiry?

The First Minister: I think that Anas Sarwar has asked that question because he did not expect me to say that I would fully comply with the Covid public inquiry. He was not able to adapt his second question as a result of the answer.

I am happy to reiterate what I have already said to Anas Sarwar. *[Interruption.]* This is a really important issue, so the Labour members may not want to heckle at this point.

The Presiding Officer: Members!

The First Minister: It is really important for me to reiterate that, of course, we have—and have had—a long-standing policy on retention not just of documents but of written correspondence, including email and social media messages. I am more than happy for that guidance to be shared and I am more than happy to write to Anas Sarwar or any other member who has an interest around how we comply with those various guidelines that are very much in place.

I also say to Anas Sarwar that this is absolutely about the bereaved families. That is why the Government has met the families who have been bereaved by Covid. We will co-operate fully with the inquiry. Anas Sarwar suggests that we are not transparent, but I remind him that it is this Government that instructed that public inquiry. I also remind him that it was my predecessor who stood up every single day during that pandemic to face questions from the press, in order to communicate as openly and transparently as possible. We are transparent as a Government and we will continue to be transparent—*[Interruption.]*

The Presiding Officer: First Minister, if I could stop you there.

Members, could you please stop having conversations across the aisles? It makes it very difficult to hear.

The First Minister: We will continue to co-operate fully with both public inquiries.

Cabinet (Meetings)

3. **Alex Cole-Hamilton (Edinburgh Western) (LD):** To ask the First Minister when the Cabinet will next meet. (S6F-02291)

The First Minister (Humza Yousaf): We will meet a few times throughout the course of the summer recess.

Alex Cole-Hamilton: I am very grateful for that reply.

Reinforced autoclaved aerated concrete is a light and bubbly material that was used in public sector construction for decades. If you think of the inside of an Aero bar, you will get the idea. In February, NHS Scotland issued a safety action notice. It warned that roofs, walls and flooring made of that material are at risk of

“catastrophic structural failure”,

which could occur suddenly and

“without warning”.

A school roof has already collapsed in Kent. Now, Liberal Democrat research, published in *The Times*, has established that that concrete has so far been found by at least four Scottish health boards and in 37 schools up and down our country, so it is above patients and above pupils.

I am not trying to frighten people, but we need to identify the buildings that are at risk and fix them. That could cost tens or hundreds of millions of pounds. Will the First Minister establish a national fund to help hard-up health boards and councils to make those buildings safe?

The First Minister: I thank Alex Cole-Hamilton for raising an important issue around aerated concrete. Before discussions on any fund that might or might not be necessary, it is really important, as Alex Cole Hamilton alluded to in his question, that we understand the scale and scope of the problem and the challenge that we face. I am happy to write to Alex Cole Hamilton in more detail, but I will give him one example in relation to health boards: NHS Scotland assure is already conducting quite an intrusive review into that issue, to understand the nature and scope of what we are dealing with.

Alex Cole-Hamilton is absolutely right to raise a very important issue. I will give consideration to the matter that he raises around a fund but, before

doing so, it is really important—in fact, imperative and vital—that we understand the scope and nature of what we are dealing with. Thereafter, I am happy to give consideration to Alex Cole-Hamilton’s suggestion. I will write to him with details of the reviews that we are conducting in buildings that we are responsible for.

Stem Cell Donation

4. **Bill Kidd (Glasgow Anniesland) (SNP):** To ask the First Minister what steps the Scottish Government is taking to help to raise awareness of the importance of stem cell donation in the treatment of blood cancer and blood disorder. (S6F-02297)

The First Minister (Humza Yousaf): I thank Bill Kidd for raising that important issue. I fully agree that increasing awareness of the importance of stem cell donation is absolutely vital, especially among groups from which more donors need to sign up, including men and people from black, Asian and minority ethnic communities. I have been on the register for stem cell donors for nearly two decades.

The Scottish Government recognises the importance of stem cell donation and continues to promote it, alongside key partners such as the Anthony Nolan charity, through a number of initiatives. We have included information on our Organ Donation Scotland website, which provides the public with information on how to register as a stem cell donor. I encourage everybody to look at that website and to register.

Last year, we also launched our updated school resource to educate children and young people about organ tissue and stem cell donation. Nationally, the Scottish Fire and Rescue Service, the Scottish National Blood Transfusion Service and Police Scotland have partnered with Anthony Nolan to promote stem cell donation and to encourage staff, young people and school pupils to register as potential donors.

Lastly, our new cancer strategy will work towards improving cancer survival and providing excellent equitable access to care.

Bill Kidd: I join the First Minister in welcoming the partnerships with Anthony Nolan.

I note that the First Minister mentioned the Scottish Fire and Rescue Service. Will he join me in congratulating the Scottish Fire and Rescue Service on its receipt of the Shirley Nolan special recognition award for its efforts to raise awareness and inspire others to sign up to the Anthony Nolan stem cell register? *[Applause.]*

The First Minister: I absolutely will do that. The Scottish Fire and Rescue Service deserves every bit of credit for the excellent partnership work that

it does with Anthony Nolan. I echo Bill Kidd's words and again congratulate the Scottish Fire and Rescue Service on its well-deserved award.

I also take this opportunity to recognise the tireless work of Bill Kidd in highlighting the importance of stem cell donation. He was rightly recognised as political supporter of the year at the Anthony Nolan supporter awards, which is well deserved indeed. *[Applause.]*

“Transvaginal Mesh Case Record Review”

5. Jackson Carlaw (Eastwood) (Con): To ask the First Minister what the Scottish Government's response is to the recommendations in the report, “Transvaginal Mesh Case Record Review”, by Professor Alison Britton. (S6F-02285)

The First Minister (Humza Yousaf): First, I put on record my thanks to Jackson Carlaw and others for what they do in this area. It is important to recognise Jackson Carlaw's tireless efforts in standing up for and advocating on behalf of women who have suffered as a result of transvaginal mesh implants.

I am grateful to Professor Britton and her team for undertaking what I do not doubt for a minute is a very thorough and insightful piece of work. I also express my thanks to the patients who took part in the review. I sincerely hope that they found it to be beneficial. I do not need to say to Jackson Carlaw or anybody else in the chamber how traumatic and retraumatising it can be for the survivors to continue to tell their stories.

We have taken many steps already that address a number of Professor Britton's findings. We have introduced new training on mesh for general practitioners, we have improved information for patients about the specialist mesh removal service in Glasgow, and the chief medical officer continues to champion shared decision making through his realistic medicine initiative.

We will now study the report in great detail and consider what further steps have to be taken.

Jackson Carlaw: I thank the First Minister for that answer and for his engagement on the issue. Will he commit to holding a full chamber debate on the issue in the autumn, after the Government has responded in full to the report, so that we can consider it?

Can I ask him for his reaction to an observation by Professor Britton in the introduction and overview to the report, where she comments on a parallel report that she was invited to undertake by the now Deputy First Minister in 2017 and which was published in 2018? Professor Britton says that the report

“highlighted a number of failings and made recommendations on how independent reviews should be

conducted in future. Despite being well received, to date, none”—

I repeat, “none”—

“of the 46 recommendations have been implemented by the Scottish Government.”

The First Minister has referred to the work that colleagues across the chamber have done over the past decade with the women. Does he understand their dismay and frustration that none of the 46 recommendations that were made five years ago have been implemented? What will he do to rectify that?

The First Minister: I am very happy for the Government to commit to bringing a debate to the chamber to discuss and engage again on this important issue, once we are ready to respond to the latest review.

With regard to the 2018 investigative review, we did accept and agree with the vast majority of Professor Britton's conclusions. Those recommendations have actually already been reflected in a number of inquiries and reviews that have been established in recent years.

We are also developing guidance to support inquiries and reviews that will very much build on Professor Britton's recommendations, and we hope to publish that shortly. I am happy to communicate directly with Jackson Carlaw and Professor Britton, and with anybody else who has concerns about the recommendations. I can give an absolute commitment that not only have we agreed with those recommendations, but a number of them have already been implemented in reviews that we have taken forward.

The Presiding Officer: There will be a brief supplementary from Stuart McMillan.

Stuart McMillan (Greenock and Inverclyde) (SNP): The First Minister will be very aware of my support for a number of my constituents who have suffered the horrors of transvaginal mesh implants. The women have my unwavering support in their efforts—first, to have the mesh removed and, secondly, to seek answers as to why NHS services have often seemed to work against them, instead of for them. Notwithstanding what the First Minister has said today, I ask him to ensure that the report is considered and responded to as soon as possible, given the continued difficulties that many women in my constituency and across Scotland are facing, and because of the lack of trust that many women have in the NHS—in particular, with regard to mesh services.

The First Minister: I thank Stuart McMillan and again acknowledge his tireless advocacy on behalf of constituents who have been affected by implantation of transvaginal mesh. For me, it is

incredibly important to reiterate that I pay tribute to the women who have bravely come forward over the years to tell their stories. Stuart McMillan is absolutely right: many of them have used words such as “gaslight”—they have not been believed. They do not trust the authorities in the NHS or various processes that we have brought forward.

It is very important that, in everything that we do, we bear in mind that lesson and ensure that we give survivors trust in the processes that we introduce. I have met many women—constituents of mine and others from right across the country—who have suffered as a result of transvaginal mesh being implanted. We will respond, as Stuart McMillan asks, as soon as we can. As I said in my response to Jackson Carlaw, it would be a good idea to do as he suggests and bring a debate to Parliament so that we can have a full and frank discussion of the matter.

The Presiding Officer: Jackie Baillie has a brief supplementary.

Jackie Baillie (Dumbarton) (Lab): The review also recommends that all information on mesh be drawn into a single website to keep patients informed. Will the First Minister commit to publishing waiting times on the website to inform patients about how long it will take to get their treatment, given that some are being forced to wait as long as 448 days? Will he take action to end those unacceptable waiting times, as a matter of urgency?

The Presiding Officer: First Minister, concisely.

The First Minister: I am more than happy to look at what more we can do in order to be as transparent as possible around waiting times. When I look, for example, at the Glasgow mesh service, I see that there is simply no doubt but that it has been affected by the pandemic. Surgery was paused for a time due, in particular, to Covid and winter pressures.

However, I have looked at the Glasgow mesh service’s latest data on surgeries since they have been restarted. That service will soon be able to operate within 12 weeks of a patient and their clinician deciding on the course of treatment. We are making progress on some of the treatments that are available, but I will look into the issue of transparency around waiting times and report back to Jackie Baillie.

Universal Free School Meals

6. Monica Lennon (Central Scotland) (Lab): To ask the First Minister whether he will provide an update on the Scottish Government’s commitment to roll out universal free school meals, in light of reported concerns that there will be further delays to the expansion of universal free school meal provision for primary 6 and P7 pupils,

and that no progress has been made on its commitment to establish a secondary school pilot scheme. (S6F-02299)

The First Minister (Humza Yousaf): I am very proud of the progress that the Scottish National Party-led Scottish Government has made on the universal roll-out of free school meals for P1 to P5. There might be a lesson for other political parties right across the United Kingdom if they look towards Scotland to see what we have done.

I can give a commitment to Monica Lennon and all who are interested that we are absolutely committed to roll-out of universal free school meals in primary schools. As we have set out previously, the next phase of expansion to universal provision will be to extend them to all P6 and P7 pupils who are in receipt of the Scottish child payment. We are also committed to delivering a pilot of universal free school meals for secondary schools. We continue to work closely with our delivery partners, including local authorities, on our expansion programme, which includes consideration of the appropriate timescales for the roll-out.

Monica Lennon: The Scottish Government was leading the rest of the UK on universal free school meals roll-out, but the work has stalled and we are falling behind.

Under Nicola Sturgeon, the P6 and P7 expansion was delayed. Last year’s announcement to pilot the provision in secondary schools has amounted to nothing. Close working would suggest communication; however, although I have made freedom of information requests of every local authority, there has not been even one phone call from the Scottish Government to any school or council about them.

Instead of prioritising hungry children, the Government approached the Convention of Scottish Local Authorities at the start of this month to broker further delays. Astonishingly, councils are now being warned that full roll-out in primary schools might not happen in this session of Parliament. Children are going hungry today and cannot wait until 2026—

The Presiding Officer: Can I have a question, please, Ms Lennon?

Monica Lennon: Will the Scottish Government keep its promise to Scotland’s children? Can the First Minister guarantee that the roll-out will be delivered by the end of this session?

The First Minister: I would love to see evidence for Monica Lennon’s claim that we are falling behind other parts of the UK, which is simply untrue. Indeed, we are leading the rest of the UK when it comes to provision of free school meals. On uptake in 2022, more than 215,000 free

school lunches were provided to children and young people, which is an increase from the previous high in 2016 of 194,000 free lunches being provided. Registrations for free school meals have reached their highest-ever level as our free school meals expansion programme continues.

Yes—there are challenges in relation to roll-out. We know that challenges exist around, for example, the capital infrastructure that is required in order to ensure that we can progress with universal roll-out.

When it comes to ensuring that we tackle poverty, and child poverty in particular, I remind Monica Lennon that it is the Scottish National Party-led Government that introduced the Scottish child payment. It is estimated that, through the actions that we have taken within that limited measure of self-Government, we will lift 90,000 children out of poverty.

The SNP-led Government scrapped tuition fees—something on which the Labour Party has U-turned. However, the Labour Party in the UK has said that it will not progress free school meals provision in the rest of the UK, so instead of chiding the Scottish Government for what it is actually doing, Monica Lennon might want to speak to her own party and get it to follow the SNP's lead.

The Presiding Officer: I will take Brian Whittle for a brief supplementary. We will then move to constituency and general supplementaries.

Brian Whittle (South Scotland) (Con): Does the First Minister agree that, if we were to offer activities before school along with a healthy breakfast, we would directly tackle the attainment gap, poor behaviour in class, hunger and poor mental and physical health? Does he agree that that kind of intervention would be a proactive step in tackling real issues that have not been efficiently dealt with for many years?

The First Minister: Again, we have already made provision when it comes to children's activities. We have also committed to developing plans to offer free breakfasts to all primary and special school children. We are absolutely committed to progressing those measures as fast as possible, which is why we have increased our funding to local authorities this financial year. What makes that job remarkably more difficult is the UK Government continuing to cut our budget.

The Presiding Officer: We move to constituency and general supplementaries.

Minimum Unit Pricing

John Mason (Glasgow Shettleston) (SNP): I am sure that the First Minister will agree that this

week's report from Public Health Scotland, which states how beneficial the minimum unit pricing of alcohol has been and says that lives have been saved, is welcome. Is he able to say anything about increasing the minimum unit price from 50p to, perhaps, 65p, or does he think that the United Kingdom Government might veto such an increase under the United Kingdom Internal Market Act 2020?

The First Minister (Humza Yousaf): John Mason makes a very good point. There is no doubt in anyone's mind that if the 2020 act had been in place when we first introduced minimum unit pricing, the UK Government would have struck it down. There is simply no doubt whatsoever that that would have been the case.

In response to John Mason's first comment, I am really pleased to see the progress that has been made with the introduction of the minimum unit pricing, which is quite literally saving lives. The only tragedy—my goodness—is how many more lives could have been saved, had we been able to implement the policy earlier and had it not had to be dragged through the courts.

John Mason will be aware of the review work that is under way. Given the legal challenges that we have had previously, it is so important that we allow the review work to take place so that we have a robust evidence base for decisions that are made on any increase in the minimum unit price.

Education Budget Cuts (North Lanarkshire Council)

Meghan Gallacher (Central Scotland) (Con): The First Minister will be aware of the recent decision taken by North Lanarkshire Council to let go of 130 teachers before the summer holidays. Education chiefs emailed 80 primary and 50 secondary teachers last Friday to tell them that they could no longer offer them temporary or fixed-term contracts from August. The Educational Institute of Scotland has rightly condemned the decision, as many teachers will be looking for jobs over the summer holidays. The council has responded, saying that Scottish Government funding for teacher recruitment has fallen substantially. Indeed, in the past two years alone, there has been a £1.8 million reduction.

Cuts to education budgets mean cuts to teacher numbers. What reassurance can the First Minister provide to the 130 teachers who will be really concerned and upset by the decision that has been taken by North Lanarkshire Council?

The First Minister: I am, of course, happy to correct the record if I am wrong, but I believe that that council is being propped up by the Conservative Party, so Meghan Gallacher might want to have a word with her Conservative

colleagues about their abysmal decision to let teachers go.

From a Scottish Government perspective, we are increasing the resources that are available to local government by more than £793 million, which represents a real-terms increase of £376 million, or 3 per cent. I urge any local authority, regardless of which political party is in the administration, to engage with schools and teachers in relation to their employment.

As I have already said to Brian Whittle, what has not helped is our public finances being decimated by the Westminster Government. That will not help us to fund local government by one penny.

Stephen Kerr (Central Scotland) (Con): Rubbish.

The Presiding Officer: I ask Stephen Kerr to please resist any temptation to contribute, particularly when his contribution is not necessarily courteous.

College Sector Redundancies

Pam Duncan-Glancy (Glasgow) (Lab): I draw members' attention to my entry in the register of members' interests as a member of Unison Scotland.

Unison is outside the Parliament today, because the college sector is in crisis—and that crisis is being felt most deeply by the staff facing compulsory redundancy at the City of Glasgow College. After meeting the principal last week, I remain deeply concerned about the cuts and the process for coming to the decision to make redundancies. Will the First Minister personally intervene and encourage more scrutiny of the decision, and will he meet union members outside the Parliament today to hear directly from them how bad things have got for colleges, staff and students?

