



OFFICIAL REPORT  
AITHISG OIFIGEIL

# Meeting of the Parliament

Wednesday 6 December 2023

Session 6



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# Scottish Parliament

Wednesday 6 December 2023

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

## Portfolio Question Time

### Constitution, External Affairs and Culture

**The Deputy Presiding Officer (Liam McArthur):** Good afternoon. [Inaudible.] My microphone is not on. That is not a good start. Good afternoon—is that coming through? There we go. That is better. Good afternoon, for the third time.

The first item of business is portfolio question time. The first portfolio is constitution, external affairs and culture. I remind members that questions 2 and 5 are grouped together. I will take any supplementaries on those after both questions have been answered. We are tight for time throughout the afternoon, so I appeal for brevity in questions and responses. [Inaudible.] My microphone has gone again—it has come back now. This is not an auspicious start.

#### Arts Sector (Support)

**1. Alexander Stewart (Mid Scotland and Fife) (Con):** To ask the Scottish Government whether it will provide an update on how it is supporting the arts sector. (S6O-02830)

**The Cabinet Secretary for Constitution, External Affairs and Culture (Angus Robertson):** As announced on 17 October, the Scottish Government's investment in arts and culture will increase, so that, in five years' time, our investment will be £100 million higher than it is now. The Scottish Government will take decisions about the allocation of that funding in 2024-25 and in future years, subject to the outcome of the Scottish budget process and the associated approval by the Scottish Parliament.

**Alexander Stewart:** In the Scottish National Party's 2021 manifesto, it pledged to create a £2 million fund for public artworks. In the summer, questions were raised regarding the distribution of those funds, with the Scottish Government being unable to confirm a timeframe at that stage. Months have passed now, so I ask the cabinet secretary to give more detail on what the pledge means and when the commitment will be met.

**Angus Robertson:** Alexander Stewart is working hard to get me to give him a sneak preview of the budget process, which,

unfortunately, I cannot do. The draft budget will be published later and will be subject to parliamentary scrutiny. It will be presented to Parliament on Tuesday 19 December. That date will be in Mr Stewart's diary, no doubt, being only a few days after he performs with the Scottish Parliament choir.

**Foysoyl Choudhury (Lothian) (Lab):** The future of the Edinburgh deaf festival is at threat following the rejection of two successive bids for Creative Scotland funding. The festival has been highly praised for its success in showcasing deaf performers' art, culture and heritage, along with Edinburgh's festival fringe. Can the cabinet secretary outline how the Scottish Government plans to encourage both British Sign Language and deaf communities in the culture and arts sector in Scotland, to ensure that our vast cultural landscape is inclusive and accessible to all?

**Angus Robertson:** First, I take the opportunity to thank Foysoyl Choudhury for his question and for putting on record the points that he makes about the use of sign language. He will appreciate that the question about what Creative Scotland provides funding for is for that organisation to answer. I would be more than happy to write to the member more generally about including sign language and about support for the deaf community in Scotland.

#### Palestine (Humanitarian Aid)

**2. Marie McNair (Clydebank and Milngavie) (SNP):** To ask the Scottish Government whether it will provide an update on the impact of its funding for humanitarian aid to Palestine. (S6O-02831)

**The Minister for Culture, Europe and International Development (Christina McKelvie):** We are gravely concerned by the resumption in hostilities over the weekend and reiterate our call for an immediate and permanent ceasefire, the release of all hostages and unfettered access for humanitarian aid for all civilians throughout the Gaza strip. In October, the Scottish Government acted quickly to commit £500,000 in response to the United Nations flash appeal for Gaza. Last month, we pledged a further £250,000 contribution to that appeal. Those funds will be used to respond to the immediate food, health, shelter and protection needs of people who are seeking safety in UN shelters, with special consideration for the needs of particularly vulnerable groups including women, children, people with disabilities and the elderly.

**Marie McNair:** Although the support for humanitarian aid is welcome, what is essential to save the many children and innocent civilians who are being killed is an immediate ceasefire. Medical Aid for Palestinians says that the bombardment is making it impossible to sustain human life in Gaza,

and it calls on our political leaders to heed the call from 36 human rights experts and take action to prevent genocide against the Palestinian people. Does the minister agree that Rishi Sunak and Keir Starmer need to stop prevaricating and demand an immediate ceasefire to bring an end to this massacre?

**Christina McKelvie:** In a letter to the Prime Minister and leader of the Opposition on 21 November asking for the United Kingdom Government to support a ceasefire on both sides, the First Minister wrote:

“The support the UK Government has given to Israel while the devastation in Gaza has grown, increases the moral responsibility on it to use whatever influence it has to stop the killing now.”

We again urge both leaders to join the United Nations secretary general and others in the international community in calling for an immediate and permanent ceasefire on both sides to stop the killing of innocent men, women and children and for unimpeded access for humanitarian aid into all areas of Gaza.

#### **Middle East Situation (Humanitarian Response)**

**5. Richard Leonard (Central Scotland) (Lab):** To ask the Scottish Government, further to the vote on motion S6M-11342 on the situation in the middle east, on 21 November, whether it will provide an update on what action it has taken with the United Kingdom Government and international bodies to support the humanitarian response. (S6O-02834)

**The Minister for Culture, Europe and International Development (Christina McKelvie):** The Scottish Government has been in continuous discussion with the United Kingdom Government on this matter. We welcome the additional £60 million that has been committed by the UK Government for the humanitarian response in Gaza, which Scottish taxpayers have, of course, contributed to.

The Scottish Government has committed £750,000 to the United Nations Relief and Works Agency and, on 2 November, the First Minister and I met its European director to discuss the dire humanitarian situation in Gaza.

Officials have also consulted various United Nations agencies and international humanitarian organisations that operate under Scotland’s humanitarian emergency fund, whose representatives I will meet in early January.

**Richard Leonard:** We are witnessing before our eyes what experts fear to be an unfolding genocide of the Palestinian people. The death toll defies description. Thousands more are still missing under the rubble of a quarter of a million

destroyed buildings. Nowhere is safe. The population has been forced to flee to the south of Gaza only to be bombed when they get there. It is unthinkable that we are witnessing this, and it is unconscionable that we should be a participant. We welcome the aid that is provided by the Scottish Government, but what good is it if we are also providing public funding to arms manufacturers that supply the Israeli Government? Will the Scottish Government agree to stop that funding immediately?

**Christina McKelvie:** Any action taken by Israel must be in accordance with international law. The Geneva conventions must be upheld, including protecting citizens against the consequences of military action. The taking of hostages, indiscriminate bombing of civilian infrastructure, intentional starvation and forced displacement of a population are prohibited under the Geneva conventions.

I urge all people to get around the table and bring about a quick resolution, with a ceasefire and humanitarian aid being allowed into the areas.

**Kaukab Stewart (Glasgow Kelvin) (SNP):** We hear dire warnings from UN officials on the ground in Gaza about the scale of the humanitarian disaster that is unfolding. Does the minister agree that, in order to prevent further deaths, it remains urgent that the international community works together to press for an urgent ceasefire? Can she provide any further update on the Scottish Government’s latest engagement with the UK Government in that regard?

**Christina McKelvie:** I said in an earlier answer that, on 21 November, the First Minister wrote to the Prime Minister calling for the UK to support an immediate ceasefire in Gaza and to ask the International Criminal Court to investigate whether war crimes have been committed by Israel and Hamas, and for the UK to recognise the state of Palestine. A junior Foreign Office minister replied, restating the UK Government’s position in favour of temporary humanitarian pauses. They did not address the First Minister’s other two calls.

We are gravely concerned by the resumption of hostilities and continue to call for an immediate and permanent ceasefire on both sides and a release of all hostages.

**Beatrice Wishart (Shetland Islands) (LD):** Does the minister agree that the approach should be the one that was taken by my colleague Layla Moran MP at Westminster, who stated that we need a two-state solution?

We recently saw a pause in fighting, which shows that it is possible to have such a pause. We now need to see it replicated as a basis for the creation of a permanent bilateral ceasefire. Will

the minister impress on the UK Government the importance of action to make that a reality?

**Christina McKelvie:** I am happy to impress that position on the UK Government. The Scottish Government supports the European Union and UK Government positions of a two-state solution, based on the 1967 borders. It firmly encourages both Israel and Palestine to reach a sustainable, negotiated settlement under international law, which has, as its foundation, mutual recognition and the determination to co-exist peacefully. The recent pause was an example of how we can do that.

### **Ticket Levy Schemes (Music Venues)**

3. **Mark Ruskell (Mid Scotland and Fife) (Green):** To ask the Scottish Government what assessment it has made of the potential impact of introducing ticket levy schemes at large music venues in Scotland. (S6O-02832)

**The Cabinet Secretary for Constitution, External Affairs and Culture (Angus Robertson):** The Scottish Government fully values the importance of music to Scotland's culture and recognises the role that venues play in supporting the talent pipeline.

The Minister for Culture, Europe and International Development met the Music Venue Trust on 20 September to discuss the challenges that grass-roots music venues face, as well as the proposal to develop a ticket levy. I recommended that the Music Venue Trust ask the cross-party group on music to convene an industry round table to discuss the proposal.