The First Minister (Humza Yousaf): I have already met trade unions, including the University and College Union, representatives of which were at a round-table discussion that I, the trade unions and the Scottish Trades Union Congress co-chaired. I have already engaged with trade unions and I know the situation that Pam Duncan-Glancy has described. The Minister for Higher and Further Education wrote to college principals, reminding them of the fact that, although these are decisions for the colleges to take, it is so important that fair work is the guiding principle in these discussions.

I will receive an update from the minister. Again, although these are decisions for colleges, I publicly remind them that fair work must be at the heart of every decision that they take.

Fire Hazard Sites (Promat)

Bob Doris (Glasgow Maryhill and Springburn) (SNP): A recent serious fire at the abandoned Promat factory in Springburn left local communities enduring stifling smoke and fumes for two days, with firefighters putting their lives at risk. The Scottish Fire and Rescue Service informs me that the site is a major hazard and a danger to anyone who enters it and that, given its scale, it cannot possibly be made safe. Given that there might be insufficient powers to allow the local authority to intervene effectively and get the site owners to make the complex as safe as possible and, ultimately, to clear the site itself, will the Scottish Government meet me to discuss what powers might exist—or what further powers might be required for the Scottish Parliament—to take action on sites such as Promat in Springburn and better protect our communities?

The First Minister (Humza Yousaf): I am grateful to Bob Doris for raising the issue of the Promat site in Springburn. I will await further details from him, but, in response to his direct question, I am more than happy for the relevant minister of the Scottish Government to engage with him on whether there is anything further that we can do to address the issues that he has, quite rightly, raised.

Edinburgh Tram Inquiry

Miles Briggs (Lothian) (Con): It is now more than nine weeks since the Edinburgh tram inquiry report was sent to the printers, more than nine years since the inquiry was announced and three years since it stopped hearing evidence. It has cost Scottish taxpayers more than £13 million, which includes the chair being paid more than £1 million.

I know that the First Minister cannot comment on the inquiry's findings today, but will the Scottish Government agree to Parliament debating the inquiry's findings, in Government time, when they are published? What review will be undertaken of the delivery of the inquiry—it is vital that lessons are learned for future public inquiries—and of what has gone so wrong in delivering this one?

The First Minister (Humza Yousaf): I remind Miles Briggs of the fact that the Edinburgh tram inquiry is an independent public inquiry, so I am not able to interfere with or intervene on its timescale. I have seen the same press reports that Miles Briggs has seen, and all I would say is that, when the tram inquiry report is ready to be published, there will be no objection from the Scottish Government or from me, as First Minister, to its being published as soon as possible. I think that it should be published as soon as it is ready for publication. It is so important that, when it comes to that independent public inquiry, neither

me nor anyone in the Scottish Government is seen to interfere or intervene in any way whatever.

Orthopaedic Waiting Times

Foyso! Choudhury (Lothian) (Lab): My constituent Wendy, who has struggled with joint pain for several years now, was finally added to the orthopaedics out-patient waiting list in June 2022. Last month, it was confirmed that she was on the waiting list for a knee replacement. The wait is currently two and a half years, which could take Wendy's overall waiting time to more than five years. Wendy is in constant pain and her quality of life has been seriously impacted. Does the First Minister think that her wait time is acceptable? What is the Scottish Government doing to achieve its legal guarantee of 12 weeks for in-patient treatment under the Patient Rights (Scotland) Act 2011?

The First Minister (Humza Yousaf): I say directly to Foyso! Choudhury that the wait that he has described is not acceptable, and I am more than happy for him to contact me to find out whether anything further can be done in Wendy's case.

I also say to Foyso! Choudhury—I know that he understands this well—that there is no doubt at all that health services across the United Kingdom, Europe and, indeed, the world have all been affected by the shock of the global pandemic, which I suspect is the biggest shock that the national health service has faced in its almost 75-year existence.

As for what we are doing to make improvements in relation to waiting times, I am more than happy to write to Foyso! Choudhury in detail about the many actions that we are taking. It is fair to say that, when it comes to waits of more than two years, we have made significant improvements in a number of cases. For example, with in-patient day cases, the number of people who have waited for more than two years for in-patient day-case treatment has reduced by 27 per cent since targets were announced. With regard to out-patients, the number of people who have waited for more than two years is down by 19 per cent on the most recent quarter.

Therefore, we are making progress, but I am happy to look at the case that Foyso! Choudhury has raised to see whether there is anything that we can do to help his constituent.

Court of Appeal Ruling

Maggie Chapman (North East Scotland) (Green): The First Minister will be aware of this morning's ruling by the Court of Appeal that the United Kingdom Government's plans to deport asylum seekers to Rwanda to make their

applications while being held in detention centres are unlawful. The plan to remove some of the most vulnerable people, women and children among them, was always immoral and unjust. Today, we have learned that it is also illegal. Does the First Minister agree that that means that the Home Secretary, who has dreamed of such flights to Rwanda, must resign?

The Presiding Officer: The Parliament's standing orders provide that First Minister's question time gives members the opportunity to put questions to the First Minister on matters that fall within the responsibility of the First Minister and, of course, the responsibilities of the Government. I am not entirely clear that that question met the requirement of standing orders.

That concludes First Minister's question time. There will now be a short suspension to allow those leaving the chamber and the public gallery to do so before the next item begins.

12:49

Meeting suspended.

12:51

On resuming—

Highly Protected Marine Areas

The Presiding Officer (Alison Johnstone):

The next item of business is a statement by Màiri McAllan on highly protected marine areas. The cabinet secretary will take questions at the end of her statement, so there should be no interventions or interruptions.

The Cabinet Secretary for Transport, Net Zero and Just Transition (Màiri McAllan):

I begin with a reminder of why we are discussing this subject: the world's ecosystems are rapidly degrading. That is not a remote or abstract problem; it is real, it is happening now and we cannot continue ignoring what is in front of us.

The marine heatwave that was declared in the North Sea last week, which was labelled “extreme” by scientists, clearly shows that the impacts of the global climate emergency are already being felt here, on our shores. It is clearer than ever that we are in the midst of a nature and climate crisis. We must be prepared to take action commensurate with the scale of that challenge, but we must do so via a fair and just transition that empowers our people.

I will be clear about why this Government believes that change is required. The latest assessment under the United Kingdom marine strategy indicated that we have failed to achieve 11 of the 15 indicators of good environmental status in our seas. Evidence presented in “Scotland's 2020 Marine Assessment: Headlines and Next Steps” shows an accelerating rate of change due to human activity. Nine out of 21 marine regions in Scotland have sea-floor habitats that are predicted to be in “poor condition” across more than half of their area. Seabirds are also in trouble, with populations of surface-feeding birds, such as the kittiwake, in decline.

Failure to safeguard and improve the resilience of Scotland's marine ecosystems to a changing climate threatens the very basis on which our marine industries and coastal communities are built.

The case for enhanced marine protection is therefore clear and one that all parties here agree on—or at least they did at election time. We know that protecting our marine ecosystems protects and sustains the ecosystem services that livelihoods and communities rely on. I hope that we can all agree on that. That is why we are committed to working with coastal communities, fishers, aquaculture, tourism and all affected sectors to enhance marine protection in Scotland for the benefit of all.

There has, understandably, been considerable debate about highly protected marine areas, and I thank all members, stakeholders and members of the public who have contributed so robustly to the early part of that debate. I record my thanks for the many constructive conversations that I have had with members from all parties in recent weeks, and for those with fishing representatives, local authorities, youth representatives and environmental campaigners, including my colleagues in the Scottish Greens. Highly protected marine areas are part of the Bute house agreement, and I welcome the constructive engagement that I have had with the Green group as we have developed our thinking on this critical issue.

I have listened intently and am in no doubt about the strong views both for and against. However, if there has been one consistent point of consensus it is that doing nothing is not an option. In fact, we know from a recent Government-funded survey that 85 per cent of Scottish respondents consider protecting the marine environment to be important to them.

I emphasise that I recognise the scale of what highly protected marine areas represent. We are at the drawing board on the issue, and I have—from the very beginning of the process—invited Scotland's communities to the drawing board with us. That is why I was keen that we consulted so broadly and as early in the process as possible, with no predetermined ideas about sites. We are currently analysing the thousands of responses to that consultation and I will, of course, give due consideration to those.

A full response to the consultation and information on the next steps will be published after summer recess. However, I committed to updating Parliament on the matter as soon as I possibly could, so, ahead of a fuller update after summer, I would like to share an initial one today.

A particular concern that has been raised with me—notably by both those who support the establishment of HPMAs and those who do not—is that implementation of the proposal in the proposed timeframe could risk limiting our aspirations for genuine collaboration with communities, which, both to me and to the Government, is absolutely integral to Scotland's approach to a fair and just transition. Therefore, although, for the reasons that I have stated, we remain firmly committed to the outcome of enhancing marine protection, I can confirm that the proposal as consulted on will not be progressed. That means that we will no longer seek to implement HPMAs across 10 per cent of Scotland's seas by 2026.

Over the summer, as part of our on-going dialogue with all those with an interest in

protecting Scotland's seas, we will develop a new pathway and a timetable for our work. Those will be in line with our draft biodiversity strategy and its ambition for Scotland to be nature positive by 2030, and they will recognise that the European Union has proposed a target of having enhanced marine protection in at least 10 per cent of its seas by 2030.

Importantly, I will ensure that communities across Scotland are central to the process. We know that there is a plethora of innovative ideas on how we can improve protection, and that is exactly what I want to hear more of, including from people such as inshore fishermen who recognise the issue's importance to their livelihoods.

It is very important to me that people who will be affected by policies are engaged in their development. The viability of coastal and island communities matters greatly to this Government, as do the matters of cultural importance that have come to the fore of the debate.

As I have said a number of times, our seas must remain a source of economic and social prosperity for our nation. I therefore speak directly to everyone in our coastal and island communities, including those who have expressed concerns to date, when I say that I want them to help to shape the future of Scotland's seas. As I—and, indeed, the First Minister—have said many times, communities must be meaningfully involved. Today, I am making it clear that that will happen.

In that regard, and on an immediate and on-going basis, the Government remains committed to supporting any group that wishes to pursue community-led marine protection in its local area. We have already seen successful initiatives in Arran and in St Abbs and Eyemouth. I will do everything that I can in this session of Parliament to support those communities that want to follow their shining examples—examples that we know can work to improve the state of the local marine environment.

Although I have confirmed today that the HPMA policy as consulted on will not be taken forward, investing in ocean health requires a range of interventions across all our seas that we must continue to progress as a matter of urgency. Scotland's existing marine protected area network covers around 37 per cent of our seas, but individual sites must be effectively managed if they are to achieve their objectives, and we must also do more to safeguard our particularly vulnerable species and habitats.

We have an on-going programme of work to implement fisheries management measures in existing MPAs where they are yet to be introduced, and to protect some of the most vulnerable priority marine features outside the

MPA network. Those measures were delayed by Brexit and the Covid-19 pandemic. However, we are committed to putting them in place as soon as possible, following due process, and I welcome the fishing industry's support in moving them forward.

I can confirm that, after the summer recess, we will consult on proposals for fisheries management measures in offshore MPAs beyond 12 nautical miles. The options to be consulted on have been the subject of extensive engagement over many years with all stakeholders.

Inshore MPAs and priority marine features also require fisheries management measures. However, the complexity of the inshore area and the number of sites have meant that progress has been slower than was hoped—therefore, consultation on inshore measures will take place in 2024.

During the summer, my colleague Mairi Gougeon intends to consult on the potential closure of sand eel fisheries in Scottish waters. That is a crucial step in safeguarding an important food source for many species, and it could aid the long-term sustainability and resilience of marine ecosystems.

All that vital work on marine protection must, and will, proceed with pace. It does so as this Government continues to support Scotland's fishing industry, not least through the £14 million marine fund Scotland, which the Cabinet Secretary for Rural Affairs, Land Reform and Islands recently launched the third round of. I take the opportunity to thank all the stakeholders with whom Mairi Gougeon and I have worked across all those matters.

I began the statement by outlining our commitment to addressing the twin crises of climate change and nature loss. Our "Blue Economy Vision for Scotland" recognises that our economy and society "are embedded within nature", and not external to it. The vision looks to move us beyond traditional narratives of choosing between ocean protection and production, recognising that the latter cannot be achieved without the former.

I will publish more on our next steps after the summer, and we will, of course, keep Parliament up to date, but I hope that what I have stated today demonstrates that I am listening and that I will continue to listen.

There has been a lot of heat in the debate about HPMA's, and I hope that my commitment to develop a new pathway with all those who will join me round the table will allow a great deal less heat, and more light, into discussion of the matter. I am clear that both enhanced marine protection and a whole-community approach is required.

In my foreword to the recent “Scottish Highly Protected Marine Areas Consultation Paper”, I said:

“I am determined that those who may be affected by these proposals are involved from the outset ... That is why I want to hear what you think.”

I went on to say:

“I want to take on board your concerns and your ideas.”

While I continue my meetings across Scotland over the summer, and as my officials and I finalise our analysis of the consultation responses, I trust that it is clear that I am listening and that I will continue to listen as we take forward the imperative of marine protection.

The Presiding Officer: The cabinet secretary will now take questions on the issues raised in her statement. I intend to allow around 20 minutes for questions, after which we will move to the next item of business. I would be grateful if all members who wish to put a question were to press their request-to-speak button now.

Rachael Hamilton (Etrick, Roxburgh and Berwickshire) (Con): Over the past few months, my Scottish Conservative colleagues and I have been engaging extensively with fishermen and industry representatives the length and breadth of Scotland’s coastal communities in order to hear their concerns. Never before in my role as rural spokesperson for my party have I come across a policy that is so universally opposed by an industry and by the communities that that industry supports.

Today’s statement has abjectly failed to address the concerns of our industry. Instead of listening to fishing communities, the Scottish Government is rehashing its plans based on what the EU tells it to do. Instead of backing down, this Government is doubling down on its plans to ban fishing in almost 50 per cent of Scottish waters.

It is the same policy with a new date—a Bute house fudge. Cabinet secretary, when will the Scottish Government finally listen to the concerns of the people whom it is supposed to serve, and drop these community-wrecking plans?

Màiri McAllan: I will leave it up to Rachael Hamilton, but I suspect that she will have to correct the record at some point on some of the assertions that she has just made.

It is deeply ironic, and really disappointing, that she is resorting to politicking. It is ironic because—as I have said a number of times—she stood on a Conservative party manifesto with a commitment to highly protected marine areas, and her colleagues in the UK Government are taking forward highly protected marine areas in England. Thérèse Coffey, the Secretary of State for Environment, Food and Rural Affairs, has

described highly protected marine areas as a “vital” way forward.

I have been clear from the beginning that this Government believes, and is utterly convinced, that we must take forward enhanced marine protection in Scotland’s waters. Equally, however, we are committed to doing so by a process in which communities can have faith and that represents fairness and justice, and that is exactly what we will continue to take forward.

The Presiding Officer: Before I move to Ms Grant, I ask that the temptation to make comments that can be audible is resisted.

Rhoda Grant (Highlands and Islands) (Lab): I welcome the statement. I hope that it represents a genuine change of heart and signals a very different working relationship with our fishing communities. The people whose lives depend on our seas are ideally placed to make policy that protects our marine environment. What will that new engagement look like, and how will it include all those who are affected by the changes?

In addition, can the cabinet secretary assure me that any changes to the management of existing marine protected areas will be carried out after full consultation with coastal communities, and will she assure members that this is not simply HPMA’s by the back door?

Finally, if communities want to instigate areas of protection, how will they do that, given that, in the past, the process has taken decades?

Màiri McAllan: Rhoda Grant mentioned the relationship between the Scottish Government and the fishing industry. I ask her not to be under any misapprehension that we have engaged on the issue in the absence of others. Mairi Gougeon and I, and our officials, have a strong relationship with Scotland’s fishing industry. We engage with it on a range of matters. We have engaged with it on marine protection for a number of years—as I referred to in my statement, with regard to the MPA process. I thank it for that, and I thank Scotland’s marine lobby equally.

I will not pre-empt the outcome of the conversations that I will continue to have over the summer, nor will I pre-empt the final outcome of the consultation process. I remain open-minded as to what that new approach to community engagement will look like. However, if Rhoda Grant or other members have ideas on how that might best be done, I will welcome those.

Alasdair Allan (Na h-Eileanan an Iar) (SNP): The news that the Government will not seek to progress the HPMA proposals represents a very welcome change of tack, which will be greeted with relief along the west coast. Fishers have more at stake than anyone in ensuring that our seas are

sustainable, so what can the Government now do to ensure that fishing communities are at the heart of future fishing policy?

Màiri McAllan: Dr Allan is absolutely right. Our marine sectors, including the fishing industry across the country, depend on a healthy marine environment. Fishers understand how important that is, and they must have their say. I want the voices of people from coastal and island communities to shape their own future for their benefit. As I have mentioned, therefore, I intend to establish a dialogue on the benefits of enhancing marine protection that allows that to happen. The process must be democratic and must reflect the scale of the ambition of protecting Scotland's seas in the way that the nature crisis demands of us.

I thank Dr Allan for his engagement with me on the issue, including his setting up of a very helpful meeting between me, him and representatives of the Western Isles Council.

Finlay Carson (Galloway and West Dumfries) (Con): I was minded to welcome the apparent scrapping of HPMA's, but the statement is no more than a last-minute effort to pacify the rebels on the Government's back benches as they head off on their summer holidays.

The statement has continued the mention of the unresearched and arbitrary 10 per cent target. Will the minister apologise to our fishers and coastal communities for the worry and distress that she has caused them over the past few months, and will she join me in condemning the Green MSP Ross Greer and his ridiculous attack on the Scottish Fishermen's Federation and Salmon Scotland—or is his voice the true voice of the Green-Scottish National Party unholy alliance and misguided policies, the only outcome of which would be their own version of the rural, island and Highland clearances?

Màiri McAllan: I hope that my conduct and contributions on this matter in the chamber have demonstrated how seriously I have always taken it. I understand the absolute imperative of enhancing the protection of our oceans and, equally, the need to do so in a way that is acceptable to, works for and benefits the people who live in our coastal and island communities throughout Scotland. I take that exceptionally seriously and, regardless of the politicking from the Conservative Party, will continue to do so.

This goes to the core of the issue. We are in an emergency situation of climate and nature degradation. As António Guterres, the United Nations secretary general, said, that requires of us "everything, everywhere, all at once."

That is the challenge that the Scottish Government has. I am dedicated to doing that, but I am also

dedicated to fairness, and I hope that what I have set out today makes that clear.

Kenneth Gibson (Cunninghame North) (SNP): It is disappointing that, for some members, no compromise on the issue appears to be acceptable. Enhancing marine protection will safeguard invaluable marine habitats and key fish stocks, specifically by curtailing the most destructive human activities, such as scallop dredging and bottom trawling. What steps will the cabinet secretary take to engage with communities that wish to strengthen marine biodiversity, emulate the success of the Lamlash Bay no-take zone in my constituency and provide further protection for Scotland's inshore waters? Over what timescale will that take place?

Màiri McAllan: I thank Kenneth Gibson for his very robust support of proposals for enhanced marine protection. I will continue to liaise with him on the matter in order to hear his views.

Kenneth Gibson represents an area in which there is an excellent example of what community-led marine protection can look like in Scotland. The Lamlash Bay no-take zone shows us the benefits that can be had for the marine environment and the people who rely on it.

I was very pleased to visit the Community of Arran Seabed Trust—COAST—recently and to help to launch its new RV COAST Explorer vessel. That is a true example of environmental protection and community empowerment, and I will take COAST's example into the next stages of developing the process.

As I said in my response to Rhoda Grant's question, I cannot pre-empt the outcome of my consultation analysis or, indeed, the conversations that I will have over the summer. However, I will, as I have done today, seek to update Parliament as soon as I can on the path forward.

Mercedes Villalba (North East Scotland) (Lab): The status quo in Scotland's waters is not working. Last week, the Court of Session ruled that ministers unlawfully ignored the national marine plan when deciding on fishing licence policies and, after today's statement, it is clear that we are still no closer to a coherent marine spatial planning process. In the meantime, our waters and everyone and everything that relies on them are being squeezed. Can the minister confirm whether the Scottish Government is committed to creating a cohesive spatial plan for our seas in this parliamentary session?

Màiri McAllan: There appears to be a real conflict in Scottish Labour's position. Mercedes Villalba seems to reflect and remember the manifesto that she stood on, which committed not to HPMA's covering 10 per cent of our seas, as we have consulted on, but to double that, whereas her

colleague Rhoda Grant seems to have entirely forgotten that.

In my statement, I mentioned the suite of other actions that we will continue to take forward, not least management measures in the MPA network, the protection of priority marine features and our work on the sand eel fishery. I hope that some of the space that the statement will create in relation to marine protected areas will allow us to progress those matters.

Mercedes Villalba mentioned the need to manage shared space. We have begun, and are in the very early days of, the next national marine plan. I expect that matters relating to shared space and how best to share space will feature heavily in the development of that plan.

Emma Harper (South Scotland) (SNP): I welcome the announcement, which will certainly alleviate Galloway fishers' concerns and will be welcomed by fishing communities across Dumfries and Galloway. As the Scottish Government continues its plans to enhance marine protections for the environment, can the cabinet secretary reiterate how the voices of fishers, such as those in Galloway, are at the centre of those discussions? Can she confirm that she will meet Galloway fishers at the earliest opportunity so that their voices can be heard from the outset of any future proposals?

Màiri McAllan: The gist of what I am saying today is that I intend to take time to gather views from people throughout Scotland on how we can improve the state of our marine environment in a way that ensures that we rise to what is required of us by way of conservation and, equally, serves Scotland's people. I know that there are innovative ideas out there about how we can do that. They are exactly what I want to hear more of, including from those whom Emma Harper represents. I am finalising the meetings that I am seeking to have over the summer, and I will certainly consider her approach regarding the Galloway fisherpeople.

Liam McArthur (Orkney Islands) (LD): Like Alasdair Allan, I warmly welcome the Government's retreat from the arbitrary approach to HPMA, which has caused real alarm in the island communities that we represent. Of course fishers recognise the importance of marine protection but, given that less than 10 per cent of the existing MPA network has been monitored over the past five years, how does the cabinet secretary plan to resource the monitoring and management of MPAs? Can she say more about the way in which the engagement with island and coastal communities will take place?

Màiri McAllan: I thank Liam McArthur for his question, although my view is that 10 per cent is not an arbitrary figure—10 per cent mirrors the

level of strict protection that the EU is currently seeking to develop. I will correct this if I am wrong, but I think that France, Germany and Denmark are considering strict protection of 10 per cent.

As I tried to set out in my statement, I understand that both those who opposed HPMA and those who supported them were worried that the coincidence of an ambitious 10 per cent within the timeframe could limit the opportunity for the robust community engagement that I want to see—as do they.

That and other questions about moving forward with the MPA network—as Liam McArthur says—are exactly what I am taking into my dialogue over the summer. I will update the Parliament on the fuller details once I have decided on the way forward.

Ruth Maguire (Cunninghame South) (SNP): Last week I met my constituent Willie Kennedy, who is chair of the Scottish Sea Angling Conservation Network. He painted a pretty distressing picture of the decline of our inshore waters of the Clyde, due to destructive trawling since the removal of the three-mile limit in 1984. He spoke of his organisation's desire for robust protection measures and a just transition for the Clyde fleet.

How can enhanced marine protection support the recovery of the Clyde sea bed and the protection and promotion of the interests of our local communities, sea anglers and the low-impact commercial fishing sector?

Màiri McAllan: I thank Ruth Maguire for her question. I might be hearing cries of "Nonsense" from Tory members, but scientific evidence from temperate locations around the world suggests that enhanced marine protection delivers greater conservation—[*Interruption.*]

The Presiding Officer: Could you give me a moment, cabinet secretary?

Mr Carson, I can hear you rather too clearly. I would be grateful if you could allow the cabinet secretary to respond.

Màiri McAllan: As I was going on to say, enhanced marine protection can lead to a wider range of sea floor species, larger populations and increased resilience to disturbance. We have studies that show that from around the world, including those from California and New Zealand. In particular, they show the benefits of spillover from highly protected areas—greater species abundance in and around highly protected marine areas is clearly advantageous to those who make their living from the seas. I have mentioned studies such as those in Lamlash Bay, which have shown that commercially important species such as the king scallop and the lobster are more

numerous, are older and are larger, following protection.

If I have one message from today's update, it is that the position that was consulted on is no longer being progressed, but the Government goes into our conversation about the process with a clear principle that enhanced marine protection is required and will be implemented.

Ariane Burgess (Highlands and Islands) (Green): I welcome the constructive approach being taken to protect our marine environment and fish stocks for current and future generations. The new timeframe will allow genuine partnership working with communities to deliver enhanced protection, and it will help us to align with the EU.

In the meantime, community-led marine reserves such as Lamlash Bay could lead the way, as we have heard today. What will the cabinet secretary do to encourage more coastal communities to come forward, ensuring that all voices are heard, such as those of people working in tourism, in conservation and with young people, as well as those from all parts of the fishing industry?

Màiri McAllan: I thank Ariane Burgess for her question and, indeed, for her engagement with me on this matter. She has touched on how willingly communities feel able to come forward. As I have said, I think that there has been more heat than light in this debate, and a toxicity has surrounded it. I hope that I am creating the breathing space today for everybody who is interested to come back round the table and find a way forward.

On my point about encouraging communities to come forward, I think that there was a reluctance to come forward, amid the toxicity, among those who probably supported HPMA's or who would like to have one in their community. They perhaps did not feel that they could come forward. I want to take the heat out of the debate and to involve everybody with an interest. I will encourage and support any community that wants to follow the Lamlash example in seeking to develop such an approach locally.

Edward Mountain (Highlands and Islands) (Con): I remind the chamber of my entry in the register of members' interests. I am a joint proprietor of an inshore fishery for migratory fish.

The statement is partially about protection, but a huge amount of it is about political deflection. Only this morning, I was reminded that the HPMA process has created confusion and anger across all coastal communities. There has been a lack of transparency and accountability, which featured as part of a recent Court of Session ruling on inshore fisheries and fishing licences. My question is simple: in 2018, recommendation 53 in the Rural Economy and Connectivity Committee's report on

salmon farming recommended moving salmon farms from inshore areas further out to sea to ensure that they did less damage to the coast. Will the cabinet secretary ensure that that is part of the process and that she does not forget that when she is taking the process forward?

Màiri McAllan: Political deflection is all that we get from the Conservatives, I am afraid.

The Cabinet Secretary for Rural Affairs, Land Reform and Islands and I are taking forward work on some of the points that Edward Mountain raised and on aquaculture more generally through our Scottish aquaculture council, which is proving to be an excellent forum to discuss and exchange ideas and proposals for the sustainable future of aquaculture in Scotland. We will continue to do that. Equally, I want to bring everyone around the table in this process, including Edward Mountain and MSPs from across the chamber. If Mr Mountain has ideas about changes to the aquaculture industry in Scotland, he is always welcome to bring them to me or Mairi Gougeon, or to be part of the dialogue on the future of HPMA's.

Karen Adam (Banffshire and Buchan Coast) (SNP): I thank the cabinet secretary for her constructive dialogue and for taking the time to listen to the concerns of the coastal communities and the fishers I represent. Fishers are well aware of the need to safeguard the health of our seas, because they rely on it for their livelihoods as well as our food security. They bring intergenerational knowledge and experience to the table. How will fishers be able to feed their wealth of knowledge into any future discussions on enhancing marine protections as we continue to protect our marine environment, as well as our world-renowned, vital food source?

Màiri McAllan: Co-management is at the heart of how we manage fisheries in Scotland. As I hope I have made clear in my statement, it will be part of how we take forward a pathway on enhanced marine protection. Equally, fishermen can feed into discussions on general marine matters through established forums in Scotland, including the fisheries management and conservation group.

In a previous answer, I mentioned that the Cabinet Secretary for Rural Affairs, Land Reform and Islands and I, along with our officials, regularly work with the fishing industry. The Scottish Government has done so for years on quota, financial and emotional support in difficult times and marine protection through the MPA network. Interestingly, one of the things that has been raised with me in this process is that there is a great deal of faith in the MPA process and the means by which management measures are taken forward through it. We are always learning; this is an iterative process. That is what we face as we

try to live up to what the climate and nature emergency demands of us.

Jamie Halcro Johnston (Highlands and Islands) (Con): In claiming to take the Government's plans back to the drawing board, the cabinet secretary says that there will now be dialogue with marine stakeholders and that communities will be central to that process. I am at a loss to know why that was not the approach from the very start. The cabinet secretary said that HPMA's were in the Bute House agreement. Will she be honest with the chamber: is this a genuine U-turn from the Scottish Government—albeit one that has been forced by anger in local communities, opposition from across the chamber and the threat of rebellion from SNP back benchers—or, given that the Greens seem to be happy with the new approach, is it just a sleight of hand, and do Scotland's coastal and fishing communities still have a lot to be worried about regarding the SNP-Green Government's intentions?

Màiri McAllan: The position is not as it has been characterised by Jamie Halcro Johnston. I have been clear from the start that I always understood the ambition that our proposals represented. That is why the Government was clear from the beginning that we wanted to hear views and to have Scotland's communities, industry and local authorities help us to shape the process by which we deliver enhanced marine protection.

I am glad that Jamie Halcro Johnston has given me the opportunity to demonstrate how much engagement—not least the early and broad consultation—has already been part of the development of the process. We held some 20 meetings with stakeholders—*[Interruption.]*

The Presiding Officer: Mr Halcro Johnston, you have put your question. I would be grateful if the cabinet secretary could respond.

Màiri McAllan: In advance of consulting, we held some 20 meetings with key stakeholders to take their views on what could be involved. We held meetings during the consultation, principally to assist anybody who wanted to complete it to do so.

Since the consultation has closed, I have discussed matters with fishing representatives in Troon and with Western Isles Council representatives; I have met the Community of Arran Seabed Trust in Arran; I have spoken with the Scottish Fishermen's Federation; I have met Scottish Environment LINK; and I have met representatives of the Sustainable Inshore Fisheries Trust. I will continue to engage with the spectrum of interests as we deliver the imperative of marine protection.

The Presiding Officer: That concludes the ministerial statement.

Entrepreneurship

The Deputy Presiding Officer (Liam McArthur): The next item of business is a statement by Neil Gray on leading Scotland's journey to becoming a start-up nation. The cabinet secretary will take questions at the end of his statement, so there should be no interventions or interruptions.

13:26

The Cabinet Secretary for Wellbeing Economy, Fair Work and Energy (Neil Gray): I am convinced that high-growth entrepreneurship can power the transformation of the Scottish economy. The economic impact of new and scaling firms is colossal—they are 40 per cent more productive than the economy as a whole, act as a magnet for external investment and radiate innovation through customers and supply chains, which drives job creation and wage growth beyond the walls of their own enterprises.

In Scotland, the true value of our start-up community goes beyond what can be measured by hard economic analysis. Our entrepreneurs are people of vision, drive and imagination. Through the solutions that they offer to problems and the jobs that they create, they use those gifts to make better futures for our people and our communities.

I think of Blackford Analysis, which uses the power of artificial intelligence to improve patient outcomes. I think of Rooser, which is a Google-backed seafood trading platform that protects our waters by eliminating waste and empowers local fishermen to command the best price for their catch. I think of Intelligent Growth Solutions, which is a rapidly scaling firm whose approach to precision farming is at the frontier of the push to deliver global food security.

Those companies and dozens more dispel the myth that growth and wellbeing are contradictory economic principles. For all those reasons, the Government is today setting out a vision to establish Scotland as one of Europe's leading start-up economies.

We begin the journey from a position of strength. Despite significant macroeconomic headwinds, our start-up ecosystem attracted record investment of £953 million last year—it outperformed all United Kingdom regions with the exception of the so-called golden triangle between London, Oxford and Cambridge. However, our pride at that success must be tempered by the reality that, over the same period, the Swedish ecosystem attracted capital that totalled £5.4 billion. That illustrates the scale of the prize and underscores that the gap between Scotland's entrepreneurial potential and its performance

provides perhaps our greatest economic opportunity.

We needed a plan to help us to realise that potential, which is why we appointed Mark Logan as Scotland's first chief entrepreneur. We have worked closely with him to produce a series of publications that, together, form a sophisticated and comprehensive plan to drive the systemic reforms that are necessary to establish Scotland as a world-class entrepreneurial economy.

The new plan proposes actions across the strategic domains of gender equality, infrastructure, education and international presence. I will take each of those in turn and describe our achievements to date and our priorities in the current financial year.

I will begin with the Scottish Government's response to "Pathways: A New Approach for Women in Entrepreneurship", Ana Stewart and Mark Logan's groundbreaking review of how we can support more women to start and scale businesses. I thank Ana and Mark for their work and recent engagement, which have helped to persuade me of the need to drive so hard on this agenda.

The "Pathways" review's findings are stark and its recommendations bold. Only one in five of Scotland's businesses is led by women, and start-ups founded by women receive only 2 per cent of investment capital. The lack of meaningful progress is explained by deep-rooted societal barriers that disproportionately impact women. The review correctly describes that as

"a denial of opportunity on, literally, an industrial scale."

That is intolerable in the wellbeing economy that I am dedicated to building.

We have a moral and economic duty to meet those challenges head on. That is why I am proud to announce that we accept the report and will immediately begin work on its implementation.

The report's recommendations are broad and powerful, encompassing cultural change, long-term intervention in education and more immediate support to women in business. I will therefore focus my remarks on the actions that we will prioritise in this financial year.

First, we are committed to the creation of pre-start centres and pop-ups that are focused on encouraging women to start businesses and providing best-in-class support to help them to develop products, adopt sound commercial strategies and get early access to funding. As part of that work, we will give early consideration to how we can implement the proposal for a concept fund, to offer women the seed funding that they need to turn good ideas into growing businesses.

Secondly, we will relaunch the Scottish Government's competitive ecosystem fund, with an explicit focus on supporting projects that address the review's key themes of entrepreneurial technique, access to finance and education. I am also pleased to announce that we will maintain our support for organisations such as Women's Enterprise Scotland, Investing Women and Business Women Scotland, ahead of a shift to competitive funding in future years.

Thirdly, we will work with our enterprise agencies, the Scottish National Investment Bank and private sector investors to open up investment avenues for women-led businesses and other underinvested groups.

Finally, we will improve our collection and reporting of data, to develop a dashboard of measures to evaluate the extent to which our actions are succeeding.

On entrepreneurial infrastructure, the Scottish Government is well on its way to delivering what is arguably the finest system in Europe dedicated to the creation and scaling of high-growth businesses. The £42 million Techscaler network is a game changer for our start-up community, which puts the wind of silicon valley technique into the sails of Scottish innovation. It is a complex project, delivered on time and on budget. Six of seven physical sites are fully operational and already host 247 start-ups, with a further 1,300 members accessing virtual support and education the length and breadth of Scotland. An end-to-end entrepreneurial curriculum has been developed, with courses ranging from beginner level through to the advanced techniques necessary to achieve scale.