**Mark Ruskell:** I thank the cabinet secretary for that positive response. The Music Venue Trust estimates that a £1 levy on tickets for shows at two big arenas in Scotland would generate £1 million a year. Of course, the cabinet secretary will also be aware that A G Entertainment has now announced plans for a new megavenue at Edinburgh Park, where a £1 levy could raise £8,500 at each sold-out show.

Does the Government agree that that could be a significant funding stream, through which the profits of big culture could be reinvested in grass-roots music, arts and cultural venues? Will ministers agree to meet me and the Music Venue Trust in the new year to discuss a way forward on the back of the conversations that are, I understand, now taking place?

**Angus Robertson:** Mark Ruskell is absolutely right to highlight that new thinking is required about funding of culture and the arts. We have gone through a pivot point during the pandemic; there has been a change in social behaviours and there has been extreme distress in the arts and cultural sector. We acknowledge that and we have

tried to support the sector through that difficult period.

Yes—one needs to look with great seriousness at the potential for additional and parallel funding streams, which is why the levy proposal is worthy of further consideration and should be looked at more closely.

**Alexander Stewart (Mid Scotland and Fife) (Con):** Grass-roots music venues are key to supporting emerging Scottish talent, and it is vital that the talent gets that support. However, in Scotland this year, 22 per cent of grass-roots music venues have closed or are in crisis.

What recent conversations has the cabinet secretary had with grass-roots music venues about their concerns with regard to support for the sector?

**Angus Robertson:** Not only has that been the subject of discussions that my colleague held in September with the Music Venue Trust, but she met John Whittingdale to discuss that very issue.

If the number of venues across the country reduces, it should be of concern to absolutely everybody, and Creative Scotland is very seized of that. Our enterprise agencies, which have responsibility in the Highlands and Islands, the Borders and the rest of Scotland, are also very involved in that. If Mr Stewart has any particular insights or particular proposals to make, I am very happy to listen to them.

### **United Kingdom Government (Meetings)**

4. **Collette Stevenson (East Kilbride) (SNP):** To ask the Scottish Government when the constitution secretary last met the UK Government, and what was discussed. (S6O-02833)

**The Cabinet Secretary for Constitution, External Affairs and Culture (Angus Robertson):** My last meeting with a representative of the UK Government was with the British ambassador to China in Beijing on 23 November, during my visit to China, which included promotional events on and around St Andrew's day. Multiple events involving Scottish Government ministers and officials took place in China, the United States, Canada, Germany, France, Oslo, Brussels and London, and I thank everybody who was involved. It is worth noting that Irish ministers managed to attend St Patrick's day events in 36 locations around the world.

**Collette Stevenson:** The Westminster Government's autumn statement offered little to help people who are worried about making it through the winter. There was no energy bill rebate, no action to reduce grocery bills and nothing to tackle growing poverty and destitution.

In contrast, this morning the Scottish Government published its blueprint “Social security in an independent Scotland”, which includes plans for a minimum income guarantee, for scrapping the rape clause and for creating a more dynamic economy.

It is clear that people in Scotland are suffering from the cost of living crisis. Does the cabinet secretary agree that it is time for us to escape the “cost of Westminster crisis” so that we can build a fairer independent Scotland?

**Angus Robertson:** I agree whole-heartedly. It is clearer than ever that independence is essential if we are to build a fairer and wealthier country and escape the failed Brexit-based Westminster economic model, which has given us the largest fall in living standards on record and the highest inflation in the G7, as well as high levels of inequality and poverty.

Our latest publication, “Social security in an independent Scotland”, sets out how independence would enable Scotland to take a new approach to social security that is designed to tackle poverty and build financial security.

**Donald Cameron (Highlands and Islands) (Con):** The cabinet secretary mentioned publication of the paper “Social security in an independent Scotland”. However, the Government has already missed its deadline of transferring new devolved powers to Social Security Scotland by 2020 and, earlier this year, it announced a further three-year delay to the transfer, which is now due in 2026—a full decade after the Scotland Act 2016.

Is the Scottish Government still on track for the 2026 date?

**Angus Robertson:** In his question, Donald Cameron missed out the Scottish child payment, which has been widely applauded not only in Scotland but furth of Scotland, as an extremely significant intervention that is helping to lift thousands of children out of poverty.

Of course, there will always be challenges with a significant administrative change. I would be happy to get my ministerial colleague who is responsible for the agency to write to Donald Cameron to give him further details. However, it would be churlish not to acknowledge the significant advantages that have been gained by Scotland having not the most significant but a significant intervention in social security—which, incidentally, the UK Government is not prepared to match.

**Neil Bibby (West Scotland) (Lab):** Both the Scottish and UK Governments will be aware of the importance of language degrees in securing international co-operation, understanding and

trade. The issue of cuts to modern languages at the University of Aberdeen has been raised with me by the French and German consulates. What discussions has the cabinet secretary had with the UK Government, the Cabinet Secretary for Education and Skills and consulates regarding that matter? Does he agree that those cuts would be a retrograde step, not only for students but for Scotland as a whole?

**Angus Robertson:** I hear very well what Neil Bibby is saying. Our universities are autonomous of Government. That is a statement of fact. I have noted very carefully the points that have been made by the consuls general who have written to the University of Aberdeen, where I was very proud to study.

I have also noted the intervention of Miguel Berger, the German ambassador to the UK, on language teaching. He will appreciate that language teaching and learning are very close to my heart. As someone who speaks two languages, and who speaks to my children a language that is not English, I understand the value of languages.

We should be extremely seized of making sure that we do everything that we can to provide the appropriate level of teaching right through our school and university systems. That is the subject of discussion between me and ministerial colleagues, and I will be happy to raise the matter with UK Government representatives, which I think was what the original question was about.

If there are lessons to be learned from elsewhere in the UK, I would be quite happy to look at them, although I would observe the challenges—

**The Deputy Presiding Officer:** Thank you. Question 6 is from Roz McCall.

**Angus Robertson:** —throughout the Anglosphere.

### **Historic Environment Scotland (Reopening of Sites)**

**6. Roz McCall (Mid Scotland and Fife) (Con):** To ask the Scottish Government whether it will provide an update on the reopening of sites that are currently closed due to inspections by Historic Environment Scotland. (S6O-02835)

**The Minister for Culture, Europe and International Development (Christina McKelvie):** Historic Environment Scotland is making good progress on its inspection programme, which is due to conclude at the end of March next year. Of the 70 sites at which access was restricted due to high-level masonry issues, there is now full or partial access at 53. Details of the inspection programme and site reopenings are

published on the Historic Environment Scotland website.

I am pleased that Historic Environment Scotland continues to put the health and safety of individuals first, by reopening sites only when it is safe to do so.

**Roz McCall:** The minister might be aware of the situation at Ravenscraig castle in Kirkcaldy, which has been closed for a significant period due to inspections by Historic Environment Scotland. Those inspections revealed safety concerns relating to the bridge. Unfortunately, I have been made aware of a number of continuing incidents of antisocial behaviour at the site, with youths scaling the walls, causing further damage and, in some cases, throwing stonework from the roof.

The preservation of our historic buildings is a crucial part of our cultural inheritance. What more can be done to protect buildings that are currently closed by Historic Environment Scotland?

**Christina McKelvie:** I am very concerned to hear about the antisocial behaviour issue, and I will take that up with colleagues after portfolio question time today.

However, I am pleased to confirm that there is now full or partial access to a number of sites in Roz McCall's region. I am also pleased to confirm that Historic Environment Scotland would be happy to offer the member a visit to any of the sites that are affected by access restrictions in her region, and to discuss matters with an HES expert. I urge Roz McCall to take up that opportunity.

As I said, I will take forward the antisocial behaviour issue on the particular site that the member mentioned straight after question time.

### **Glasgow Arts and Culture Sector (Support)**

**7. Pam Duncan-Glancy (Glasgow) (Lab):** To ask the Scottish Government whether it will provide an update on what it is doing to support the arts and culture sector in Glasgow. (S6O-02836)

**The Cabinet Secretary for Constitution, External Affairs and Culture (Angus Robertson):** The Scottish Government, through Creative Scotland, provides support to a number of cultural organisations in Scotland. In 2021-22, Creative Scotland awarded £23,629,887 through its regular, open and targeted funding to successful applications from individuals and organisations that are based in the Glasgow area.

Glasgow is, of course, also home to the national performing companies—namely, the National Theatre of Scotland, Scottish Ballet and Scottish Opera—and to the Royal Conservatoire of Scotland.

**Pam Duncan-Glancy:** I celebrate, for the work that they do, all the institutions that the cabinet secretary has just listed. Arts and culture have been part of Glasgow's heritage for decades, as he knows. However, for years, threats and, in some cases, cuts to the sector have made jobs ever more precarious. What plans are in place to bring security to the sector and ensure that Glasgow's share of the promised funding is invested in good-quality, unionised jobs in Glasgow?