Reforge is silicon valley's most prestigious provider of scale-up education and, through Techscaler, Scotland is the only country in the world to hold a national licence, with 47 entrepreneurs already learning and growing alongside the world's best businesses.

A key objective is to ensure that the services offered by pre-start centres, and existing ecosystem assets such as national health service test beds and the Net Zero Technology Centre, are seamlessly connected to the Techscaler network to create a powerful continuum of support for entrepreneurs in every industry as they progress through each level of scale.

As part of ensuring that our existing ecosystem continues to flourish, I confirm that we will once again support Scottish EDGE's excellent complementary work to identify and back Scotland's most promising new businesses.

Just this Tuesday, in a speech to ecosystem builders in Brussels, the First Minister announced the publication of Ross Tuffee and Joe Little's

report, "Entrepreneurial Campus"—the Scottish Government's blueprint to position our universities and colleges as hotbeds of start-up creation and scaling. That work is about establishing an alliance with universities and colleges to catalyse a movement that has already started to build in the sector through an increased focus on spin-out companies and the broader commercialisation of research.

The movement is responsive to a shifting culture in which learners no longer view institutions merely as a means of acquiring a degree but as places where they can meet co-founders, experiment with cutting-edge technologies and create the innovation-led businesses that are necessary to drive Scotland's economic future.

The report sets out a range of initiatives to accelerate that mission, and we have provided a £5.5 million increase in the 2023-24 university innovation fund to deliver it.

I turn now to entrepreneurial culture and education. I take my hat off to our wonderful entrepreneurs and the work that they do. Although there appears to be a perception that entrepreneurs must somehow be different, the evidence suggests—and repeated studies have shown—that consistent exposure to quality entrepreneurial education and networks is a powerful means of instilling the necessary mindset, attitudes and skills. In other words, we can train our entrepreneurs.

That is why I am pleased to announce that, over the coming year, I will work closely with ministerial colleagues, our partners at Young Enterprise Scotland, the Prince's Trust, industry and—crucially—our teachers to systematically embed project-based entrepreneurial learning in schools across Scotland, alongside other measures that we are working on for our schools.

As the flywheel effect of our interventions across infrastructure, education and investment starts to yield momentum, we will also have an eye to what that means for Scotland's presence on the global stage. The best entrepreneurial ecosystems are synonymous with the nations that host them, acting as a magnet for talent and inward investment. Our ambition is, therefore, to establish Scotland as a global hub for start-up founders and investors, akin to the reputations that are presently enjoyed by Sweden and Finland.

Recent events to showcase Scottish business in Helsinki, silicon valley and New York revealed strong interest from external investors in the quality of Scottish start-ups—an impression that we are keen to reinforce. Therefore, this year, we will embark on an exciting pilot to establish a branch of the Techscaler network in the heart of silicon valley. That will allow the stars of the

Scottish start-up scene to live and work for an extended period in the world's leading hub for innovation, so that founders will be exposed to expanded networks, world-class technique and enhanced opportunities to raise capital.

As well as that being a hugely enriching experience for the founders, the idea is that the quality of our companies will stimulate broader investor interest in the Scottish ecosystem. As that interest takes hold, over time, we will look to build links with other leading ecosystems, such as the Nordics, Canada and Ireland, to bring new ideas, talent and investment to Scotland.

In perhaps the most challenging fiscal environment in living memory, that package of support represents an investment in our start-up ecosystem of up to £17.5 million in this financial year. It is a package of vision and aspiration that sends a clear and powerful message to Scotland's innovators, entrepreneurs and disruptors—this Government believes in you and we are prepared to back you.

I will close by reminding the chamber that a Scottish start-up, led by James Watt, ignited the industrial revolution that transformed global living standards and lifted millions of people across the world out of poverty. With the post-pandemic health and demographic challenges, the cost of living crisis, climate change and the economic damage caused by Brexit, the challenges that we face today are no less profound. The world needs Scottish start-ups to get to work, and we will help them on their way.

The Deputy Presiding Officer: The cabinet secretary will now take questions on the issues that were raised in his statement. I intend to allow around 20 minutes for questions, after which we will need to move on to the next item of business. Members who wish to ask a question should press their request-to-speak buttons.

Murdo Fraser (Mid Scotland and Fife) (Con): I thank the cabinet secretary for his statement and for advance sight of it. I welcome the focus that he puts on promoting entrepreneurship and the new initiatives that have been announced today, which are much needed. This Government has had a troubled relationship with the business community, which has not been helped by the fact that the junior coalition partners are actively hostile to economic growth.

Our track record on business start-ups is poor. In 2019, the last year before Covid, Scotland had 48 new business registrations per 10,000 of the adult population, compared to a UK average of 72. Excluding London, the UK figure is 62 so, even on that basis, we are lagging far behind other parts of the UK.

In welcoming the announcements today, I ask the cabinet secretary the following questions. First, does he have a target for increasing the business start-up rate for Scotland? If so, what is it and when will it be delivered?

Secondly, in relation to the serious issue that he raised of the lack of start-up capital for women entrepreneurs, when does he expect the initiatives that he announced today to be delivered?

Thirdly, in relation to entrepreneurial learning in schools, does he intend that that will be mainstreamed across the curriculum and taught to all pupils? Or is the intention for that to be an optional, stand-alone subject?

Neil Gray: I thank Murdo Fraser for the constructive way in which he has responded to the statement and its intent to make Scotland the start-up hub of Europe. He thanked me for advance sight of the statement, some of which we discussed last night, with Daniel Johnson as well, at the RBS dinner.

We discussed some elements of the issues that are before us, including access to finance, which I recognise is a major challenge for some who are looking to start up a business. That is exactly why we are looking to instil the confidence in the market: to ensure that access to finance continues.

I mentioned in my statement the fact that we have seen a record investment in Scottish start-ups over the past year. We want to build on that. It is not enough, and last night we heard evidence of where there are challenges. I will keep working with finance colleagues and with the business community to see what more we can do to ensure that finance can continue to flow.

I do not have a particular target. I am happy to talk to Murdo Fraser about where we might see this ending up. However, I think that we have seen, not least in what Murdo Fraser highlighted in his contribution, where we have room for growth—and we certainly have room for growth.

On the work that is being done in schools, I will be working with my colleague Jenny Gilruth and education colleagues on how much further we can go in ensuring that there is access to education on this area in our school environment.

Daniel Johnson (Edinburgh Southern) (Lab): I, too, thank the cabinet secretary for advance sight of his statement.

I welcome the statement's focus, because I agree with the cabinet secretary without doubt that start-ups have the potential to drive new jobs and growth in the Scottish economy. I also welcome the reintroduction of Scottish EDGE funding, the interruption of which led to a reduction in the

number of awards that it was able to make this year.

However, I will engage in something of a critical consensus. Although I agree that there are strengths in terms of Scottish start-ups, there are also issues. On total number of start-ups, the only English region that Scotland beats is the north-east. We lack high-growth firms. We have 1.5 high-growth firms for 10,000 people, compared with three per 10,000 in the UK. Indeed, the statistic from last night that is ringing in my ears is that 40 per cent of Scottish businesses have never accessed any formal finance at all.

Therefore, I have questions to ask. Following on from the point about targets, the cabinet secretary said that there would be a scorecard. When will we have that scorecard, and what metrics will it contain? Will it cover a broad spectrum of start-ups, instead of just high-tech, high-growth ones?

On the point around growth in small and micro businesses, we know that many businesses start but then stall. What initiatives will there be to help investment in growth across the broad face of small and micro businesses—

The Deputy Presiding Officer: Cabinet secretary.

Daniel Johnson: Can we make sure that there is no overfocus on—

The Deputy Presiding Officer: Mr Johnson, resume your seat. I call the cabinet secretary.

Neil Gray: I am happy to have a further discussion with Daniel Johnson to respond to some of those points in more detail and to answer more of the questions that he was looking to ask.

In his questions, he diagnoses exactly why we need to take this intervention. He is absolutely right about the statistics that he and I saw from RBS last night and how they relate to the work that still needs to be done in terms of access to finance and encouraging a greater number of start-ups. I am happy to engage with Mr Johnson over the summer months on answering some of the questions that he poses.

Ivan McKee (Glasgow Provan) (SNP): I thank the cabinet secretary for his statement. I am hugely encouraged by the amount of work that is going into taking forward the entrepreneurial agenda.

It is worth noting that Scotland's business start-up rate for young people is actually among the highest in the UK, thanks to the good work of Young Enterprise Scotland, the Prince's Trust, Converge Challenge and others. What is the Scottish Government doing to build on that good work to make starting a business be seen as a genuinely aspirational career choice and positive

destination for young people, including by providing information support for young people who are thinking about becoming entrepreneurs?

Neil Gray: First, I pay tribute to Ivan McKee and Kate Forbes for starting the work, which I am now able to build on, to ensure that we have the foundations of a support network. That network ensures not only that we have the infrastructure that allows people to start their own business, but that they are encouraged from an early age to do so.

He is absolutely right about the work that is being done with the likes of Young Enterprise Scotland. I was involved in a Young Enterprise programme when I was at school. It is a wonderful initiative carried out alongside the Prince's Trust that ensures that young people are exposed as early as possible to that type of mindset.

I also point Ivan McKee to the announcement this week by the First Minister on entrepreneurial campuses. I think that that will make a transformational change.

Liz Smith (Mid Scotland and Fife) (Con): I, too, welcome what the cabinet secretary has said, but does he agree that this will be deliverable only if there is a broader perspective on economic policy that enhances productivity and economic growth and reduces the tax burden for businesses?

Neil Gray: Liz Smith and I had a very interesting discussion this morning around some of the issues. I am looking to foster a wellbeing economy in Scotland where we recognise that there cannot be a good strong economy without a good society, and there cannot be a good society without a strong economy. The two need to work together. Alongside the work that has been published this morning, we are looking to realign our relationship with business and we are making sure that we deliver on some of the points that have been raised on that. We need to make sure that we have economic growth, but that economic growth has to be for a purpose. That purpose is about making sure that we deliver on the wellbeing of our people as well as our businesses across Scotland.

Rona Mackay (Strathkelvin and Bearsden) (SNP): I thank the cabinet secretary for such a positive statement. I am particularly delighted to hear of the start-up initiatives for women. However, start-ups will be facing additional financial pressures, given the current challenges that our economy faces. Can the cabinet secretary provide any information as to the steps that the Scottish Government can take to mitigate those pressures?

Neil Gray: I thank Rona Mackay for that. Obviously, we are acutely aware of the

challenging operating environment that businesses continue to face in the wake of Brexit, recovering from Covid, the current conflict of Russia's illegal invasion of Ukraine and the resulting cost impacts. The Scottish Government is well connected to the start-up ecosystem, and it is in constant dialogue to understand the pressures that start-ups are facing as well as the opportunities that we must capitalise on at pace.

We appreciate that start-ups are operating in a complex economic environment, but that is why our £42 million national Techscaler network is committed to providing founders and leaders in terms of the necessary skills on funding models, investor attraction and pitching. Alongside other initiatives, including enterprise agency support, we are committed to fostering an environment in which access to funding is seamless, despite economic pressures.

Pauline McNeill (Glasgow) (Lab): Presiding Officer, I apologise that I cannot stay until the end of the statement today.

Universities are at the forefront of innovation in medical sciences and renewables but, despite that success, people working in the city of Glasgow have expressed concerns to me that their expertise is not being converted into jobs growth on the scale that it should be. What plans are there for the Scottish Government to capitalise on the skills and innovation that are being developed in Glasgow's universities?

Neil Gray: That speaks to what I just said in answer to Ivan McKee about entrepreneurial campuses making sure that we continue to enjoy the benefits of university spin-offs, and to the recently published innovation strategy to ensure that we have a strong economic performance through the incredible work that has been done by our researchers and academics at universities including those in Glasgow.

Audrey Nicoll (Aberdeen South and North Kincardine) (SNP): Like other colleagues, I greatly welcome the statement and its relevance to the energy sector. The north-east-based Net Zero Technology Centre's TechX programme has, to date, supported the successful acceleration of almost 60 start-ups, with eight technologies commercialised, more than 200 employees hired and at least £80 million in start-up equity funding raised. Given the significant success of the TechX accelerator programme, will the cabinet secretary support having an enhanced clean-energy technology acceleration programme such as TechX as part of an energy transition cluster in Scotland?

Neil Gray: I am certainly happy to meet Audrey Nicoll to discuss that potential. I recognise the enormous economic and entrepreneurial potential

of Scotland's expertise in net zero technologies, paired with the abundance of our natural resources, so supporting the growth of the sector is a priority for the Government. Businesses seeking to start up, grow and scale in the field will be supported through our entrepreneurial ecosystem. I look forward to hearing more about Audrey Nicoll's proposals.

Willie Rennie (North East Fife) (LD): Although the proposals are eminently sensible, the cabinet secretary will understand that, for years, the issue has been as much about a cultural change as it has been about a system change. I do, however, welcome the proposals, particularly for ensuring that we tap into the potential of women-led businesses. Universities will be important to make the proposals a success. Is the cabinet secretary sure that we have the right balance when it comes to freeing up intellectual property? How will the cabinet secretary reverse the decline of the performance of Scottish university research in comparison to that of the rest of the UK?

Neil Gray: Willie Rennie is absolutely right about the cultural change. I have set out in my statement that we should work with financial centres and other agencies to ensure a mindset shift and cultural change in order to support greater diversity in our start-up ecosystem.

On universities, I pointed towards the entrepreneurial campus model in my responses to Pauline McNeill and Ivan McKee, but I am more than happy to have a further discussion with Willie Rennie on the areas that he has raised.

Stephanie Callaghan (Uddingston and Bellshill) (SNP): Social enterprises are key to creating inclusive and empowered communities and the fairer and more equal society that we often speak of. The 2021 social enterprise census recorded a £2.63 billion contribution to the Scottish economy. Does the cabinet secretary agree that social enterprises will be key to that innovation that lies at the core of driving many of Scotland's societal changes, which he touched on in his statement? What role does he see the social enterprise model playing in supporting Scotland's journey to become a start-up nation?

Neil Gray: The Scottish Government's long-term vision is for social enterprise to be at the forefront of ethical and socially responsible business and for it to be far reaching and central to the way that Scotland chooses to do business. Social enterprises are supported through a world-class system here, which includes a pipeline of social investment into the sector from the pre-start-up stage through to loans for growth-ready business, as well as innovative funding for those businesses in between those stages. Last year, we funded the start of nearly 100 social enterprises through Scottish Government

investment; in addition, a range of business support for the social enterprise sector continues to be provided.

Maggie Chapman (North East Scotland) (Green): I thank the cabinet secretary for advance sight of his statement. He will be familiar with the need for successful start-ups to consider both scaling up and scaling deep, as we have heard from Professor Logan. Following on from the previous question, the cabinet secretary will also be aware of the value and social good that co-operatives provide as they build community cohesion, resilience and placemaking, and create and sustain social capital, community wealth and more. By their nature, they, like social enterprises, scale deep. How will the Government's positive vision support the co-operative business model for the benefit of local people and community economies across Scotland?

Neil Gray: Maggie Chapman is absolutely right that alternative business models, such as co-operatives—I declare an interest in that I am a member of a co-operative—can deliver that scaling up and scaling deep. We will continue to provide support to co-operatives in Scotland, and I will write to Maggie Chapman to provide more detail on that support.

Jamie Halcro Johnston (Highlands and Islands) (Con): My colleagues Murdo Fraser and Liz Smith have already highlighted the fact that the number of start-ups in Scotland lags behind that of England, and the concern that one area that impacts on the situation is Scotland's tax policy. I am sure that nearly all in the chamber will agree that it is vital that we foster a pro-business environment to ensure that start-ups have the best possibility of success. How will the Scottish Government ensure that entrepreneurial interests are being considered across all relevant policy areas?

Neil Gray: I slightly challenge Jamie Halcro Johnston's assertion that our tax policy puts off investment in Scotland. Scotland is outperforming the rest of the UK on inward investment, so his point does not quite match up.

For Scotland to be the best place to do business was part of the theme of the new deal for business group. We want to continue to talk about the package of support that is on offer—I was talking to Liz Smith about that this morning. It is my job to sell Scotland as being a good place to do business and I will continue to do so. I will ensure that, as the member has suggested, I continue to listen to entrepreneurs about the work that they are doing—not least, to our chief entrepreneur, Mark Logan—which is what we base our plans on.

Stuart McMillan (Greenock and Inverclyde) (SNP): Entrepreneurship can better be driven by

tapping into the most diverse talent group possible. What steps is the Scottish Government taking to break down social and economic barriers to entrepreneurship and to support diversity in start-ups and business?

Neil Gray: As the pathways review report sets out, unlocking Scotland's full entrepreneurial potential offers a significant—huge—economic opportunity as we fully develop the delivery plans to implement the review's recommendations. We will widen access to entrepreneurial support and education across all underrepresented groups and deliver accessible support where and when it is needed.

As I have said previously in the chamber, there is no doubt that unlocking the economic potential of women—ensuring that we close the gender pay gap, the employment gap and the gap in female start-ups—is one of the greatest economic potentials that we can invest in.

Brian Whittle (South Scotland) (Con): Scotland has always been an innovative and entrepreneurial country, including through start-ups. The gap lies in what happens next, in the early growth of businesses. Previously, the seed enterprise investment and the enterprise investment schemes have been vehicles through which the public and private sectors have been able to work together to invest in early-stage companies, giving them a step up. What will the Scottish Government do to encourage private investment in early-stage business growth, including through the tax-efficient use of funding from investment houses and high net worth investors?