**Angus Robertson:** I hope that, as I do, Pam Duncan-Glancy considers that the organisations that are funded through Creative Scotland do exactly that, as do our national performing companies and the Royal Conservatoire of Scotland.

I draw Pam Duncan-Glancy's attention to the latest funding round of the youth music initiative's formula fund, through which Glasgow City Council received support of £540,644 to offer music tuition in schools across the city. That includes tuition by organisations including the National Piping Centre, Music Broth, National Youth Orchestras of Scotland and A C Projects, which all receive funding.

I hope that Pam Duncan-Glancy agrees that all those organisations provide tremendous additional benefit to the arts and culture scene in Glasgow, which is vibrant and deserves the support of everybody, including the public of Glasgow, whom I encourage to attend all culture and arts events that are put on by the organisations that we have been discussing.

**Ivan McKee (Glasgow Provan) (SNP):** Glasgow's world-leading museums are among the most frequented in Scotland and are major attractions for international visitors. However, colleagues in the city tell me that, unlike Edinburgh's or Dundee's major museums, Glasgow's museums do not enjoy national status and therefore do not attract commensurate funding from the Scottish Government. What is the minister doing to address that imbalance?

**Angus Robertson:** Those issues are constantly under review. As I mentioned in my earlier answer, we have a list of national performing companies that are based in Glasgow—not elsewhere in Scotland. There is a mixed picture of how culture and the arts are funded and which organisations are based where. We need to ensure that there is coverage throughout Scotland and that there is equity.

Ivan McKee is absolutely right to draw attention to the fact that the museums in Glasgow are not just first class but world class. They deserve the support of people in Glasgow, and I know that they are already providing that support. I encourage

people in the rest of Scotland who are looking for a great day out to visit Glasgow's museums as well.

### **Rutherglen Cultural Activities (Promotion and Support)**

8. **Clare Haughey (Rutherglen) (SNP):** To ask the Scottish Government what it is doing to promote and support cultural activities in the Rutherglen constituency. (S6O-02837)

**The Minister for Culture, Europe and International Development (Christina McKelvie):** The Scottish Government values the arts and recognises the contribution that cultural activities make to wellbeing, the economy and nurturing creative expression, not only in Rutherglen but in all communities across Scotland.

Between 1 April 2020 and 31 October 2023, Creative Scotland made 227 awards totalling £856,000 to applicants whose postcodes were in the Rutherglen Scottish Parliament constituency. That funding was awarded through Creative Scotland's open funding and targeted funding, and through emergency Covid-19 funding.

**Clare Haughey:** The royal burgh of Rutherglen celebrates, in just over two years, the 900th anniversary of its having been granted the title by King David I of Scotland in 1126. Plans are well under way to celebrate the anniversary, with local organisations, charities and elected members, among others, coming together to arrange events throughout 2026.

Can the minister advise what the Scottish Government can do to support and promote what will be a community cultural event, the scale of which has likely not been seen in my constituency before?

**Christina McKelvie:** The upcoming anniversary for Rutherglen is an extraordinary symbol of the endurance of the burgh. For such celebrations, Rutherglen organisations and individuals can apply to Creative Scotland's open fund, and to the National Lottery Community Fund's awards for all, to seek support for the event. Creative Scotland may also provide advice regarding further applications and other potential funding opportunities after contact with its inquiries service.

I wish my constituency neighbours in Rutherglen all the best in celebrating such an historic milestone.

## **Justice and Home Affairs**

### **Fire and Rescue Officers (Access to Decontamination Facilities)**

1. **Sandesh Gulhane (Glasgow) (Con):** To ask the Scottish Government what steps it is taking to ensure that all fire and rescue officers in the Scottish Fire and Rescue Service have access to decontamination facilities. (S6O-02838)

**The Minister for Victims and Community Safety (Siobhian Brown):** The safety and wellbeing of firefighters is a priority for the Scottish Government and the Scottish Fire and Rescue Service. The service continues to make progress through its dedicated contaminants group. It has reviewed processes and procedures to ensure that the risk of contamination is minimised. That includes a review of all fire stations to ensure that they have site-specific control measures to minimise contamination.

**Sandesh Gulhane:** It is clearly not a priority for the Scottish Government, because a bombshell report found that firefighters are almost twice as likely as the general public to die of cancer. Those who serve longer in the fire service increase their risk of cancer, and they suffer from mental health issues at a higher rate than others. That is all due to exposure to contaminants and toxins, and to re-exposure when they use contaminated kit and equipment. Just as when, during Covid, the Scottish National Party Government told people to cut the bottom off doors, it is asking firefighters to use wipes on their equipment. That is a danger to our brave firefighters.

I ask the minister why her Government has failed for years to give the Scottish Fire and Rescue Service the budget that it needs to invest in proper decontamination equipment that will save firefighters' lives.

**Siobhian Brown:** The Scottish Fire and Rescue Service is working closely with the Fire Brigades Union and the University of Central Lancashire and is taking action across all aspects of operations to reduce exposure to contaminants, including through investment in new fire appliances and facilities. I will continue to work closely with both the Scottish Fire and Rescue Service and the FBU on that important matter, and I will carefully consider any proposals that would increase the safety and wellbeing of firefighters.

**Audrey Nicoll (Aberdeen South and North Kincardine) (SNP):** The Scottish Government's commitment to the safety and wellbeing of all Scottish Fire and Rescue Service officers is very welcome. That said, the United Kingdom Government's autumn statement failed to take the necessary action to increase investment in vital services such as the SFRS. As only limited levers

are available to Scotland to increase our spending power, will the minister outline the impact of the disappointing autumn statement on the response to the real challenges that those services face?

**Siobhian Brown:** The autumn statement delivered the worst-case scenario for Scotland's finances. The funding that it provides falls far short of what we need and makes the challenges for our budget next year even more severe. The Chancellor of the Exchequer has failed to provide the funding that is needed, with little consideration of the specific challenges that we face. That has let Scotland down on every count. Scotland needed more money for infrastructure, public services and fair pay deals. Instead, he delivered a real-terms reduction in the total block grant. The chancellor chose to make indiscriminate cuts to national insurance while depriving public services of vital funding. That shows a UK Government that has the wrong priorities at the wrong time.

**Katy Clark (West Scotland) (Lab):** According to the recent report "Firestorm: A Report into the Future of the Scottish Fire and Rescue Service", more than 90 per cent of firefighters said that they were concerned about the impact of contaminants on their health. Firefighters said that they had inadequate changes of uniform, laundry facilities and showering facilities to decontaminate and, as Sandesh Gulhane said, that they have to rely on baby wipes to try to clean themselves after being exposed to a fire for hours. Does the Scottish Government think that that is acceptable?

**Siobhian Brown:** The Scottish Fire and Rescue Service is considering the Fire Brigades Union's "Firestorm" report and, where appropriate, will work with the FBU and other staff representative bodies to address the issues that have been raised. The cabinet secretary and I met the FBU the week before last, I think, and the Scottish Government will work closely with the SFRS to identify budgetary requirements for 2024-25.

### **Vulnerable People in the Justice System (Support)**

**2. Clare Adamson (Motherwell and Wishaw) (SNP):** To ask the Scottish Government what support is available for people in contact with the justice system who may be dealing with vulnerabilities such as mental health issues, problematic substance use or homelessness. (S6O-02839)

**The Cabinet Secretary for Justice and Home Affairs (Angela Constance):** Supporting people who are in contact with the justice system and ensuring effective access to health, housing and other support services is absolutely vital and requires a holistic multi-agency approach, as well as a focus on interventions that can facilitate those links. That is why we continue to invest around

£134 million per year in community justice services, including community sentences, throughcare support and other interventions that enable access to services to address the underlying causes of offending.

**Clare Adamson:** The distress brief intervention initiative, which was successfully piloted in Lanarkshire, provides quick and compassionate support to people who are experiencing distress. How will the Scottish Government ensure that DBI services are integrated into communities and that Police Scotland and other public bodies are trained to direct people to distress brief intervention where it might be appropriate?

**Angela Constance:** Police Scotland has been a key national partner in the development and implementation of the DBI programme. Front-line staff in Police Scotland, along with their counterparts in the Scottish Ambulance Service, accident and emergency, primary care and NHS 24, are provided with bespoke DBI training to enable them to assess whether a person presenting in distress is appropriate for an offer of referral to DBI support. DBI training continues to be rolled out to staff in those services.

DBI is now live in 24 of the 31 health and social care partnership areas and discussions are under way with the remaining areas with a view to their being DBI live by the end of March next year. In addition, the national pathway to DBI exists via NHS 24 and the national call-handling services that are operated by Police Scotland and the Scottish Ambulance Service.

### **Post-mortem Reports (Maximum Waiting Time)**

**3. Kenneth Gibson (Cunninghame North) (SNP):** To ask the Scottish Government what its position is regarding the maximum time that a family should be expected to wait for a post-mortem report following the death of a loved one. (S6O-02840)

**The Lord Advocate (Dorothy Bain KC):** The Crown Office and Procurator Fiscal Service is committed to providing bereaved families with final confirmation of the cause of death of a loved one as soon as that information is available. In relation to deaths that require further investigation, the Crown Office and Procurator Fiscal Service aims to conduct and conclude the investigation and advise the nearest relative of the outcome within 12 weeks of receipt of the death report in 80 per cent of cases.