Neil Gray: Part of the challenge that we heard about last night is in where private investment comes from. A lot of it is international rather than domestic.

I point to the support that we are looking to provide to our entrepreneurs and start-ups through our investment in the Techscaler network and by ensuring that it is married and matched to the likes of the NHS test beds, to give better certainty to the projects that they are working on from an investment perspective. I am more than happy to provide more detail on that to Brian Whittle to give him confidence about the work that we are doing.

Online Safety Bill

13:56

The Deputy Presiding Officer (Liam McArthur): The next item of business is consideration of motion S6M-09765, in the name of Maree Todd, on the Online Safety Bill, which is United Kingdom legislation.

Motion moved,

That the Parliament agrees that the relevant provisions of the Online Safety Bill, introduced in the House of Commons on 17 March 2022 and subsequently amended to include the new offence of encouraging or assisting serious self-harm of another person, so far as these matters fall within the legislative competence of the Scottish Parliament, should be considered by the UK Parliament.—
[*Jenni Minto*]

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

Parliamentary Bureau Motions

13:56

The Deputy Presiding Officer (Liam McArthur): The next item of business is consideration of two Parliamentary Bureau motions.

Motions moved,

That the Parliament agrees that Douglas Lumsden be appointed to replace Liam Kerr as a member of the Net Zero, Energy and Transport Committee.

That the Parliament agrees that—

Kevin Stewart be appointed to replace Ben Macpherson as the Scottish National Party substitute on the Equalities, Human Rights and Civil Justice Committee;

Gordon MacDonald be appointed as the Scottish National Party substitute on the Finance and Public Administration Committee;

Jim Fairlie be appointed to replace Bob Doris as the Scottish National Party substitute on the Net Zero, Energy and Transport Committee;

Stuart McMillan be appointed to replace Ivan McKee as the Scottish National Party substitute on the Education, Children and Young People Committee;

Evelyn Tweed be appointed to replace Emma Harper as the Scottish National Party substitute on the Rural Affairs and Islands Committee; and

Alasdair Allan be appointed to replace Rona Mackay as the Scottish National Party substitute on the Standards, Procedures and Public Appointments Committee.—
[*George Adam*]

The Deputy Presiding Officer: Questions on the motions will be put at decision time.

Decision Time

13:57

The Deputy Presiding Officer (Liam McArthur): There are two questions to be put as a result of today's business. The first question is, that motion S6M-09765, in the name of Maree Todd, on the Online Safety Bill, which is United Kingdom legislation, be agreed to.

Motion agreed to,

That the Parliament agrees that the relevant provisions of the Online Safety Bill, introduced in the House of Commons on 17 March 2022 and subsequently amended to include the new offence of encouraging or assisting serious self-harm of another person, so far as these matters fall within the legislative competence of the Scottish Parliament, should be considered by the UK Parliament.

The Deputy Presiding Officer: I propose to ask a single question on two Parliamentary Bureau motions. Does any member object?

Members: No.

The Deputy Presiding Officer: The final question is, that motion S6M-09821, on committee membership, and motion S6M-09822, on substitutions on committees, in the name of George Adam, on behalf of the Parliamentary Bureau, be agreed to.

Motions agreed to,

That the Parliament agrees that Douglas Lumsden be appointed to replace Liam Kerr as a member of the Net Zero, Energy and Transport Committee.

That the Parliament agrees that—

Kevin Stewart be appointed to replace Ben Macpherson as the Scottish National Party substitute on the Equalities, Human Rights and Civil Justice Committee;

Gordon MacDonald be appointed as the Scottish National Party substitute on the Finance and Public Administration Committee;

Jim Fairlie be appointed to replace Bob Doris as the Scottish National Party substitute on the Net Zero, Energy and Transport Committee;

Stuart McMillan be appointed to replace Ivan McKee as the Scottish National Party substitute on the Education, Children and Young People Committee;

Evelyn Tweed be appointed to replace Emma Harper as the Scottish National Party substitute on the Rural Affairs and Islands Committee; and

Alasdair Allan be appointed to replace Rona Mackay as the Scottish National Party substitute on the Standards, Procedures and Public Appointments Committee.

Action Mesothelioma Day 2023

The Deputy Presiding Officer (Liam McArthur): The next item of business is a members' business debate on motion S6M-09075, in the name of Marie McNair, on action mesothelioma day 2023. The debate will be concluded without any question being put. I invite those members who wish to participate in the debate to press their request-to-speak buttons now or as soon as possible.

Motion debated,

That the Parliament recognises Action Mesothelioma Day 2023, which is on 7 July 2023; understands that mesothelioma is a rare cancer that is almost always caused by exposure to asbestos, with tiny fibres getting into the lungs and damaging them over time; notes that the cancer most commonly occurs in the lining of the lung, but can also occur in the lining of the abdomen and the lining of the heart, with symptoms including shortness of breath, chest pain, cough and tiredness; understands that there are around 2,700 new mesothelioma cases in the UK every year, including over 200 in Scotland, which is the highest number in Europe, with at least a further 2,000 cases of lung cancer that are likely to be caused by asbestos exposure; recognises that Action Mesothelioma Day is a national event to raise awareness of asbestos and mesothelioma, raise vital funds to support the research into tackling mesothelioma, and to remember and support those who have been affected by the disease; applauds the long-standing and ongoing work of Clydebank Asbestos Group, which has provided information and support to people with asbestos-related conditions for over 30 years; notes the need for continued research into mesothelioma, and hopes for a successful Action Mesothelioma Day 2023.

13:59

Marie McNair (Clydebank and Milngavie) (SNP): I am delighted to have secured this debate to mark action mesothelioma day on 7 July. I thank those members who supported my motion, and I welcome their intention to speak in the debate.

It is important that we again approach this issue on a cross-party basis. I acknowledge the contributions that have been made by members from all parties to keep our focus on mesothelioma and the wider impact that asbestos has had on our constituents.

I welcome members of the Clydebank Asbestos Group to the Parliament. Presiding Officer, I know that you and all members here in the chamber are pleased that they are able to join us. [*Applause.*]

We in Clydebank and Milngavie owe the group a debt of gratitude for the work that it has done for people who have been impacted by asbestos and the compassionate support that it gives to their families and other loved ones, often at very difficult times, as well as providing excellent and compassionate support. Its determination for truth and justice is resolute and strong.

I also welcome to the gallery members of the Clydebank group holiday project who have travelled through to support the debate.

Action mesothelioma day 2023 seeks to raise awareness of the disease. I congratulate ActionMeso and all other support groups up and down the country for their determined efforts to raise such awareness. As part of that campaign, we have been asked to turn landmarks blue. I am pleased to advise members that the Clydebank district heating centre, which is on the site of the former John Brown & Company shipyard, will be lit up blue on that day, as will the Beardmore's sculpture in Dalmuir, which depicts HMS Ramillies.

Mesothelioma is a cancer that is caused by exposure to asbestos fibres and begins to grow in the linings of certain organs. It most commonly affects the linings of the lungs but can also affect the linings of the abdomen or the heart. It has a long latency period. Worldwide Cancer Research states that it can take anywhere from 20 to 50 years from first exposure to asbestos until a diagnosis of mesothelioma. It is an incurable disease, but some people can survive for many years after diagnosis.

I welcome recent developments in treatment and research, and I commend Scottish Mesothelioma Network, Mesothelioma UK, Cancer Research UK campaigners and health professionals for all their work, the importance of which we cannot overestimate.

The most appalling fact about mesothelioma is that it is preventable. Cancer Research UK estimates that there are around 2,700 new cases in the United Kingdom every year, which is the equivalent of more than seven per day. The latest Health and Safety Executive statistics show that the local authority area that covers Clydebank has the second-highest death rate for males and the fourth-highest death rate for females in the UK. Clydebank was once known as the mesothelioma capital of Europe because of its high mortality rates—a horrible description that, for us, hides the real person behind each number.

Our industrial history is the main reason for that unwanted legacy for our town. John Brown & Company's shipyard, the Singer sewing machine factory and Turners Asbestos Cement Company's factory were all examples of industries that often put the prioritisation of profit and production over the safety and welfare of workers.

In their book "Lethal Work: A History of the Asbestos Tragedy in Scotland", Ronald Johnston and Arthur McIvor illustrated the dreadful work conditions that were experienced by many people in the shipbuilding industry. One logger whom they interviewed gave a horrific account of his job:

"You opened the mat up and you left enough so you could stitch it up. You filled it with asbestos",

folded the cloth and

"patted it all to try and make ... it ... the same ... sometimes it was hard stuff so you got big lumps of wood and you battered it ... You worked in a fog making this up."

Those conditions were appalling and were responsible for the murder of many people from our town.

Some exposures to asbestos that have caused mesothelioma are not linked to our industrial history. Cases have emerged of younger people being affected, with one person having been supported by the Clydebank Asbestos Group after being diagnosed at just 30 years of age.

The Health and Safety Executive also reports evidence of young teachers being diagnosed with mesothelioma. That questions the continued wisdom of the HSE's advice that asbestos being held in situ in the built environment provides the least risk to exposure.

Instead, consideration needs to be being given to a programme of phased removal of asbestos from all public buildings, starting with schools. I call on the Scottish Government to work with the Convention of Scottish Local Authorities and the Health and Safety Executive to bring that to fruition. That will be the best way to reduce exposure and further cases of mesothelioma.

The support that we give to those who have been impacted by the disease also requires us to have a social security system and legal compensation schemes that are there for people at their time of greatest need. I have listened to the Clydebank Asbestos Group talk about the running down of the Department for Work and Pensions industrial injuries disablement benefit office at Phoenix house in Barrow. Although the issue concerns a reserved matter, I have raised it in the Scottish Parliament and colleagues have raised it at Westminster. The refusal to U-turn on that decision is very disappointing. The transfer of the benefit to Scotland allows us to devise a modern system that will be more receptive to needs, once the full and safe transfer of cases has taken place. I have already secured a meeting at which the asbestos group gave its clear views to the minister, and I look forward to that dialogue continuing.

I also welcome Mark Griffin's contribution in the form of his bill, which seeks to create a Scottish employment injuries advisory council. As a member of the Social Justice and Social Security Committee, I look forward to taking evidence and scrutinising that member's bill.

The three-year time bar for compensation must end. Although the courts have the right to exercise

discretion in those cases, the legal test is often failed. It cannot be right for justice to be denied in that way, which is why I have raised the matter in Parliament with the justice minister and have secured her commitment to hear from a delegation that will include members of the Clydebank Asbestos Group.

I am hopeful that the work done by the Scottish Law Commission will lead to positive recommendations to resolve the difficulties in raising proceedings in asbestos-related cases. If those recommendations move us to a better place, I want to see them implemented during this session of Parliament.

This debate is important to my constituents and to many others who are impacted by mesothelioma. We use it to remember those lost to that horrible and tragically preventable disease, and to thank people such as members of the Clydebank Asbestos Group, researchers and charities that fight with resolute dedication for better outcomes. We can thank them most effectively by acting where we can and by standing with them in their pursuit of truth and justice.

14:06

Sandesh Gulhane (Glasgow) (Con): I draw members' attention to my entry in the register of members' interests: I am a practising general practitioner in the national health service. In fact, when I was a junior doctor, I saw a lot of lung X-rays that showed the results of exposure to asbestos.

I thank Marie McNair for bringing this debate to Parliament ahead of this year's mesothelioma day on 7 July. Mesothelioma is a devastating disease that continues to afflict countless lives. It is a rare and aggressive form of cancer that affects the lining of the lungs, heart or abdomen. It is primarily caused by exposure to asbestos and it demands our attention, empathy and action.

Mesothelioma day serves as a crucial reminder of the on-going struggle that patients, their families and medical professionals face in combating that merciless disease. It is my wish that we can shed light on its impact, foster understanding and advocate for better support systems and resources.

First, awareness is the cornerstone of progress. The more we understand mesothelioma, its causes, symptoms and effects, the better we will be equipped to address it. By disseminating knowledge about the risks associated with asbestos exposure, we can prevent future cases and protect vulnerable individuals, including workers who still use or handle asbestos. Educating the public, policy makers and

employers about the dangers of asbestos and the importance of safety measures is crucial in preventing needless suffering.

Secondly, empathy and support are essential in the fight against mesothelioma. This disease does not only affect patients' physical health; it takes a toll on their mental and emotional wellbeing. By extending our compassion and understanding to those who are impacted by mesothelioma, we can create a supportive environment where they can find solace, comfort and the strength to face their challenges.

Although there are local support groups, there are also online communities, counselling services and groups such as those represented here today. Through those groups, we can ensure that no one battles alone. Furthermore, research and innovation are vital in the pursuit of better treatments. Allocating resources to medical research institutions and universities enables scientists and medical professionals to make breakthroughs in understanding the disease and to develop more effective therapies. By supporting and funding research initiatives, we can accelerate the progress towards better treatment options and improved patient outcomes.

Finally, advocacy plays a vital role in shaping policies and regulations to protect individuals from asbestos exposure and support mesothelioma patients. By raising our voices and supporting organisations that are dedicated to mesothelioma advocacy, we can push for stricter safety regulations, improved compensation for affected individuals and increased funding for research and patient support programmes.

We can make a tangible difference to the lives of those who are impacted by this relentless disease. We should support all efforts to reduce mesothelioma to nothing but a chapter in the history of human suffering.

14:10

Paul Sweeney (Glasgow) (Lab): I am grateful for the opportunity to contribute to the debate, and I thank the member for Clydebank and Milngavie for bringing to the chamber the motion on mesothelioma. I echo colleagues' comments in commending Clydebank Asbestos Group and Action on Asbestos for all the work that they have done to support people and their families in dealing with diagnoses of asbestos-related conditions for some three decades. My colleague the member for Dumbarton, who is a long-standing supporter of those organisations' work, was disappointed not to be able to contribute to the debate.

We are all aware of the dangers of asbestos. In previous years, it was extremely prevalent

because of its affordability and durability. Its prevalence in the United Kingdom and in Scotland in particular is in direct proportion to the extent to which our country was the first in the world to industrialise and went through the most intensive period of industrialisation in world history.

The industry in Scotland was world leading from the 1870s. There were about 60 asbestos manufacturing companies in Scotland by around 1914, the most notable of which were in the Glasgow area, including Turner & Newall in Dalmeir, Cape in Springburn and Marinite in Glasgow.

The fact that the UK Government was so late in banning the product has left a huge legacy that we are still dealing with today. We were one of the last countries in the developed world to ban the product. Blue asbestos and brown asbestos were banned in 1985, but asbestos products were fully banned only in 1999. That is why, even today, relatively young people are suffering from the horrendous effects of this toxic product.

Shipbuilding is one iconic example of an occupation that had high levels of asbestos exposure, as asbestos was used to fireproof high-heat equipment on ships such as steam turbines, incinerators and boilers. It was also used throughout ship shell plating for insulation and to line pipes for heat resistance.

When I was a young boy, my dad would come in from shifts at Yarrow's and the powder would come off his overalls and his boiler suit. Young people—even children—can still be affected today because it was not just the people who worked on the shop floor or on board the ships who were exposed; the material that was carried home has caused terrible harms to family and friends who were in households.

Asbestos was ubiquitous across Scotland. Building contractors and housing contractors used it—even school chemistry laboratories had asbestos fireproofing—and it was used to insulate boilers. Asbestos was everywhere and still is everywhere.

It is worth noting that Scotland has the highest proportion of pre-1946 housing stock in Europe—the figure is 53 per cent, relative to 38 per cent in the UK as a whole and 22 per cent across the European Union. Asbestos is embedded across much of our housing stock, even to this day—it is still a live and present danger.

At the weekend, I was at an event at the King's theatre, where the National Theatre of Scotland was doing a tribute to Billy Connolly. I distinctly remember him speaking at Jimmy Reid's funeral about how it would be snowing asbestos on board the ships that he worked on at Alexander Stephen's shipyard in Linthouse. His description

was that people would come up for a cigarette and then go down for more fumes.

Shipbuilding was one of the most appalling industrial environments to work in anywhere in the world. Having worked in the industry, I know that there is a lot of romance around it. Great improvements have been made, but it certainly is not a pleasant place to work in the winter months.

Asbestos has added to the devastating exposure to industrial illness that we see in Scotland. The fact that there are still difficulties in getting recognition and compensation, particularly because the latency of mesothelioma brings in the time bar, is unacceptable.

We must take urgent steps to recognise the distinct and particularly pernicious effects that mesothelioma has in this country because of our industrial legacy and because of the time that it takes to manifest itself. We must adapt our social security system and our apparatus for addressing industrial injury to recognise the condition's prevalence in our society today. It is still very much with us—this is not a historic situation.

14:15

Bill Kidd (Glasgow Anniesland) (SNP): I thank Marie McNair for bringing today's important debate to Parliament. Last year, she secured a debate on the same issue, and she spoke movingly and passionately about her experiences as part of the nursing team at St Margaret of Scotland hospice. There, she saw at first hand how these types of cancer took away so many too soon, and she recalled the many heartbreaking conversations that she had about the impact of mesothelioma.

As the MSP for Clydebank, the town in which she was brought up, Marie McNair knows better than most, and has described again today, the devastating effect that mesothelioma can have on individuals, families and whole communities. I applaud her for her commitment and dedication to this issue—an issue that has affected so many in the Clydebank area and beyond, including in my Glasgow Anniesland constituency.

As we have heard, mesothelioma is a particularly aggressive, painful and debilitating cancer, with the average life expectancy after diagnosis being between 12 and 21 months. Often associated with exposure to asbestos—in fact, it is very much associated with that—its dangers were first discovered as early as 1906. However, it was not until the 1950s and 60s that the link between asbestos, lung disease, cancer, mesothelioma and other diseases became established, leading—as has been said—to its total ban in 1999. Sadly, given the time between exposure and diagnosis, despite the ban on asbestos, mesothelioma continues to blight thousands of lives every year.

Focus on those at risk has also shifted, with the realisation that, due to the use of asbestos in the building process, many public buildings, particularly schools, could pose a threat to those working in them, especially if asbestos is disturbed as they undergo refurbishment, repair work or demolition.

Those are very real risks—the Health and Safety Executive estimates that more than 1 million tradespeople are still being exposed to asbestos every year. If we think about the fact that previous exposure to asbestos is still causing more than 5,000 deaths a year—including the deaths of around 20 tradespeople each week—we can see the continuing scale of the issue and the huge potential for future tragedy. That is why the work of groups such as Action on Asbestos, Clydebank Asbestos Group and others is so important in ensuring that we do not lose sight of the challenges that we face, or think of mesothelioma as a product of past industry and yesteryear. I applaud the work that those groups have done for more than 30 years and the support and focus that they continue to provide.

Action mesothelioma day is very relevant to my constituency of Glasgow Anniesland. With a proud history of shipbuilding and heavy engineering, it has suffered from the ravages of mesothelioma. Once again, the help and the support of organisations such as Action on Asbestos and Clydebank Asbestos Group have been invaluable.

The Scottish Government's continuing commitment to acknowledge and tackle the issue should be commended. The establishment of the Scottish Mesothelioma Network in 2019 aimed to improve outcomes for patients by taking a collaborative approach across Scotland and across various professions, meaning that all patients in Scotland could access the very best expertise and the care that they deserve, no matter what health board area they happened to live in.

During the debate last year, we learned that the network had recently created the first set of national quality performance indicators but that those QPIs were not at that time all being met. Given that a year has passed, I hope that the minister will take the opportunity to provide an update on the work of the network and on progress towards meeting its targets.

Today's debate is relevant to the past, to now and also, sadly, to the future. As we learn of the potential harmful effects of new innovative materials, as asbestos once was, we need to learn from the mistakes of the past and ensure that they never happen again. For that to happen, we need to have more control over the development, licensing and distribution of new products. We need to have more control in overseeing their use,

namely through health and safety legislation. I urge the Government to call for such powers, and I urge us all to support those calls.

14:19

Mark Griffin (Central Scotland) (Lab): I, too, want to congratulate Marie McNair on bringing this timely debate to the chamber ahead of action mesothelioma day 2023 next week. I also thank her for her kind words about my private member's bill; I look forward to working with Marie McNair and other members of the Social Security and Social Justice Committee as the bill makes its way through the parliamentary process.

With around 200 new cases of asbestos-related cancer and mesothelioma a year in Scotland, the risks from asbestos have not gone away. Mesothelioma is a painful, incurable and terminal disease, and—as many members have done already—I want to pay tribute to the long-standing and on-going work of Clydebank Asbestos Group and the information and support that it continues to provide to people with asbestos-related conditions. I also pay tribute to Action on Asbestos and Asbestos Action. Collectively, those organisations have provided decades of critical support and help to people across Scotland who have suffered from what is predominantly a workplace disease.

Both Action on Asbestos and Asbestos Action have told me that their case load—the people seeking support for asbestos-related cancer—is increasingly female. They are nurses, care workers and hospital staff who have worked caring for our sick and dying friends and relatives for decades in buildings that are ridden with asbestos, and teachers who have worked in schools that have asbestos are also increasingly suffering. The disease can take up to 20 years to develop—long after people leave work—so most treatments rely simply on palliative care.

In 2020, the gendered experience of mesothelioma—GEMS—study found that the high-risk occupations for asbestos exposure differed entirely for men and women, and that so too did the experiences of explanations and support that was provided at the time of diagnosis. Gender roles also influenced how people coped with a diagnosis of mesothelioma. These are very real gender differences that our industrial injuries system has not taken account of.

That can be seen in the disparity in the applications for industrial injuries disablement benefit, which must be addressed urgently. The current benefit is gendered against women. For example, asbestos-related ovarian cancer—which the most common gynaecological cancer in UK women—is missing from the scheme. Even if we

include cancers that affect men, the scheme includes only one fifth of the cancers that European schemes recognise.

I want to put on record my thanks to the charities that are supporting those who are affected by asbestos for their support for my Scottish Employment Injuries Advisory Council Bill. The need for a new, powerful and independent council that puts workers at the heart of the new Scottish benefit—employment injury assistance—which can research the extent of mesothelioma and asbestos-related cancer in modern workplaces, is urgent, but so is the need for the council to have, at the heart of its purpose for that benefit, the driving mission to close the gender gap.

It is because asbestos is still found in many older buildings that it continues to put the communities and workforces in every one of our constituencies and regions at risk, and that is why we must continue to recognise it in our policy decisions. There are homes across the country that will need to be retrofitted for net zero that still have asbestos in their lofts, floor tiles and pipe insulation. Asbestos is in our local schools, which will need to be renovated or rebuilt and maintained. It is in the NHS estate, where hospitals will need to be rebuilt or maintained, and it is in everyday places where we live, work and study or go to to get treatment. We can still be exposed to asbestos.

Though asbestos was completely banned in 1999, the exposure risk remains, and there are real policy questions about managing and removing asbestos that we must tackle. I hope that we can heed calls and deliver the action that is required.

14:24

Stuart McMillan (Greenock and Inverclyde) (SNP): I refer members to my entry in the register of members' interests, as I am a lifetime honorary member of Action on Asbestos.

I congratulate Marie McNair on securing this important members' business debate. As she highlighted, asbestos-related conditions—in this case, mesothelioma—are still highly prevalent in society. Mesothelioma is an awful condition that has no cure, and it does not solely affect people working in our past traditional industries.

As members certainly know—we have heard it spoken about in the chamber many times before—asbestos is a product that was used in many buildings and constructions. As such, it exists in buildings in the country today, including, as we have heard, schools. On that point, I echo Marie McNair's call regarding the programme for public buildings going forward. Crucially, if asbestos is

not interfered with, it is considered not to pose a threat to the public. However, I certainly agree with Marie McNair's call.

I will never understand why asbestos was still used in buildings and constructions when it was well known, for decades, that it was a dangerous product. I will also never understand why there was such a laissez-faire attitude from Governments with regard to health and safety in society when it came to that particular product.

As someone who has campaigned over many years to improve the care and support given to people who have been affected by asbestos-related diseases, I recognise the importance of marking days such as action mesothelioma day to remind us that there is still a lot more to be done in that area.

I consequently welcome the recent commitment from the Scottish Law Commission that it will, as part of its eleventh programme of law reform, explore issues surrounding the current law of limitation where pleural plaques are concerned. I have written to the SLC and met Lady Paton in that regard. Following correspondence from a constituent on that issue, I responded to the SLC's discussion paper on damages for personal injury, which was published in February 2022.

For context, the way that the law currently stands is that people who have been negligently exposed to asbestos have three years from the date of their becoming aware of the fact that they have developed pleural plaques to raise proceedings for damages. Given that pleural plaques is an asymptomatic condition, I agreed with the SLC's position in its discussion paper that it is unlikely that a person diagnosed with the condition could know that they have a right of action as per the Damages (Asbestos-related Conditions) (Scotland) Act 2009. Further, it is highly unlikely that they would then know that, if they do not exercise that right within three years, should they develop a serious and fatal symptomatic condition such as mesothelioma later in life, they would not have any remedy because of that failure to act.

When my constituent got in contact to explain how that legislation prohibited their relative from making a claim for damages when they were later diagnosed with mesothelioma, as they were not aware of the three-year time bar, I knew that I had to raise that particular issue with the SLC, which I knew was looking at similar issues.

I am therefore glad that the SLC has confirmed that it will be looked at, because it is grossly unfair to expect people who are diagnosed with pleural plaques to know that they have only a short timeframe to raise proceedings, given that not

everyone goes on to develop a more serious health condition.

Although fewer people are now being diagnosed with asbestos-related diseases thanks to improvements in health and safety for workers, new industrial diseases will no doubt arise in the future as ways of working and industries change. That is why law reform in the area remains important if we are to further improve working conditions for everyone across Scotland, irrespective of the job that they do.

I once again thank Marie McNair for securing this hugely important debate on action mesothelioma day.

14:29

Richard Leonard (Central Scotland) (Lab): I remind members of my entry in the register of members' interests.

I, too, thank Marie McNair for lodging the motion in Parliament. It comes at a time when working people are continuing to contend with a deregulated labour market, the dilution of labour law and an onslaught on their trade unions. I raise that because a strong and vibrant trade union movement is a precondition of a free and democratic society. It is also a prerequisite for justice for the victims of occupational diseases such as mesothelioma.

For many years now, there have been domestic laws and international bans on exposure to asbestos in the workplace, but at the same time there have been precious few convictions, even when we know that fatal exposure to these deadly fibres is still prevalent. That is why we should restore the civil liability for breach of health and safety regulations; it is why we should significantly increase the number of inspections that are carried out by HSE and local government inspectors; and it is why we should bolster trade union rights as part of a wider, transformative shift in power in favour of workers, democracy and equality.

Today, as well as to the trade union movement, we pay tribute to organisations such as Action on Asbestos and the widely respected Clydebank Asbestos Group. Both provide not just practical help and not simply monetary advice, but compassion and emotional support. They offer mutual aid and collective solidarity, but they also campaign for justice and truth.

Friday 7 July is a time of remembrance. On that day, I will shed a tear for my dear old comrade Alex Falconer. In my life, I have grieved for and said an early farewell to too many workers who, in this crucible of the industrial revolution, from the dockyards and the shipyards to the factories and

the construction sites, have paid with their lives, their families robbed of treasured years together. It is for them that we keep fighting, and it is because of them that we shall never give up.

Today, we also think of fearless campaigners such as Bob Dickie, Joan Baird and Tommy Gorman, who gave evidence to the Public Petitions Committee of this Parliament on the need for urgent action on mesothelioma. We think of the greatly missed Frank Maguire and those who made the unanswerable case to this Parliament for legal reform, and we think of MSPs such as Bill Butler and Des McNulty, whose pioneering work led to the enactment of legislation that made the lives of the people we are here to serve a little better.

The Scottish Parliament has a proud record on this question, and it is right that we hold this debate again this year, but we need to do more than simply debate it. We need action. We need more investment in health and care, in new research and in new treatments for a start, but we also need action now to tackle some of the outstanding legal matters.

A year ago, I called on the Government to reform the so-called single action rule. Under this rule, a failure to lodge a claim for pleural plaques within a three-year time limit prevents any subsequent claim for a more serious condition such as mesothelioma being pursued even though both were caused by the same negligence by the same employer.

The Scottish Law Commission published a comprehensive and compelling case for reform back in February 2022, and the consultation closed in mid-June 2022. Over a year later, the Scottish Government has still not responded. It has not uttered a single word, never mind proffering a remedy. I am bound to finish by warning that such inaction, such inertia and such indifference is not good enough—not good enough for a Government, not good enough for this Parliament, and certainly not good enough for all those working-class families that have been denied justice.

This afternoon, a year on, I hope that those families will finally get an answer from this Government. They are entitled to nothing less. They deserve the truth, they deserve answers, and they deserve justice. *[Applause.]*

The Deputy Presiding Officer: I know that emotions run high on such issues, but I ask those in the public gallery to refrain from participating, which includes applauding.

I now invite the minister, Jenni Minto, to respond to the debate.

14:34

The Minister for Public Health and Women's Health (Jenni Minto): I, too, thank Marie McNair for raising this important subject in the chamber again. Her comment on the importance of cross-party work is also incredibly important. I also note what Richard Leonard and Stuart McMillan said. I am pleased to say that Scottish Government buildings will be lit blue on 7 July to recognise the importance of the day. The idea of its being a moment to remember is incredibly important.

I welcome the opportunity to close this debate on mesothelioma, and I welcome the Clydebank Asbestos Group to Parliament.

The Scottish Government is fully aware of the distressing impact that the disease can have on individuals and their families. That is especially true of this cancer because of its latency, as many members have already pointed out, and because of how widespread asbestos exposure was in the past without the knowledge of its long-term impact. It can be particularly distressing because of the limitation of treatment options. However, research into the condition continues, and there is hope that progress will be made in the coming years.

I first heard about mesothelioma when my husband was making a documentary for "Frontline Scotland" in 2000. That really brought home to me the impact that it had on many communities across Scotland. Paul Sweeney's comments set the historical context, but it is important to recognise the fact that it is also rolling forward into the here and now.

Mark Griffin talked about the impact of mesothelioma on women. My next meeting is with the women's health champion, so I will drop a pebble into her mind about that, women's healthcare and the gender disparities of which we have to be aware. I believe that the Scottish Government is aware of them.

I give special thanks to those people who are working across the NHS as well as those who are working in social care and our third sector partners. I have already thanked Clydebank Asbestos Group, but I thank it again for its continuing work. Its support for individuals' physical needs and emotional and mental wellbeing is immensely important, and the health sector could not do without it.

The work of our various partners in the community is absolutely crucial in supporting those who are affected. Bill Kidd asked about the Scottish Mesothelioma Network. It continues to be a valuable resource across Scotland. It ensures that best practice, information and access to clinical trials are shared across the country. It has helped to ensure access to trials for people throughout Scotland, which is important when

treatment options are otherwise limited. The network allows access to clinical nurse specialists, who support patients and their families. Patients also have access to specialist clinicians, who can give them the dedicated and expert treatment and care that they need and deserve.

I am sure that members will be aware that the Scottish Government recently published its 10-year cancer strategy along with a three-year cancer action plan. Over the next 10 years, our strategic aim is to improve cancer survival and provide excellent and equitably accessible care. The strategy and plan take a comprehensive approach to improving patient pathways from prevention and diagnosis through to treatment and post-treatment care. Our overall vision is that

"More cancers are prevented, and our compassionate and consistent cancer service provides excellent treatment and support throughout the cancer journey, and improves outcomes and survival for people with cancer."

We will be able to support those individuals who are facing a mesothelioma diagnosis today as well as possible throughout their care.

We are continuing to fund our single point-of-contact initiative, which will help cancer patients, including those with mesothelioma, to discuss any questions or anxieties that are related to their clinical care with a dedicated individual, and will help them to self-manage some aspects of their condition and progress through their cancer journey.

As we have heard, up to nine out of 10 people with the disease are directly linked to exposure to asbestos. I recognise Paul Sweeney's comments about schools. I remember having an asbestos square in my science lab for our Bunsen burner to sit on—I see that Richard Leonard is nodding his head. The issue has got into many people's consciousness.

Paul Sweeney: It was interesting to hear reference being made in the debate to the Scottish Law Commission's project on damages for personal injury. I understand that that is due to report by mid-2024 on the current timetable. Can the minister do anything at all to work with her colleagues across Government to expedite that and examine with the Scottish Law Commission a way in which extra resource could be provided to analyse the responses to the consultation and try to speed up the policy consideration? Getting enhanced legislation is really important.

The Deputy Presiding Officer: Minister, I can give you the time back.

Jenni Minto: Thank you.

Yes, I am happy to discuss that matter with colleagues.

The use of asbestos in the UK has, of course, been banned since 1999. Where existing asbestos remains, licences and the use of strict control measures, including personal protective equipment such as respirators, are required to work with it.

As well as seeking to prevent exposure to asbestos and provide appropriate medical care for those who have been affected by it, we have worked hard to ensure appropriate rights to compensation. The Scottish Government and the Scottish Parliament have a strong record of supporting people who have been negligently exposed to asbestos. Significant changes regarding the law on damages for personal injuries have been made, including, most recently, in the Damages (Scotland) Act 2011.

Although those preventative policies are welcome, the reality is that many more individuals will continue to present with mesothelioma due to the often long periods before symptoms present. In conjunction with that, mesothelioma can, unfortunately, be very difficult to treat. Nearly all treatment is aimed at controlling the disease for as long as possible and keeping symptoms under control. However, doctors and researchers are working to improve treatment all the time.

The Scottish Government encourages clinicians to ensure that as many patients as possible are included in relevant and appropriate clinical trials. There is significant evidence that outcomes are improved for patients who are treated in environments in which research is the norm and for patients who are involved in cancer trials.

I offer my sincere thanks to all members for their contributions to the debate. It has reinforced the commitment that everyone here has to making a difference for people with mesothelioma and their families. Progress has been made in cancer diagnosis and treatment, but we know that there is much more work to be done. I hope that we can work together to improve the situation.

The Deputy Presiding Officer: That concludes the debate.

Drowning Prevention Week 2023

The Deputy Presiding Officer (Liam McArthur): The final item of business is a members' business debate on motion S6M-08901, in the name of Clare Adamson, on drowning prevention week 2023. The debate will be concluded without any question being posed.

Motion debated,

That the Parliament marks Drowning Prevention Week (DPW) 2023, which runs from 18 to 25 June; notes that the campaign, initiated by the Royal Life Saving Society UK (RLSS UK), aims to reduce the number of drowning and near-drowning incidents that occur in the UK every year by promoting the skills and knowledge that people need to be safe and have fun in the water; believes that DPW, now in its 10th year, is as crucial as ever, as it promotes water safety education; understands that, on average, 50 people accidentally drown in Scotland each year, and a further 29 people take their own lives in and around the country's water ways; acknowledges that the DPW campaign encourages schools, clubs, leisure centres and communities to promote water safety education through events, lessons, games and activities, in a bid to make people more aware of the dangers of water; welcomes the provision of new educational resources from Water Safety Scotland, created by RoSPA, which include free water safety lessons for schools and practitioners and the first ever curriculum-aligned water safety resources; commends RLSS UK and partner agencies, such as Water Safety Scotland, for what it sees as their tireless campaigning to promote water safety, and wishes everyone involved in Drowning Prevention Week 2023 the very best in their efforts.