Some investigations take longer to establish a final cause of death because of the circumstances of the fatality and the nature of the tests that are required to allow the pathologist to make a final determination. Where that is the situation, nearest relatives are provided with updates on progress

and estimated timescales for the completion of the tests.

**Kenneth Gibson:** I thank the Lord Advocate for that answer but, of course, families are not always provided with regular updates or timescales. Does she agree that waiting for more than seven months for a post-mortem report is completely unacceptable? If so, how many families in Scotland have waited for seven months or more? After such a time, is it appropriate to tell a family that it is a matter that

“we are currently considering and on which we hope to reach a decision shortly”?

**The Lord Advocate:** If Mr Gibson has a particular case and circumstances that he wishes to bring to my attention for me to comment on, I am more than happy to do so. I invite him to contact my office and request a meeting with me individually. I would be pleased to meet him.

The factors that might cause a delay to a cause of death being established very much depend on the circumstances surrounding the death. The pathologist who has conducted a post-mortem examination might require a number of further investigations to be completed, including further toxicological analysis and input from, for example, other experts in the fields of neuropathology or histopathology. The findings of all those inquiries must then be carefully considered before a cause of death can be confirmed.

In a small number of cases in which further investigations cannot be progressed in Scotland, specialist facilities elsewhere might require to be approached to assist, and that might result in a delay in the final cause of death being established.

**Russell Findlay (West Scotland) (Con):** An HM Inspectorate of Prosecution in Scotland report is highly critical of pathology services in Scotland, while the chair of the deaths in prison custody action group says that only the Crown Office thinks that the fatal accident inquiry system is effective. Many families have told me that they have no faith in how the deaths of loved ones are investigated, yet the Scottish National Party Government is complacent. Will the Lord Advocate therefore consider families' calls to transfer these vital functions to a new body that is transparent, accountable and independent of the Crown Office?

**The Lord Advocate:** Mr Findlay's question relates to fatal accident inquiries, and that issue is distinct from the one that I am being asked to respond to today. However, Mr Findlay also raised issues about the quality of the pathology service in Scotland. I can respond to that by explaining that the Crown Office and Procurator Fiscal Service is the client and the recipient of forensic pathology services in Scotland, which allows procurators

fiscal to discharge their death investigation duties on behalf of the Lord Advocate. The Crown Office and Procurator Fiscal Service would support any improvements to the death investigation process that would minimise the distress caused to families without affecting the thoroughness of the investigation, including the confirmation of a cause of death.

**The Deputy Presiding Officer:** I am aware that there is an issue with microphones, including mine and those on the front benches. Broadcasting staff are looking at the issue. It is not affecting broadcasting, but it is clearly not helping the audio in the chamber. The issue is being investigated and I propose to continue for the time being.

**Foyso Choudhury (Lothian) (Lab):** Post-mortem scanners, which have been trialled in Lancashire, have been reported to decrease the time that is taken to receive post-mortem results and, in certain cases, to remove the need for an invasive post-mortem and the removal of organs. What discussion has the Scottish Government had with the Crown Office and Procurator Fiscal Service regarding the potential time-saving qualities of post-mortem scanners in Scotland?

**The Lord Advocate:** I am not in a position to respond to the specific issue that has been raised, but significant efforts have been made by the Crown Office and Procurator Fiscal Service, the Scottish Police Authority and pathologists to reduce the time that is taken to provide final reports to families and to consider wider improvements to the way in which pathology services are delivered. The Crown Office regularly meets the current pathology providers to discuss and seek to resolve any on-going issues and to identify any improvements to the quality of the service that can be provided for nearest relatives.

The Crown Office has a series of contracts and service level agreements with universities, local authorities and national health service pathology, mortuary and toxicology services across Scotland. The current pathology contract extensions are, in the main, in place until the end of March 2024. Work is on-going with all pathology providers on a service redesign to streamline the nature and number of contracts to ensure resilience and efficiency through negotiation and service co-design.

The need for improvement has been identified, and I can provide further information on the specific issue relating to scanners after today in—

**The Deputy Presiding Officer:** Thank you.

Question 4 has been withdrawn. Question 5 was not lodged. I call Ivan McKee to ask question 6.

### **Prison Inmates (Vocational Skills Provision)**

**6. Ivan McKee (Glasgow Provan) (SNP):** To ask the Scottish Government what work it is doing with the Scottish Prison Service to provide inmates, including those on remand, with vocational skills to help them secure employment when they leave prison and address any skills shortages. (S6O-02843)

**The Cabinet Secretary for Justice and Home Affairs (Angela Constance):** The Scottish Prison Service provides a range of vocational skills and qualifications that support personal development and help with securing employment on release for individuals in custody. In addition, contracted service providers, including third sector and statutory partners, support people in areas such as CV writing and interview skills.

Through working with stakeholders, the Prison Service is also seeking to understand the skills gaps that are faced by various employment markets currently. By gaining an understanding of the needs of those areas, the SPS is seeking to address those shortages by establishing working relationships between employers and prisons across Scotland.

**Ivan McKee:** I thank the cabinet secretary for that answer. I am sure that she will agree that, as Scotland's economy and businesses continue to suffer from skills shortages, we should take every opportunity to meet that need and provide support to individuals in the criminal justice system in order to reduce reoffending. Companies and organisations that I speak to, including Amey and the Construction Industry Training Board, are keen to provide support in that regard. Therefore, what is the Scottish Government doing, working with the SPS, to enable businesses to provide training that leads to employment opportunities to suitable inmates in advance of their release?

**Angela Constance:** The Scottish Prison Service regularly engages with national and local organisations to provide opportunities for skills enhancement. Examples of that include Robertson Construction at HMP Perth, which enables engagement and a bespoke training package that focuses on the skills that are required in the construction industry. Today, Greene King has launched a training kitchen at HMP Grampian, which provides bespoke training packages involving working in an industrial kitchen, leading to interview and potential employment on release.

The SPS also hosts national events for local organisations and employers that are open to employing people with convictions. The most recent event, which was held at HMP Low Moss, focused on the hospitality sector.

**Pauline McNeill (Glasgow) (Lab):** At Polmont young offenders institution, education participation

is a vital aspect of being in prison. A recent inspection report said that there is not sufficient participation among young offenders because they are spending too long in their cells. Can the cabinet secretary assure me that whatever education and training is offered is relevant? Is she satisfied that enough young people are participating in education and training at Polmont young offenders institution?

**Angela Constance:** I will write to Ms McNeill with further details. As you would expect, I have looked at the inspectors' report closely. I know that Ms McNeill is aware of the value of purposeful activity. There are some issues around the fact that certain offence behaviour programmes are not appropriate until someone has been convicted, and the prison rules are a little bit different for remand and sentenced prisoners. Nonetheless, the point that Ms McNeill makes about the importance of purposeful and, in particular, educational activity is well made.

**Paul Sweeney (Glasgow) (Lab):** The Dick Stewart Service is a tremendous organisation in Dennistoun that provides a halfway place between prison and general society for men who are due to be released from prisons across the central belt. It is a key tool in stopping the reoffending cycle. Similarly, Turning Point Scotland 218 on Bath Street in Glasgow provides an equally essential service that supports female offenders with complex needs. However, funding cuts mean that both of those services are now likely to be closed. Surely the minister agrees that that is a false economy. What is she doing to help to sustain those services?

**Angela Constance:** I am well acquainted with both of the services that Mr Sweeney refers to, and I stress that any cuts are certainly not my cuts. Decisions about the provision and commissioning of individual community justice services are taken at a local level. I reassure Mr Sweeney that this Government continues to invest £134 million in community justice services. That money is ring fenced, as is the £123 million for local authorities. I also state that I have not asked any local authority to reduce any specific funding within that.

### **Pyrotechnics in Football Stadia**

**7. James Dornan (Glasgow Cathcart) (SNP):** To ask the Scottish Government what discussions it has had with the Scottish Football Association and the Scottish Professional Football League regarding the recent upsurge in the use of pyrotechnics within football stadia. (S6O-02844)

**The Minister for Victims and Community Safety (Siobhian Brown):** The Scottish Government has been engaging regularly with the SFA and the SPFL for some time about our

shared concerns over the misuse of pyrotechnics in football. Most recently, I met the SPFL, the SFA and the Football Safety Officers' Association Scotland last week, on 30 November, and we agreed on the need for a multi-agency approach to tackling the issue. I look forward to working with football and other key partners to develop the approach in the coming weeks.

**James Dornan:** I thank the minister for that positive response, but is it not the truth that, to date, neither the football authorities nor the police—nor the clubs themselves—have been willing to take the required action to combat the illegal use of these extremely dangerous fireworks? Given the unwillingness to take strong action and the lack of political will within football for the—in my view—long-overdue introduction of some kind of strict liability, will the Scottish Government commit to taking seriously the introduction of a Minister for Football, such as has been introduced for English football by the Westminster Government, to tackle the issue of pyros and the many other antisocial and illegal behaviours regularly seen at Scottish football clubs?

**Siobhian Brown:** Our preferred solution has always been that the football authorities themselves be proactively involved in delivering a robust and lasting solution to tackle any unacceptable conduct by a minority of people. As I said, from my recent discussions with those involved, I know that there is a collective will to tackle it. As I have indicated, we will be taking forward a multi-agency approach to tackling the issue, and I look forward to working with our partners on it. I know that Police Scotland will continue to engage with the SFA and the SPFL with regard to the new fireworks legislation and on-going issues at individual fixtures.

### County Lines (Prevention)

**8. Audrey Nicoll (Aberdeen South and North Kincardine) (SNP):** To ask the Scottish Government how it is working with Police Scotland and criminal justice stakeholders to prevent criminal gangs from using so-called county lines for illegal business activities. (S6O-02845)

**The Cabinet Secretary for Justice and Home Affairs (Angela Constance):** County lines, and the exploitation of the children and vulnerable adults involved, are a significant concern for the Scottish Government. Partners on the serious organised crime task force, which I chair, continue to use every means at their disposal to disrupt serious organised crime, including county lines activity and to raise awareness of the serious harm that it causes to individuals, including young people, and our communities.

The serious organised crime task force progress report, which was published last week, details some of the work that is on-going, including projects such as the action for children early intervention service and the county lines intensification week that was undertaken by Police Scotland.

**Audrey Nicoll:** According to the Scottish crime campus 2022 multi-agency strategic threat assessment, the north of Scotland is disproportionately impacted by county lines, with three quarters of county lines active across Aberdeen city, Aberdeenshire and Moray. During a recent national county lines intensification week, officers safeguarded 17 vulnerable young people and engaged with 650 others.

Will the cabinet secretary outline what action the Scottish Government is taking to ensure that a whole-system, multi-agency approach is being taken to identify and safeguard vulnerable young people from further exploitation, particularly in the north-east, where county lines activity is particularly prevalent?

**Angela Constance:** The safety of our young people who are being exploited by organised crime is, of course, paramount. Child protection procedures must be activated immediately where there are concerns. We published guidance for practitioners on behalf of the serious organised crime task force earlier this year. The guidance helps practitioners to identify those who are at risk from being exploited by serious organised crime groups, including those who are at risk of involvement in county lines or cuckooing, and in relation to what they should do to keep young people safe.

Police Scotland in the north-east has instigated operation Protector to address issues that are associated with serious organised crime, including exploitation and county lines. We have also provided funding through the small community grant scheme to the drug harm charity Daniel Spargo-Mabbs Foundation to deliver inputs and interactive theatre activity to discuss drug harms with pupils at nine secondary schools across Aberdeen city, Aberdeenshire and Moray. There have been 150 participants to date.

**The Deputy Presiding Officer:** That concludes portfolio questions on justice and home affairs. I thank members for their patience and perseverance given the earlier problems with the microphones.

There will be a brief pause before we move to the next item of business, to allow the front benchers to change.

## Fiscal Framework Review

**The Deputy Presiding Officer (Annabelle Ewing):** The next item of business is a debate on motion S6M-11546, in the name of Shona Robison, on the fiscal framework review. I ask members who wish to speak in the debate to press their request-to-speak button.

14:50

**The Deputy First Minister and Cabinet Secretary for Finance (Shona Robison):** I am pleased to open the debate on the revised fiscal framework agreement.

On 2 August, following a joint review, the Scottish Government and the United Kingdom Government published an updated version of the Scottish fiscal framework, thereby fulfilling a key commitment in the First Minister's policy prospectus. The Government believes that Scotland's future lies as an independent country and that it would be best served by the full range of fiscal powers and choices that independence would bring. However, until such a time as the people of Scotland choose a different constitutional path, we are committed to working with the current framework and working to improve on it.

The changes agreed with the UK Government are balanced and pragmatic. The new agreement strengthens the Scottish Government's financial management levers and provides the Scottish Parliament and Government with greater long-term funding certainty. However, we need to be clear that, despite improvements to the framework, the fiscal position facing the Scottish budget remains extremely difficult.

The situation is, of course, made worse by decisions that were imposed by the UK Government in last month's autumn statement. Once again, the UK Government has chosen to pursue an austerity budget that will have a profound consequence for Scotland's public services. As the Institute for Fiscal Studies said of the autumn statement,

"the tax cuts are paid for by planned real cuts in public service spending."

Even with the fiscal framework in place, levels of funding for the Scottish budget remain closely tied to spending decisions by the UK Government. Decisions to starve services in England hit our budget in Scotland, as the UK Government's failure to invest in services in England means that the devolved Administrations in Scotland, Wales and Northern Ireland do not receive adequate consequentials.

A cursory look at the UK Government's autumn statement for 2024-25 shows the devastating impact of Tory austerity being forced on services. Even using lower estimates of inflation, UK front-line resource budgets are being cut in real terms. For example, if planned UK day-to-day expenditure on services for 2024-25 had grown in real terms since 2022-23, health and social care spending would be more than £8 billion higher compared with Conservative plans for England.

The UK Government's approach means that it has provided almost no funding to cover the cost of this year's pay deal in 2023-24, never mind the cost of a 2024-25 pay deal. The lack of provision for the cost of national health service pay deals amounts to treating pay increases as though they were one-off costs, which they are not.

Prior to tax and welfare block grant adjustments, Scotland's resource budget from the UK Government in 2024-25 will be more than £700 million lower than if funding had been in line with real terms over the two years. Changes to the fiscal framework cannot compensate for the scale of the UK Government's failure to invest in public services at this time.

To return to the fiscal framework review, I make it clear that, although the revised agreement has delivered important improvements, the Scottish Government's preference would have been for a review that was broader in scope. I also make it clear that, in some places, the agreement does not go as far as we would have wished. The scope of the review and its outcome were, of course, subject to agreement with the UK Government.

I also want to address the timing of the agreement. Throughout discussions with the UK Government on arrangements for the review, my predecessors and I have sought to balance the need to keep the Parliament informed with the need to maintain a confidential space for negotiations. In weighing whether to conclude an agreement during recess, I had to consider the benefits of securing improved borrowing powers in advance of the 2024-25 budget and the fact that we are negotiating with a UK Government that will probably go into election mode soon. Considering those circumstances, I concluded that it was appropriate and prudent to agree the revised agreement when the opportunity arose.

The Scottish fiscal framework plays a central role in determining the funding for the Scottish budget, and it has been key to enabling the devolution of the new tax and social security powers that were provided for in the Scotland Act 2016. The original fiscal framework, which was agreed in 2016, was the product of negotiations between the Scottish and UK Governments. Those negotiations were guided by the principles and recommendations that were articulated by the

cross-party Smith commission, which published its findings in 2014. That remains the case for the revised agreement. The Barnett formula continues as the basis for calculating the block grant, and the framework continues to be bounded by the principles that were outlined by the Smith commission, including economic responsibility, sustainability and no detriment as a result of devolution.

Since 2016, the Scottish Government has used the tax and social security powers underpinned by the framework to pursue policies that are better tailored to Scotland's needs. For example, the Scottish Government has delivered the fairest and most progressive income tax system in the UK, while raising extra revenue to invest in public services and Scotland's economy. With devolved social security powers, the Scottish Government has ensured additional support for the most vulnerable in our society.

**Liz Smith (Mid Scotland and Fife) (Con):** In light of the point that the cabinet secretary has just made, does she believe that there is a case for looking again at the principles of the Smith commission considering the time that has elapsed since, or does she think that they are the correct principles to underpin future fiscal frameworks?

**Shona Robison:** I am open to having that discussion. When Liz Smith made that point at committee, I said that a lot of time has elapsed and a lot of changes have been made. Under the current constitutional arrangements, further changes would need to be agreed on a cross-party basis, but we should have the discussion.

Since the unanimous passing of the Social Security (Scotland) Act 2018, we have introduced 13 benefits, seven of which are brand new and available only in Scotland. This year, we will invest £405 million in the Scottish child payment, improving the lives of more than 300,000 children across Scotland. As a result of the Scottish child payment and Scottish Government policies, 90,000 fewer children will live in relative and absolute poverty this year.

However, it is also the case that the fiscal framework has been stress-tested since 2016. The agreement preceded the European Union referendum and the subsequent chaos and uncertainty that accompanied the UK Government's hard Brexit. We have also seen extraordinary fiscal upheaval as a result of the pandemic, the on-going cost of living crisis and the UK Government's economic mismanagement.

Given that political and fiscal upheaval, the review provided us with an opportunity to take stock and consider elements of the fiscal framework that required change. The centrepiece of the agreement in 2016 was the block grant

adjustment arrangements that account for the devolution of new tax powers and social expenditure to Scotland. Under those arrangements, a total of £16.1 billion was deducted from the Scottish block grant in the 2023-24 budget to reflect the devolution of various tax powers and the corresponding revenues that are now retained by the Scottish Government. Similarly, £4.4 billion was added to the block grant for 2023-24 to reflect the transfer of responsibility for a suite of social security benefits to the Scottish Parliament. The methodology that is used to calculate the block grant adjustments therefore has a material impact on the funding that is available for the Scottish budget. Securing the indexed per capita block grant adjustment methodology on a permanent basis is a significant win for Scotland.