14:43

Clare Adamson (Motherwell and Wishaw) (SNP): I thank colleagues who signed the motion to allow the debate to take place and those who have persevered to the bitter end to hear the debate.

It is an honour to open the final debate ahead of summer recess. Drowning prevention week took place last week but, due to parliamentary business, we were not able to hold the debate during the week itself. However, its message is every bit as crucial.

The purpose of the initiative, now in its 10th year, is to reduce the number of drownings and near drownings that occur in the United Kingdom every year by promoting the skills and knowledge that people need to be safe and have fun in the water. Thankfully, we have entered warmer months, and people are understandably excited about enjoying Scotland's globally recognised coastlines and waterways, but it is imperative that we recognise the risks that come around water.

On average, 50 people accidentally drown in Scotland each year, and we know that that is comparatively a very high figure. Sadly, I am sure that we have seen recent stories about tragedies

around water, which emphasise the importance of the messaging around drowning prevention week as we enter the summer months. Awareness raising is a critical aspect of that messaging, so, for posterity, and to get the message on the record yet again, I will provide some pertinent water safety advice.

Cold water shock is an involuntary response to the body being suddenly or unexpectedly immersed in water that has a temperature of less than 15°C, which can occur in summer in Scotland. Water Safety Scotland and the Scottish Fire and Rescue Service advise that, if you unintentionally fall into water, you should not try to swim straight away. You should fight your instinct to swim or thrash about. You should try to remain calm and relaxed, and turn on to your back and adopt the starfish float position. Once you are floating, the initial effects of cold water shock will pass in about 90 seconds. You can then call for help and look for anything that you could use to help you to get out of the water. If you manage to get out of the water, please remember that there is a risk of hypothermia. Whenever people are exposed to severe cold water, the emergency services should be called.

Of course, that is what you should do in the event of getting into difficulty but, as with all accident prevention, the safest way to proceed is to be proactive and be prepared. If you are going to be in or around water, check the conditions, ensure that you are not alone, bring appropriate gear and follow the advice on any equipment that you might use. Heeding those tips could mean the difference between life and death.

Free information resources are provided by fantastic organisations such as the Scottish Fire and Rescue Service, Water Safety Scotland and the Royal Life Saving Society, which co-ordinates drowning prevention week. Indeed, RLSS's "Water Safety Insight Report 2022" clearly shows that public awareness of risk and safety is lacking. RLSS analysis of 240 accidental drownings showed that 49 per cent of the people who lost their lives could swim, and that 73 per cent of fatalities occurred in the absence of professional supervision. That shows how much work we have to do.

Those safety resources often include vital advice that is aimed at individuals but, as legislators, we should examine the wider policy context. I am pleased to say that water safety policy—indeed, all safety policy—has found increased prominence on the Scottish political landscape. I believe that that is due in no small part to the dedicated campaigning of the members of the cross-party group on accident prevention and safety awareness, which I am privileged to convene.

The group has seen at first hand the impact that our members have had across the Parliament's policy discussions. Water Safety Scotland, which was formed as a result of networking at the CPG, has conducted an interim review of Scotland's drowning prevention strategy that shows that it has had tangible results. Its annual report shows that the number of water-based fatalities in Scotland decreased last year and that fewer people accidentally drowned. Last year, 96 water-related fatalities were recorded, 45 of which were considered to be accidental drownings. That decline is down to hard partnership working to raise awareness of water safety, but any death is a tragedy and we cannot rest on our laurels.

The policy work in this area resulted in Water Safety Scotland launching, in April, new educational resources that include free water safety lessons for schools and practitioners. Those materials are the first-ever curriculum-aligned water safety resources. Scotland is the only nation in the United Kingdom to have water safety education embedded in the national curriculum. That is a welcome and important step.

Work is on-going nationally and locally. I am delighted to say that, in North and South Lanarkshire, we now have a partnership approach to water safety, or PAWS, group. My office recently contacted the group about Christopher's saving lives campaign, the extraordinary campaign that was started by Duncan and Margaret Spiers following the death of their son, Christopher, by drowning. Thanks to their dedication, lifebelt ropes have been installed along the Clyde, which borders my beautiful constituency. Those unique colour-coded safety ropes are a simple but effective measure against vandalism or theft of crucial safety equipment. I whole-heartedly endorse their campaign and encourage local authorities to engage with it.

Finally, I will mention the drowning incident review—DIR—which has come from partnership working. It is a world first programme that aims to gather data and understand the contributory factors in incidents to help gain a better understanding of how to prevent further similar incidents. The DIR process can be used for fatal incidents in both inland and coastal waters and for near-miss incidents that are attended by emergency services or reported. The process, created by the SFRS and the Royal Society for the Prevention of Accidents, via Water Safety Scotland, has finished its pilot and evaluation phase. We recently heard about the group's research at our cross-party group on accident prevention and safety awareness.

I urge everyone to be safe and to enjoy the water. I extend an invitation to everyone in communities across Scotland to attend Helix Park

on 25 July for world drowning prevention day. It will be bigger and better than last year, when it was the biggest event in the country. It is a wonderful day for families to engage with water safety issues.

14:51

Pam Gosal (West Scotland) (Con): I am honoured to contribute to today's important debate marking drowning prevention week 2023, and I welcome the member's motion.

In recent weeks, we have been reminded of just how unpredictable and unforgiving the water can be—from the lives that were taken in the Titan submarine, including that of Suleman Dawood, a student at the University of Strathclyde, to the tragic drowning of Nicola Bulley after she accidentally fell into cold water. Those lives that have been lost serve as a tragic reminder of the importance of water safety.

The latest data from Water Safety Scotland shows that, in 2021, there was an increase in overall water-related fatalities in comparison to previous years. As a West Scotland MSP, I have some of the finest lochs and reservoirs in my region, including Loch Lomond, but with that comes a higher risk of drowning and accidental fatalities.

Last year, I met with people involved with the Loch Lomond Rescue Boat at Balloch. I heard about the life experiences of the highly trained volunteer crew which, at the time, responded to around 80 call-outs per year. When I got in touch with them recently, they wanted to draw my attention to what are known as walk-in tragedies, which account for a large proportion of drownings in Loch Lomond. Those are incidents where an individual walks in for a paddle on a gently sloping shore, which suddenly drops off steeply. The cold water shock combined with panic and an inability to swim can then result in rapid drowning. Those accidents occur quickly, and if there is no help nearly immediately, they may result in fatalities. However, chances of survival are increased by wearing flotation devices or holding on to a flotation device.

Education is key to reducing the number of deaths. I welcome Clare Adamson's mention of all the great work that is being done on water safety and education in schools. For example, the ability to swim should be part of every school's curriculum and all adults who cannot swim should be heavily encouraged to learn to do so. More than four in ten children leave primary school in Scotland unable to swim. I hope that the Scottish Government will prevent the closure of local swimming pools and the cancellation of free

swimming lessons by ensuring that local authorities are sufficiently funded.

Secondly, the dangers of the water need to be more widely publicised, given that the significant number of walk-in drownings at Loch Lomond involve foreign visitors. Finally, I will touch on the need for members in the chamber to help local lifeboats to operate as effectively as possible. The Loch Lomond Rescue Boat charity has been trying to move its base for years so that it can reduce response times, but it is being held up by Scottish Enterprise. Administrative hold-ups are unacceptable when everyone agrees that water safety is a priority.

I am honoured to have contributed to today's debate marking drowning prevention week. Volunteers work tirelessly patrolling Scotland's waters, no doubt saving countless lives, but they cannot do the impossible, and it is the duty of members of the Scottish Parliament to help in every way that we can. We can do so by fighting for swimming pools to remain open and swimming lessons to remain accessible, and by supporting local lifeboats such as the Loch Lomond Rescue Boat to operate effectively in our respective areas.

14:55

Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (SNP): I congratulate Clare Adamson on securing the debate and on her long-standing commitment to the issue.

In my constituency, we have many inland waterways, which historically powered local industries. In the Borders, the River Tweed and Gala Water turned the looms in the knitting and weaving sheds; in Penicuik, the River Esk powered the paper mill; and the reservoirs in the Pentlands keep the water on tap in the city.

Those industries are long gone, but the rivers and waterways flow on, put to other uses, often leisure. However, they are not always benign and are often more lethal in the sleepy summer months. Like reservoirs, the river waters can be bitterly cold when the sun blazes on.

Four people died from accidents in water in the Scottish Borders in 2021, including 15-year-old Ellice Murray from Kelso, who died while kayaking with her dad and brother in the River Tweed, and 19-year-old Jack Reid, who died after getting into difficulty in the River Tweed near Innerleithen.

No water fatalities were reported in 2022 in the Scottish Borders. Following the tragic deaths in 2021, the Scottish Fire and Rescue Service ran a water safety initiative centred around the River Tweed to educate the public. Flyers giving advice on water safety were posted at more than 40

locally known areas for swimming and other water-based activities. A water safety event was held at the River Tweed in Kelso, where water rescue teams performed live rescue scenarios in front of the public, highlighting the importance of their actions should they get into difficulty in the water and, in addition, what they can do to help others, including how to deploy lifebelts.

Another aid is learning to swim and to swim safely. I am pleased to say that the new Galashiels academy will have a swimming pool, as will the replacement Beeslack secondary school in Penicuik. Both Peebles and Penicuik high schools already have access to swimming pools nearby.

However, learning to swim is only one of the safety measures to take for prevention. As I have indicated, inland waters in particular can be pretty risky. I speak from experience, as I had to instil water safety into my two young sons at the earliest of ages. We lived in a cottage in Minnigaff, in Galloway, where the sunny back garden ran down to meet two rivers: the Penkiln and, beyond that, the River Cree. Beyond that was the lade that had powered a mill.

I knew that to forbid my sons from going near the rivers would make them even more attractive, so, day in, day out, we walked along the banks with Roostie, our Irish setter, to observe the rivers in their seasonal moods. With their friends, they would play in the Penkiln in the summer holidays, building a dam to make a pool large enough to swim in. I dipped my toe in, so I can testify that the water was icy cold—incidentally, good for cooling an evening libation of chardonnay. The boys were immune to the temperature. Over the summer months, the river would run so low that the dorsal fins of the trout would rise above the water mark.

So it was, on a hot summer's day while I was pottering about in the kitchen, that Angus, my eldest son, came running in to tell me that the Penkiln was in spate. I looked down the garden, but, because of the banking, I could not see the river below, and I quickly dismissed what he had said. Above, the sky was a blistering blue, with not a cloud to be seen. However, something niggled me, so I changed tack, took to my heels and ran down the garden and, sure enough, although the Cree beyond was hardly moving save for the floating river weeds, the Penkiln was a muddy torrent. A sudden and distant thunderstorm in the hills was all it took to sweep away their dam and tear lumps out of the river bank. Any child who was unaware of the things of the river could have been caught up in it, with little chance of survival. I hope that, in part, it was my lessons that paid off.

The Deputy Presiding Officer: Thank you, Ms Grahame. I am not sure that chardonnay is seen as a key water safety aid.

15:00

Jackie Baillie (Dumbarton) (Lab): I thank Clare Adamson for securing the debate and for her helpful reminder of what people should do if they get into difficulty.

Drowning prevention week is particularly important to me as the MSP for Dumbarton, which has an extensive coastline and, of course, I have Loch Lomond and the River Leven in my constituency. I also represent Argyll and Bute, which has the second highest number of fatalities from drowning in Scotland, after the Highlands.

Sadly, Scotland has the highest rate of accidental drowning of all UK nations. Water Safety Scotland reports that 62 per cent of accidental fatalities happen in inland waters, such as those in my constituency. In 2020, Ava Gray, a 12-year-old girl from Alexandria, tragically drowned when she slipped in the River Leven. She was a much loved and talented dancer with a bright future ahead of her, and her death was nothing short of devastating to her family and friends.

Less than a year after the loss of Ava, Connor, a 16-year-old boy, died while playing with friends in the loch near Balloch country park. The following day, Edina, who was 29 years old, Rana, who was just nine, and Mohammad, aged 39, died in the water off Pulpit Rock near Ardlui. We know that each death is utterly heart breaking, and I place on the record again my condolences to the families who have lost a loved one through a water-based fatality.

Ava Gray's family, Leanne Rae and Jamie Gillies, have campaigned tirelessly for better water safety since her death in 2020, and I pay tribute to them for doing so. It has not always been the easiest thing for them to do. Her aunt Jamie said:

"Ava went into the water right beside a life ring behind a locked gate. It would have saved her life, I have no doubt about that."

The calls for action from Leanne and Jamie have not gone unanswered. There are now accessible life rings in several locations near the water. Recently, pupils at secondary schools in West Dunbartonshire, who all knew Ava well, were given safety lessons to raise awareness of the dangers of swimming in open water. Those potentially life-saving lessons can and should be rolled out across the country.

In addition, on the shores of Loch Lomond at Balloch park and along the River Leven, 25 additional public rescue equipment stations and location signs have been installed since 2021. Those safety devices were funded by the Scottish Fire and Rescue Service but, in truth, successive budget cuts have left the service struggling. Furthermore, the cuts have resulted in proposals

to remove Polmadie fire station's dedicated rescue boat crew, meaning the loss of 24-hour rescue boat crew cover for the River Clyde and surrounding areas.

Even with the Polmadie station boat crew in hand at full capacity, there are issues for Loch Lomond, because the emergency response time for getting a boat there is too long. That is why the efforts of the Loch Lomond rescue boat crew are so important. They work so hard for the area, and I am grateful to them for all of their work. It is a charity and is run and staffed entirely by volunteers, and it is already facing a busy summer, having had seven call-outs in a month, which is quite significant.

As we have heard, the rescue boat does a truly incredible job, but it is not right that it should be the main, if not the only, resource, given that the loch is 39km long. That is a significant area to cover, and I have long believed that the fire service needs to place a rescue boat at Loch Lomond, but I recognise its important support for the Loch Lomond rescue boat.

Education and knowledge of the dangers of open water are hugely important, but more lives will be lost if we do not have the necessary investment in safety equipment, rescue boats and staff. As we go into July and August, the months with the most accidental drowning fatalities, we need to educate the population to swim safely in open waters, and we need to have sufficient safety measures in place should anyone get into trouble.

15:04

Ivan McKee (Glasgow Provan) (SNP): I thank Clare Adamson for bringing this hugely important and often tragic subject to the chamber for debate after drowning awareness week.

I will focus my brief remarks on the Christopher's saving lives campaign. I met Christopher Spiers just once, not long before his tragic drowning in the Clyde in 2016 at the age of 28. He was a young man with a bright future. I cannot commend highly enough the work of his parents, Duncan and Margaret Spiers, constituents of mine whom I have watched, encouraged and supported over those long years as they have, as best they can, turned that tragedy into something positive. They are grabbing the opportunity to take forward this inspirational campaign and are working hard with councils, parliamentarians, the Government and others right across the country to take forward concrete steps and measures to help to reduce the number of tragic drowning accidents that occur in Scotland every year.

Some successes have been achieved. In memory of Christopher, they have designed and

managed to get funding for colour-coded ropes, which have been installed in the Clyde in Glasgow, and 10 savings of deaths have been attributed to that measure. Ten families would otherwise be going through the tragic experience of Duncan and Margaret.

They have also had measures installed on Loch Lomond and warning signs installed in parks in Glasgow—at Alexandra park and at the ponds in Springburn park. They are following up work with Scottish Canals to install measures along the canal in Glasgow and beyond. They have aspirations to expand all that work further afield across Scotland.

I know that Duncan and Margaret have met Scottish Government ministers, and I encourage the minister to give some clear indication of further engagement with Duncan and Margaret on their campaign to roll out those ropes and other signs and safety measures across other parts of Scotland.

I also encourage the minister to provide counselling support for families who, like Duncan and Margaret, have been tragically affected by drowning, to help them to overcome that tragic experience. As Duncan and Margaret described, they want to put together a hard-hitting video on the vandalism of ropes and lifebelts, which unfortunately often occurs and can have tragic consequences if those things are not in place when they are needed. All those measures are practical and can be taken forward.

I pay tribute to Duncan and Margaret. They are an example of people who did not ask to be in their position, obviously, but who have done everything that they can over many years, often outwith their comfort zone. They push very hard and relentlessly to deliver what they can, because they are driven to make the campaign a success as best they can. They are largely self-funded, which I know is a huge ask, so there is work to be done to help them with fundraising so that they can continue to roll out the campaign. I would like to hear the minister set out specific measures that could be taken to help their campaign as part of wider drowning prevention work across Scotland.

15:08

Douglas Lumsden (North East Scotland) (Con): I thank Clare Adamson for securing the debate on this serious and vital issue. I commend the many organisations that do so much to promote awareness of water safety and provide practical help and training, which give someone who gets into difficulty a better chance of recovering and avoiding a tragedy.

I remember that, when I was a kid many years ago, part of the school curriculum was being

taught how to swim in the local swimming pool; it was uptown baths at the time. I must admit that I hated it; the swimming pool was freezing cold and the water made my eyes sting, but I learned how to swim, which is such a valuable life lesson.

To be honest, I have never been someone who enjoys swimming, but I know that I can swim if I need to. That gave me the confidence to go out on boats on holiday—always with a life jacket, I must add—and enjoy the fun that water sports can bring, if done safely and carefully.