The Scottish Government pressed hard for the indexed per capita methodology as part of the original fiscal framework. The 2016 fiscal framework said that the indexed per capita methodology would apply on an interim basis, with a permanent arrangement to be reviewed and agreed at a later date. Now that that review has been completed, the agreement to apply the indexed per capita methodology on a permanent basis is a positive step, because it removes uncertainty and protects the Scottish budget from the impact of slower population growth in Scotland, which has been the historic trend for the past 50 years.

An independent report that was jointly commissioned by the Scottish and UK Governments ahead of the fiscal framework review estimated that the on-going use of the indexed per capita methodology for calculating income tax block grant adjustments alone could be worth around £500 million a year by 2026-27 when compared with other methodologies that were considered, such as the Treasury's preferred comparable model. In my view, it is right to protect the Scottish budget in that way. The Scottish budget should not be penalised for lower population growth, which, of course, is outwith Scotland's control, because we do not have the key levers over issues such as migration or the other levers that would be required.

The agreement also provides a substantial increase in the resource borrowing powers that the Scottish Government has to enable it to manage funding volatility associated with the operation of the framework. Specifically, it increases the Scottish Government's ability to borrow to address tax and social security forecast errors, with borrowing capacity being doubled from £300 million to £600 million per year. Such forecast errors are a normal part of the way in which the fiscal framework operates, but that change will greatly improve the Scottish Government's ability

to manage and smooth funding volatility that is driven by forecast error. In turn, that will provide a more stable and predictable funding environment for the Scottish budget and the programmes and services that it supports.

Those new borrowing powers will take effect from 2024-25. I will set out how we intend to use the new powers in the forthcoming budget but, in principle, they would allow us to borrow in full to cover next year's income tax and other reconciliations, which amount to £338 million. In effect, the ability to borrow in full spreads the impact of the tax reconciliations across multiple years rather than requiring that cost to be absorbed in a single budget.

Another important development involves changes to the operation of the Scotland reserve. Alongside borrowing powers, the Scotland reserve provides the Scottish Government with flexibility to manage its funding position across financial years and to respond to unforeseen circumstances. However, the Scottish Government's ability to draw funds from the reserve was previously constrained. The amount that it could draw down was limited to a maximum of £100 million for capital and £250 million for resource funding. That amounts to around 1.5 per cent of the total Scottish capital budget in 2023-24 and 0.5 per cent of the resource budget.

I am pleased to report that those drawdown limits will be removed altogether as a result of the new agreement, which will significantly increase reserve flexibility and the Scottish Government's ability to manage funding across financial years. As members would expect, specific decisions on the use and application of those bolstered powers will be outlined as part of the Scottish budget.

More broadly, we have also agreed that, in the future, all borrowing and reserve limits will grow with inflation each year. Previously, annual and cumulative limits for borrowing and reserve limits had been set in nominal terms, which meant that their power and effectiveness were eroded by inflation over time. Securing uprating ensures that the powers will continue to be viable and sustainable, and that limits will be protected in real terms.

In keeping with that approach and recognising how circumstances have changed since the fiscal framework was introduced in 2016, we have agreed to increase the baseline adjustment to the block grant that accompanied the devolution of responsibility for managing Crown Estate assets. That adjustment will increase in increments, and, when it reaches £40 million, in 2028-29, it will remain fixed in nominal terms.

To avoid any further delays in the Scottish and UK Governments concluding the revised

agreement, it was jointly decided that arrangements for implementing VAT assignment would be further considered at a future meeting of the joint Exchequer committee. I very much appreciate the work that the Finance and Public Administration Committee has put into looking at that matter.

Viewed in the round, the agreement protects funding for the Scottish budget, updates the framework to reflect changes that have occurred since 2016, provides greater certainty on future funding and equips the Scottish Government with a set of strengthened fiscal levers.

However, as I said, although the revised fiscal framework agreement represents good progress and puts in place arrangements that better reflect the scale and complexity of the Scottish budget, the changes are not of the scale that is required to offset the broader fiscal challenge. In the autumn statement, the Chancellor of the Exchequer failed to provide the funding that devolved Governments need, and little consideration was given to Scotland and the specific challenges that we face, dealing with which will be very challenging indeed. I will set out the consequences of that in the budget on 19 December.

I move,

That the Parliament recognises the limited improvements to the Scottish Fiscal Framework, following a joint review with the UK Government; welcomes the outcome of the review, which provides an increase in the Scottish Government's borrowing and reserve capacity, and also confirms the Indexed Per Capita methodology as the permanent basis for calculating Block Grant Adjustments for devolved tax and security spend; notes that, while the limited progress is welcome, the Framework cannot protect Scotland from the UK Government's austerity-driven budget decisions; understands that the Autumn Statement saw real-terms cuts to frontline spending in NHS England and on justice, and that these cuts have impacts on the finances that are consequently available to Scotland; calls for the UK Government spending plans for 2024-25 to be urgently revisited to invest in services and provide the funding necessary to meet the costs of public sector pay deals, not least in the NHS, and believes that the Scottish Parliament should have all the fiscal levers to prevent Scotland being subject to the austerity policies that harm efforts to reduce poverty, develop a growing wellbeing economy, tackle climate change and invest in public services.

15:04

**Liz Smith (Mid Scotland and Fife) (Con):**

Before I speak to our amendment, I apologise on behalf of my colleague Murdo Fraser, who is indisposed this afternoon, having fallen on the ice this morning. I understand that that is the case for other colleagues across the chamber. I extend the apology and wish them well in their recovery. I am afraid that members will have to listen to me twice today, as I will step in to perform the role of summing up.

Mention the fiscal framework and you can pretty much guarantee that a glazed look will come across the face of colleagues and journalists alike, such is its intense complexity and technical nature, but it matters hugely for the reasons that the cabinet secretary has set out. That is not just because of its importance to Scotland's available finances but because of the need for Westminster and Holyrood to work together to get the best deal for Scotland. I believe that that is exactly what the public want and what they deserve.

We can see, yet again, from the Government's motion and from what the cabinet secretary said in her speech that the Government does not really like the fiscal framework. It wishes that it was not necessary, because it would prefer different constitutional arrangements from the rest of us. However, both John Swinney in 2016 and Shona Robison in 2023 have rightly accepted that, under the current constitutional arrangements, they have a duty—and it is a duty—to ensure that Scotland gets the best deal. It is vitally important that both Governments do everything that they can to protect Scottish finance, particularly in these tough economic times.

The new framework, which was signed on 2 August, will do exactly that in a way that is better than the way that the 2016 model operated. Despite the fact that most economists believed that the latter served Scotland pretty well, it was clearly out of date, particularly as a result of inflationary pressures. The new model is better because it is gross domestic product deflator protected, it has provided greater flexibility to the Scottish Government on existing borrowing power, and it has taken into account the damaging consequences of exogenous shocks to the system. Those are all changes that the Scottish Government was rightly calling for, and it is good to see that they have been made.

**John Swinney (Perthshire North) (SNP):** Could Liz Smith develop the argument about whether the revised fiscal framework adequately provides for the scale of financial shocks that we are experiencing? The finance secretary is having to wrestle with significant levels of inflation that we have not experienced for about 45 or 50 years. The crucial lack of response in the autumn statement demonstrates that, although the fiscal framework can provide all the rules that it wants, if the underlying financial position, as demonstrated by the autumn statement, is not sufficient to support public expenditure, public services in Scotland will feel the pressure as a consequence of Westminster decision making.

**Liz Smith:** Mr Swinney is making a constitutional point, and we disagree on these constitutional arrangements. The question of exogenous shocks relates not just to the current

economic circumstances but to the conditions of the Covid pandemic, which other countries have suffered on exactly the same basis as us. We will have our constitutional debates, but I do not think that they should take place in this particular debate. There is a case to be made that it should have been a committee debate, because it is about the fiscal framework, which Mr Swinney signed in 2016 and now his colleague has signed in 2023. Those are important aspects of how we try to ensure, under the current constitutional arrangements, that we move forward together.

**John Swinney:** I am not making a constitutional point. I am making a point about the substance of the autumn statement, because that fuels, in general, the size of the public finances that are available to the Scottish Government to deploy. The point that I am making is that the failure of the Conservative Government to take adequate account in the autumn statement of the enormous effects of inflation will have a profound and unavoidable effect on the pressures on public finances and public services in Scotland. That has nothing to do with the constitution; that is about the existing arrangements just now, which are a result of the policy choices of the Conservative Government.

**Liz Smith:** Mr Swinney made exactly those points when he was finance secretary. He is not just talking about the current autumn statement. Mr Swinney would have been making those points about previous budgets. It is a constitutional point, because he fundamentally disagrees with the arrangements about how Scotland receives its money. That is the constitutional difference. It is not just this autumn statement that he has objected to, but previous ones, and he has made his point very strongly in the chamber.

The Deputy First Minister was right when she said that any fiscal framework requires serious negotiation and an understanding from both Governments that compromise will be necessary, and that is very much what we got. I am sure that local government would like that same process of mutual engagement and understanding when it comes to the Verity house agreement, which took such a knock two months ago when the council tax freeze was announced without any consultation. That point is very well made by the Liberal Democrat amendment.

The debate about the principles of the Smith commission, particularly when it comes to the no-detriments clause, matters. It is a very technical argument, but it matters. I am glad that the Deputy First Minister thinks that that might be worthy of debate, because it is very difficult, as was evidenced by the independent report by David Eiser, David Phillips and David Bell, who made it very clear that, although all those principles have

very good intentions, it is exceptionally difficult, if not impossible, to ensure that they are all followed at the same time. Given the time that has elapsed, should we think about whether we have to update the Smith commission? I think that the Finance and Public Administration Committee is interested in that.

**Stuart McMillan (Greenock and Inverclyde) (SNP):** Is Liz Smith suggesting that paragraph 18 of the Smith commission report should also be up for review?

**Liz Smith:** No. I am talking very specifically about the four principles. The difficulty, which has been identified by independent analysis—not by politicians—is whether it is possible to go along with all those four principles at the same time, and the Finance and Public Administration Committee has to review that.

That raises the issue, which the cabinet secretary referred to, of the block grant adjustment methodology, because that matters, too. If we get a glazed look when we mention the fiscal framework, we get a sense of unintelligibility when it comes to talking about BGAs, but they also matter. That is the dilemma at the heart of any fiscal framework negotiation. How do you measure the change in equivalent UK spending and revenues in terms of adjustments that need to be made for different fiscal and demographic structures in Scotland?

Do I have nine minutes, Presiding Officer?

**The Deputy Presiding Officer:** Yes. I can perhaps give you another minute and a half, in the light of the generosity in your taking of interventions, but no longer than that.

**Liz Smith:** We owe the officials in the Scottish and UK Governments our praise and congratulations for the way that they went about the renegotiation. They worked extraordinarily hard on what are immensely difficult technical changes. I know that the cabinet secretary commended the officials when she came to the committee, and—I give her her due—she commended her UK colleague at the time, John Glen, and I know that that was reciprocated by him.

I will come back to a few other comments in my summing up, but those are the most important points when it comes to assessing the fiscal framework. We have a big debate ahead of us on exactly how we take that forward.

I move amendment S6M-11546.4, to leave out from “notes” to end and insert:

“further welcomes the co-operation between the Scottish and UK governments in signing the 2023 fiscal framework agreement to deliver the best outcomes for the Scottish economy, and welcomes the extensive financial benefits

that accrue to Scotland on an annual basis in terms of the fiscal transfers provided by the Barnett formula.”

15:13

**Michael Marra (North East Scotland) (Lab):** I add my and Scottish Labour’s thanks to those given by Liz Smith to the officials and experts who were involved in what is a complex piece of work that has developed over a long period of time—longer than many of us might have expected.

I had hoped that this afternoon’s debate would be an opportunity for a full exploration—a substantive debate—of the structure and detail of the outcome of the fiscal framework review; what the Government sought to achieve in those negotiations and why; what compromises were reached; the upsides and the limitations; why indexed per capita was preferable to the comparable method and other options that were on the table; the timeframes for future review; and, crucially, what the Government and the Parliament might seek in future developments.

However, instead, the motion quickly dispatches co-operation and negotiation in urgent search of further division. Although concerns are certainly merited, the tone in parts of the Deputy First Minister’s blame-shifting speech is of the type that has come to typify her Administration, desperately trying to distract and deflect from its own sorry mess.

**John Mason (Glasgow Shettleston) (SNP):** Will the member give way?

**Michael Marra:** Not at the moment. I am just beginning, sir.

Nowhere is that more apparent, I am afraid to say, than in the Government’s reality-denying post-truth response to the damning programme for international student assessment—PISA—figures that were released yesterday. Scotland’s once mighty education system is continuing a 16-year trend of Scottish National Party-led decline. What was the Government’s response? It was, “Nothing to see here.” Meanwhile, a generation of Scots are being betrayed by a shambolic Government that has failed to deliver the education system that they deserve or even to preserve the system that they once had. That is utterly shameful.

If the Government is keen to discuss the real context of the fiscal framework review rather than the content of the review itself, so be it, because that context is certainly illuminating. The projected £1 billion funding gap for the upcoming budget between the Government’s spending pledges and the funds that it has available will rise to £1.9 billion by 2027-28. A large portion of that budget is determined by income tax receipts that are raised in Scotland. The utter failure of the Government to grow the Scottish economy has resulted in a

stagnant low-investment economy that the SNP has created and that is holding Scotland back. Such a performance means that our fiscal position suffers year on year. For that, the SNP must accept responsibility.

**John Swinney:** Will the member take an intervention?

**Michael Marra:** No, sir.

Faced with a budget black hole, we have a finance secretary who has embraced the Treasury on the limited borrowing powers that she describes, desperate to conclude an agreement and happy to sacrifice the long-term good for the short-term good of her party.

**John Mason:** I thank the member for giving way. Will he commit the Labour Party to renegotiating the fiscal framework if Labour wins the next election?

**Michael Marra:** We are all committed to continual development of the fiscal framework. There will be reviews in future parliamentary terms. I anticipate that the settlement will continue to evolve in future years, just as the devolution settlement has evolved significantly since 1997, with ever more powers arriving in the Scottish Parliament. We will look at the fiscal framework as those issues develop. It would be only right to do so. The Finance and Public Administration Committee has heard that that is part of the process to which we are all committed.

**John Swinney:** Will the member give way?

**Michael Marra:** No, thank you. Not on that point.

The hasty agreement that was struck by the finance secretary was, frankly, one of a Government that is rushing from one crisis to the next. The rushed process has shut down any opportunity for genuine debate or robust scrutiny on the substance of the issue.

**John Swinney:** Will the member give way on that point?

**Michael Marra:** No, thank you, sir.

Professor David Bell, who is one of the three authors of the independent report, told the Finance and Public Administration Committee on 19 September that he was surprised that the report was held back for five months before being published on the same day as the finalised fiscal framework, when a fait accompli was arrived at. That should have been a genuine opportunity for broad discussion, but it was all rushed out the door during the summer recess. The Government tried to schedule a debate on the fiscal framework review in September, before the Finance and Public Administration Committee had even had the opportunity to take evidence on the updated

agreement. This debate is scheduled for a little more than two hours, but, back in September, we had longer than that to debate the many merits of football. Our nation's finances deserve a little more time. The Parliament exists to spend more time on the matters that will impact every citizen and those who have not yet been born. Why is the Government so desperate to avoid the genuine scrutiny that Labour would like to see—deleting WhatsApp messages, forgetting meetings, refusing to reform freedom of information legislation and, even today, suing the Scottish Information Commissioner?

The Deputy First Minister told the Finance and Public Administration Committee that she did not think that there would be a public debate about the fiscal framework, because it is “quite technical”. I find that quite astonishing. Like so much in the SNP's tenure—NHS waiting lists and school attainment—this is being filed in the a-little-bit-too-difficult pile. Granted, it is not an instant vote winner such as tax freezes, free bikes and laptops, but good Government in the best interests of the people of Scotland rests on getting the “quite technical” issues right.

**Michelle Thomson (Falkirk East) (SNP):** Will the member give way on that point?

**Michael Marra:** No, thank you.

The updated fiscal framework gives Scotland more borrowing powers. In the Parliament, the SNP frequently claims that it is powerless to deal with the situation in which it finds itself. Let us be clear: the Tories have wreaked economic havoc on the country, for which we all pay the price every day in higher bills and falling living standards, but the SNP has a very strong hand in making much of the fiscal mess in which it finds itself at the moment. It has tools at its disposal to do something about it.

**Shona Robison:** Given that litany of accusations, I wonder what Michael Marra would say to his Welsh Labour Government colleagues, who are facing exactly the same challenges as we are. Would he put those accusations to them when they sit in the same room as us, making the same points as I do to the Treasury that the problems emanate from the United Kingdom Government, the lack of fiscal powers and an autumn statement that will lead to difficult decisions with regard to public services?

**Michael Marra:** I have no doubt that there are significant problems with the autumn statement, the situation that the Tory Government has left this country in, the state that it has made of our economy and the fact that it is not sufficiently funding our public services—the Labour Party and I have said that clearly. If we have the great joy of having the opportunity to serve in Government in

the years to come, Labour will have to deal with the situation that we find ourselves in. We know that there are difficult times ahead in that regard, and we know that the finance secretary has a difficult time on her hands in dealing with the budget that is in front of her. However, she also knows that the situation that this country finds itself in is because of the failure of the SNP to grow the economy, grow the median tax income and grow the tax receipts that fund our public services. That is the only way in which we can substantively deal with the situation that we face.