When I started researching for today's debate, I was surprised to learn that many of our schoolchildren are not learning to swim. For example, 25 per cent of children leave primary school are unable to swim. That in itself does not tell us the whole picture; I would imagine that the number will be a lot higher in our more deprived areas.

As more of our public swimming pools are closing, more people will be turning to private pools and gyms to learn to swim. I must admit that I was lucky enough to join my local private gym, and both my children learned to swim there, but what about those who cannot afford the £150+ a month for a family membership? Those children are missing out on a life skill that everyone should have.

Yesterday, Olympic swimmer Duncan Scott wrote to the First Minister in protest at the closure of public swimming pools, telling him that pools boost health, fitness and safety. I completely agree. This devolved Government often talks about early intervention and prevention but, when it comes to health and wellbeing, it is all talk. Is it any wonder that our nation is becoming more unhealthy when these vital local facilities are closing? That will also place a much greater burden on our national health service in the future.

Bucksburn swimming pool in Aberdeen, where I represent, has recently closed its doors. It was an absolutely shocking decision by the local authority, which the local community is now taking it to court over, as it fights to have the pool—the only one in the area that can be accessed by people with disabilities—reopened.

Christine Grahame: This is not a party-political point, because it relates to a Tory-led council in the Borders and a Scottish National Party-led council in Midlothian. As I said in my speech, I commend both of those councils for making pools an integral part when they commission new schools and replacements, if there is not one there already.

Douglas Lumsden: I completely agree with that, but I am seeing pools up and down the country closing. That is the point that Duncan Scott made to the First Minister, and I would like to

hear from the First Minister what the Scottish Government will do about that. It is not enough for it simply to pin the blame on local authorities that are seeing their budgets squeezed. If it values and cares about water safety, it needs to fund those local pools correctly.

There is a potential lifeline. The UK Government announced additional funding for swimming pools in March—£60 million of new money that would have helped our public pools to stay open. Of course, the UK Government could not give that direct to local government, as that would have been against the devolution agreement, and the money went to the Scottish Government instead. As far as I am aware, not one penny of that cash for swimming pools has been passed to local authorities to help keep pools open.

The Scottish Government has no excuses for pools closing. It was given the money, but shamefully decided not to pass it on. No doubt we will hear warm words from the minister saying that they are doing everything that they can to reduce the number of people drowning, but that is all that it will be: warm words. If the Scottish Government is serious about reducing the number of deaths, it needs to support more children, from all backgrounds, to learn to swim. Therefore, it needs to stop the tide of public swimming pools closing. For that to happen, it needs to do the right thing and pass on the Barnett consequential that were given to local authorities by the UK Government to save our swimming pools.

15:13

Fulton MacGregor (Coatbridge and Chryston) (SNP): I thank my colleague Clare Adamson for bringing this really important debate to the chamber. I cannot think of a better one to end the session on as we go into what we are all hoping could be a warm summer.

I will speak about a couple of areas that I have been doing some work on over the past year. The first area is outdoor swimming, or dooking. People can call it what they want but, especially after the pandemic, there cannot be a member in this chamber who does not have a thriving group of dookers or wild swimmers in their community, as people have found the joys of outdoor swimming. And why not? The benefits that people are experiencing from the activity are, in some cases, extremely significant. There are lots of reports on that and there is science behind it.

A few months back, I had the pleasure of hosting an event with Dr Mark Harper from the University of Bristol, whose research into cold-water immersion and health conditions such as arthritis and mental health issues is groundbreaking. That is why organisations such

as the fabulous Lanarkshire Counselling and CBT Centre in Coatbridge offer courses in safe cold-water immersion.

However, with increased popularity comes increased risks. I do not think that the strategy can just be to tell people not to do something. Folk will not respond to that, particularly when they find that an activity brings extreme benefits to their health. I do not think that we just say no in Scotland. I have never found that from the Government or from other organisations, but there is clearly a balance to strike between promoting an outdoor activity that has benefits and safety around water, which I have found is a source of tension for many agencies and organisations that are involved in swimming. Everybody wants to find that balance. There are lots of ways that we can do that and I, too, welcome the sterling work of the Scottish Fire and Rescue Service, the Scottish Environment Protection Agency and Scottish Water in trying to strike that balance and ensure that people follow proper advice.

As other members have said, there is also another obvious way of making our water safer: to ensure that swimming lessons are available in swimming pools across the country to a good standard. Many people who have drowned could swim, but a significant proportion of them could not. I have been doing a bit of work with Scottish Swimming on that. On 29 March, I hosted a parliamentary event that was aimed at saving our pools. Scottish swimming pools are under threat of closure as we have heard from other members today. Inflationary energy costs are the main problem; perhaps Douglas Lumsden could speak to his colleagues down south about that.

Douglas Lumsden: Fulton MacGregor's party often talks about how the UK Government should be doing more. Would he not agree that, in this instance, it has done more? It has given money to the Scottish Government but that money has not been passed on to the swimming pools.

Fulton MacGregor: I thank the member for that intervention. As I understand it, it is not as simple and straightforward as that, and this is not an area in which we want to play cheap political games. The Scottish Government is committed to swimming pools but, as I was saying, inflationary energy costs combined with ageing venues and staff shortages have led to a crisis in the leisure sector. Never has the need been greater to highlight the importance of swimming pools for safety, health and communities.

I know that Scottish Swimming strongly believes that swimming pools are vital community hubs for the population of Scotland not only as water safety classrooms that teach more than 100,000 children the essential life skill of swimming each week but as part of the nation's health service, improving

the mental and physical wellbeing of people of all ages and abilities, which in turn saves the NHS millions every year.

Scottish Swimming has submitted a public petition to Parliament. It has already received 8,664 signatures, and I hope to get a member's business debate on the subject in the new term. I know that the issue sits with local authorities but, to go back to what I said to Douglas Lumsden, we all—the two national Governments and local authorities—need to pull together to make sure that pools are safe and that young people have access to them.

I have asked questions in Parliament about making swimming lessons statutory and, although it does not seem like something that could happen just now, I am pleased with the Scottish Government's response and strategy, which means that, through investment from sportscotland, four pilot projects are evaluating how we can take that forward. As I have said, more and more people are entering the water for leisure purposes, so it is vital that swimming is again regarded as a life skill and not just a hobby.

I want to end by paying tribute to local 16-year-olds Emily Deas and Lauren Campbell who, in December last year, saved a man's life when he fell through the ice into the Monkland canal in Coatbridge while retrieving his dog. For that, they received commendations from the Scottish Fire and Rescue Service, the Royal Life Saving Society UK, Water Safety Scotland and North Lanarkshire Council in March, and I add my commendation here in the Scottish Parliament. That incident illustrated the dangers of water and the importance of water safety strategies.

Again, I thank Clare Adamson for bringing the issue to the chamber.

15:19

Paul Sweeney (Glasgow) (Lab): I congratulate the member for Motherwell and Wishaw on bringing her motion to the chamber for debate, albeit that this member's business debate is being held a week after drowning prevention week because of unnecessary constraints on parliamentary business. Nonetheless, it is an essential and important topic for debate ahead of the summer recess.

In my area of Glasgow, there are major risks associated with the River Clyde. It might well be a famous waterway that has produced great industrial benefits for the city, but it presents a murkier and darker side beneath its waters. Decades of neglect and a lack of dredging by the privatised port authority have resulted in a river that is dangerous and in some instances deadly.

Drowning prevention week, which was last week, is an essential awareness-raising initiative that aims to educate people about water safety and drowning prevention, draw attention to the dangers of open water and equip people of all ages with the essential skills and knowledge to stay safe in and around water.

Many members—including Ms Gosal, Mr Lumsden and the member for Coatbridge and Chryston—have made points about the provision of swimming lessons in schools and access to municipal swimming baths. It is essential that we look at securing that capacity. Cases have been mentioned that highlight the costs of running swimming pools as regards heating and so on. We need to get on the front foot with capital investment to introduce district heating networks and find innovative ways of ensuring that those facilities are sustainable for the future.

Douglas Lumsden: Does the member share my concern that a potential economic divide is appearing in that regard? We have people who can afford swimming lessons and can go to private pools, but there are no public pools left for everyone else.

Paul Sweeney: I absolutely agree with that concern. Swimming is the most democratic sport in Scotland—it has the highest level of participation and the greatest class and gender balance. It is a very good way for people not only to keep fit, but to learn an essential life skill. In that context, it makes total sense for the Government to look at swimming pool provision more closely. We have looked at that issue in the Health, Social Care and Sport Committee.

Around 90 per cent of sport funding in Scotland is channelled through local authorities, but they are under a lot of financial pressure. We need to look in particular at capital-intensive facilities such as swimming pools and ensure that we modernise them so that the running costs do not become excessive and they can be maintained as viable public assets. As Douglas Lumsden said, the consequences for inequality are considerable in relation to access to sports facilities such as swimming pools, which can also be used to learn a critical life-saving skill. It is appalling to think that a lack of opportunity in that respect could ultimately result in someone's death, but we need to be cognisant of that.

I echo the tributes that the member for Glasgow Provan and the member for Motherwell and Wishaw paid to the Spiers family and their courageous campaign in memory of their son, Christopher, who was lost to the river Clyde in 2016, at just 28 years old. Their campaign has involved not just raising awareness, but pursuing innovation in order to introduce practical interventions in our public realm to save lives.

In particular, it has been incredible to see the co-design of the innovative floating safety rope with Ibex Marina Ropes. The support from that company has been fantastic. I recently met Duncan Spiers, Christopher's dad, and it was interesting to hear him say that the workers at the factory have a photograph of Christopher up to inspire them with the knowledge that their work saves lives. The rope has the colours yellow, to be seen; orange, for suicide prevention; and purple, which was Christopher's colour. That simple measure, which was introduced following the family's campaign, is estimated to have saved the lives of more than 10 people who have fallen into the Clyde. The family should be incredibly proud of that achievement.

The reality is, however, that we need more than just improved safety equipment; we need dedicated, 24-hour search and rescue on the river Clyde. I was concerned to be contacted recently by firefighters who informed me that proposed cuts by the Scottish Fire and Rescue Service mean that that 24-hour rescue provision on the Clyde is now at risk. If the proposal is rubber stamped, it will see Polmadie's dedicated rescue boat crew removed from the station and replaced with a dual-crewed approach. Consequently, in addition to the potential loss of 15 jobs, we would lose that dedicated boat crew because it would have to cover the fire engine and the boat as well.

Given that the crew has conducted 22 rescues in the past year alone, I call on the First Minister to intervene with the SFRS in order to stop that cut and ensure that capacity is maintained on the river. I hope that the minister will echo that call today and ensure that she engages across Government to protect that vital life-saving measure on the Clyde. We cannot have a retreat in the capacity to save lives because of Government cuts when we know that that capacity makes a positive difference—it is not acceptable.

15:24

The Minister for Victims and Community Safety (Siobhian Brown): I thank Clare Adamson for lodging the motion to draw attention to drowning prevention week 2023, which helps to raise awareness of how people can stay safe in and around water and what to do in an emergency. In her speech, she highlighted some of the stark figures on drowning. With summer and the school holidays upon us, it is timely to raise the profile of water safety and remind people of the steps that they can take to keep themselves and others safe in and around water and what to do in an emergency.

The Scottish Government is committed to continuing to work closely with all relevant organisations to explore opportunities to

collaborate and help to reduce incidents. We particularly want to raise awareness among those who are most at risk. Water Safety Scotland is a key partner in that work, and I thank the water safety partners for their strategic approach, their work and their commitment to making our waters safer.

We recognise that, given the extent, nature and appeal of our seas, lochs and rivers, water safety will always be a challenge and a priority. It is important to be aware that 90 per cent of standing freshwater in the UK is in Scotland, which has more than 27,000 lochs and more than 120,000km of rivers and streams. Mainland Scotland has 9,910km of coastline, which increases to some 16,500km if we include many of our islands, which make up 52 per cent of the UK coastline. However, it is not just the extent of our waters that poses a challenge, but their nature. Sudden changes in depth, which Pam Gosal mentioned; deceptively cold temperatures; and hidden currents can all mean that even good swimmers can get into difficulty very quickly.

Activities in and around water are enjoyed safely and responsibly by the majority of people. However, in Scotland, we have an average of 92 water-related fatalities per year, of which around 50 are accidental drowning fatalities. The latest figures from the water incident database indicate that, in 2022, accidental drowning fatalities decreased in Scotland in comparison with 2021, which was a particularly difficult year. Those figures highlight the crucial collaborative work that our water safety partners are doing to help to reduce the risk of drowning in Scotland, and their commitment to achieve the aim in "Scotland's Drowning Prevention Strategy 2018-2026" to

"Reduce accidental drowning ... by 50 per cent by 2026".

I am very aware of the devastating impact that drowning has had on friends and family, and I will continue to use my role as Minister for Victims and Community Safety, as my predecessors did before me, to make it a priority to help to reduce the numbers of drowning incidents in Scotland.

In response to terrible tragedies in Scotland's waterways during the summer of 2021, the Scottish Government brought together key water safety organisations to collaboratively develop an action plan that promoted and aimed to improve partnership working, intelligence gathering and sharing, awareness raising, skills training and responses to incidents.

The water safety action plan, which complements the important work of Water Safety Scotland, outlines the key initiatives to improve education, data, local area water safety planning and incident reviews. The co-designed action plan was published in March 2022, and the annual

review and update on progress a year on was published last week, on Wednesday 21 June. That is now on the Scottish Government website. The key highlights include the fact that the membership of Water Safety Scotland has increased to 56 organisations, which are now working collaboratively to actively take forward water safety initiatives.

Water Safety Scotland's innovative drowning incident review procedure was launched earlier this year. The review, which has been endorsed by all the front-line rescue organisations, means that, for the first time, partners are working together to review fatal drownings and gather relevant data and intelligence that will help to develop measures to prevent future incidents and identify high-risk locations. That pioneering work has been recognised as a world first and it has attracted attention from Administrations in countries as far away as New Zealand.

Age-appropriate educational resources have also been developed for each level from the ages of three to 18. That initiative, which has been completed jointly with Education Scotland and Water Safety Scotland, is the first of its kind in the UK, and it provides teachers with simple and effective tools to help to educate children on how to keep themselves and others safe around water.

Douglas Lumsden: Will the minister take an intervention?

Siobhian Brown: I will come to the member's point in a moment.

There is a particular emphasis on the dangers of cold water shock and the importance of how to float to live. With summer upon us, and people wanting to enjoy the good weather, it is important to remind the public to stay safe and follow the three-part water safety code:

"Stop and Think, Spot the Dangers; Stay Together, Stay Close; and In an Emergency, Call 999."

I will reflect on some of the contributions from members, starting with Douglas Lumsden. I have been advised that the Barnett consequential to which he referred have been added to the local authority funding block. *[Siobhian Brown has corrected this contribution. See end of report.]* The Scottish Government is working with sportscotland, local authorities, the Convention of Scottish Local Authorities and Scottish Swimming to understand the challenges that are currently faced with regard to swimming pools and leisure facilities. Although it is important to know how to swim—

Douglas Lumsden: Will the minister give way?

Siobhian Brown: I will.

Douglas Lumsden: It is interesting that you say that it has already—

The Deputy Presiding Officer: I ask you to speak through the chair, please.

Douglas Lumsden: Sorry, Presiding Officer.

It is interesting that the minister said that that money has already been allocated, because John Swinney had to correct the record at the end of May, having intervened on me. He admitted that it was actually new money and not part of any money that had already been allocated. Is the minister sure that what she said—that the money has been allocated—is correct? That is not what the former Cabinet Secretary for Finance and the Economy seemed to say in his response to me.

The Deputy Presiding Officer: I can give you the time back for the intervention, minister.

Siobhian Brown: Thank you, Deputy Presiding Officer.

I said that the Barnett consequentials have been added to the local authority block and we are currently engaging on how we can work with swimming pools—

Douglas Lumsden: Will the minister give way?

Siobhian Brown: No—I am moving on to other members' contributions.

I turn to Ivan McKee and Clare Adamson, who mentioned the inspirational campaign by Duncan and Margaret Spiers in memory of Christopher. I had the honour of meeting Duncan several weeks ago to find out about their work, and I look forward to working together with the campaign and writing to all local authorities on Duncan's behalf to see what further work can be done.

Christine Grahame gave her personal account of the dangers of rivers. I echo the condolences that Jackie Baillie expressed to the families who have lost people to drowning, and I also echo her tribute to all the great work that has been done at Loch Lomond with the rescue boat.

To finish, I express my sincere thanks to all the partners that are involved, and particularly Water Safety Scotland, for driving this important work forward. Their continued efforts to work collaboratively, providing time and resource, are greatly appreciated and they are making a real difference. I very much look forward to meeting many of the water safety partners when I attend the upcoming water safety open day at Helix Park on 25 July to support United Nations world drowning prevention day.

With that, I close the last debate of the term.

The Deputy Presiding Officer: Thank you, minister. That is probably my job, but it does indeed conclude the debate.

I congratulate members on making it through to the final item of business. I wish everyone a happy, restful and—of course—safe summer recess, and I close this meeting of Parliament.

Meeting closed at 15:33.

Correction

Siobhian Brown has identified an error in her contribution and provided the following correction.

The Minister for Victims and Community Safety (Siobhian Brown):

At col 90, paragraph 7—

Original text—

I have been advised that the Barnett consequential to which he referred have been added to the local authority funding block.

Corrected text—

I have been advised that the Barnett consequential to which he referred have been added to the Scottish Government block.

This is the final edition of the *Official Report* for this meeting. It is part of the Scottish Parliament *Official Report* archive and has been sent for legal deposit.

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