The actions that we are hearing about today are not those of a competent Government that is thinking strategically about how best to serve the people of Scotland. Rather, they are the actions of a Government that is in crisis, out of its depth, making it up as it goes along and caught in a maelstrom of its own scandals, gaffes and controversies. Scotland deserves far better than that.

I move amendment S6M-11546.3, to leave out from “, while” to end and insert:

“the deal was agreed to by both governments as part of the devolution settlement that has evolved significantly since 1998; regrets the lack of public scrutiny afforded by a rushed final agreement that saw the simultaneous publication of the Independent Report along with the political agreement, thereby preventing full parliamentary discussion and the input of expert bodies; believes that Scotland has been held back by the Scottish National Party administration and the UK Conservative administration, which have built a low-growth, low-wage economy and, as a result, the UK Autumn Statement was delivered in the context of a stagnating economy and the highest overall tax burden since the Second World War; notes the Scottish Fiscal Commission’s modelling of a £1.9 billion revenue gap by 2027-28 between the Scottish Government’s committed spending and projected available revenues; further notes that this analysis was undertaken prior to the First Minister’s further sizeable spending commitments made at the Scottish National Party conference in October 2023, and calls on both of Scotland’s governments to prioritise economic growth, to put wages into the pockets of hard-pressed people in Scotland, and to generate the taxes to pay for vital public services, which are currently undermined by the financial and economic incompetence of ministers in Edinburgh and London.”

15:21

**Alex Cole-Hamilton (Edinburgh Western) (LD):** I am pleased to speak on behalf of the Liberal Democrats.

The fiscal framework is, of course, key to the pooling and sharing of resources across our islands and ensures that Scotland benefits from the decisions that we make while being protected by a framework of support from the UK Government in the good times and at times of national crisis.

What we are talking about today is a situation in which there is more flexibility than ever and more

power than ever, but—as we have already heard—that will not stop the SNP blaming Westminster more than ever. Listening to ministers, one would not know that we have seen income tax being devolved and that the way has been opened to a £4 billion social security system, and one would not know any of the other positive changes that make the fiscal framework a necessity.

I am glad that agreement could be reached on changes including increasing resource and capital borrowing capacity, but Scotland deserves two Governments that have a genuine interest in working together to make devolution work as it should and as it could. Resolving differences maturely should be the norm—not a rarity. There should be a shared interest in devolution being a success. Of course, there is little spirit of co-operation and partnership on show in either the SNP or Conservative contributions to the debate. The Scottish Government would rather debate powers that it does not have than make best use of the powers that we already have.

Do not get me wrong: I am happy to agree with the Deputy First Minister that there was little that was worth welcoming in the UK Government’s autumn statement, which saw NHS budgets being squeezed and a giveaway to big banks that will cost the Treasury billions of pounds by prioritising big banks’ profits over making working families better off. I sincerely hope that it will be the Conservatives’ very last autumn statement.

However, there is no escaping the fact that the SNP Government has been writing cheques that people simply cannot cash. It has had its fingers in its ears and has been taking them out only to point them at Westminster.

Let us take, for example, devolution of social security, which is a crucial component of the reasons why we need a fiscal framework. We have seen the latest independence paper, which was published just today. What is not in it is mention of the agency agreement that Scottish ministers have with the Department for Work and Pensions. Powers that we all agreed in 2014 should be devolved are still not available to be used, because Scottish ministers are still not ready to receive them and are asking the DWP to run the system for them.

I know that ministers will say that some benefits have already been devolved—that is certainly true—but look at what is happening in that regard. We have seen reports that, under Social Security Scotland, waiting times for decisions on adult disability payments are, in some cases, in the region of four to seven months. Compare that with their taking two or three months under the DWP in London. Applicants have spoken about waiting on the phone for three hours or more before giving

up. They were promised a better system—a system that would be steeped in dignity, which is what we all rallied behind.

Members should remember that the SNP wants us to believe that it could set up an independent Scotland's welfare system in its totality—pensions and all—in just 18 months, although it has taken more than a year to devolve 11 simple benefits. People were promised a better system in 2014—it is just not good enough. This Government would rather debate powers than make best use of the ones that we already have.

Behind the lazy cry for the break-up of the United Kingdom in the Scottish Government's motion, members will find years of warnings from experts who went unheeded.

For example, at least as far back as 2018, the Auditor General was warning that the NHS was not in a financially sustainable position. Scottish health boards are now forecasting a deficit of £395 million this year. The problems have been allowed to stack up, and people will be worried that the dire outlook will mean cuts to services and even longer waits for patients who are in pain.

I remember the words of Professor Paul Gray, the chief executive of NHS Scotland for six years under Nicola Sturgeon. He said:

“The current system was going to be overwhelmed regardless of Covid. The virus ... simply brought the date of that event forward.”

In 2011, the Christie commission warned about the need to increase preventative spending in order to stop demand swamping public service capacity. However, cuts to mental health and drugs budgets have flown in the face of that reform agenda. The Scottish Government would rather debate powers than make the best use of ones that we already have.

The amendment in my name speaks to Scottish councils' ever more precarious position. Council leaders have just warned that local authorities are at risk of bankruptcy and that essential services, in their words, “will cease”. It will be game over. Councils need a fiscal framework that respects and recognises the important work that they do, the freedoms that they need in order to innovate, and their need for a fair share of Scottish Government resources. However, in recent months, in the shape of the Verity house agreement, the Scottish Government drove a coach and horses through the fiscal framework.

When councils are squeezed until the pips squeak, education gets squeezed until the pips squeak, as well. We do not need to look far beyond yesterday's programme for international student assessment—PISA—figures, which Michael Marra rightly referred to as an insight into

the impact of the Scottish Government's cuts. I will speak more about that in my closing remarks.

I move amendment S6M-11546.2, to leave out from first “limited” to end and insert:

“improvements to the Scottish Fiscal Framework, following a joint review with the UK Government, and welcomes the outcome, which will protect and enhance devolved powers, providing more flexibility and choice than ever before, continuing to build on the cross-party agreement reached at the Smith Commission in 2014, but condemns the Scottish Government's repeated failure to treat local authorities fairly in setting the Scottish Budget or to establish a new fiscal framework that ensures that local authorities get a fair share of resources, harming their efforts to reduce poverty, grow local economies, tackle the climate emergency and invest in essential public services, including schools.”

**The Deputy Presiding Officer:** I call Ash Regan to speak to and to move amendment S6M-11546.1, for up to six minutes.

15:27

**Ash Regan (Edinburgh Eastern) (Alba):** As we have been discussing, the fiscal framework is complicated, but I believe that it is deliberately so. It is the formula for determining Scotland's funding as part of the UK, via the block grant and Barnett formula, minus abatements or deductions.

Scotland is rewarded if we grow our economy faster than the UK's and is punished if we do not. However, no region of the UK—other than London and the south-east—ever ends up with higher gross domestic product rises than the UK average. The additional no-detriment clause, which we have been discussing this afternoon, was added to the Smith commission report. That was meant to recognise the fact that, for the most part, Scotland's economic performance has a lot more to do with reserved UK economic policy than it does with anything that we do at Holyrood.

Recently, during the pandemic, we witnessed at first hand why we need full fiscal autonomy. Much of the financial support that the Scottish Government could provide to back up public health policy could be delivered only if the UK Government decided that those were also the priorities in England.

In my opinion, the no-detriment provisions do not deliver for Scotland as they might. Rather than the Smith commission delivering greater fiscal control and responsibility for Scotland, it has, unfortunately, left us in the position of having greater accountability but, crucially, without the fiscal levers to back it up. Greater responsibility without power is never a good position to be in.

In recent years, the Scottish Government has chosen to increase tax slightly. That should mean more money being raised to invest in better public services, which I think we would all welcome—I

am sure that the Scottish public would welcome it very much. However, that is not what happened. The Scottish Parliament information centre reports that the Scottish public paid £900 million in higher tax over a three-year period, but the Scottish budget rose by only £170 million over that same period. Therefore, £730 million was lost because of the fiscal settlement. That would be enough to raise the Scottish child payment to £40 a week several times over.

Scotland is in the unfortunate position of raising tax in order to fill a black hole in the block grant that was created by the fiscal framework.

**Michael Marra:** Will Ash Regan tell us whether, when she was a minister in the Government, she expressed to her colleagues any scepticism about whether those tax positions were the right approach to take, given the consequences?

**Ash Regan:** Michael Marra might not remember this, but I was in the justice department. I certainly did have conversations with colleagues, particularly about funding settlements for justice, but I was not responsible for broader financial decisions.

My opinion is that there was not a good deal for Scotland, and the new fiscal framework is worse still. I believe that it is a trap—an economic trap and a political trap—that the Scottish Government has acceded to, either knowingly or unknowingly. The fiscal framework is a means of forcing the Scottish Government to pursue a low-tax, small-state approach to government. That is against the values of the Scottish Government and, of course, of the majority of Scots who elected that Government. The new framework also has built into it the real danger of relative economic decline.

Separating economic impacts that come from UK policy from those that are from policy that is created in this Parliament is now an almost impossible task, which was alluded to earlier in the debate. However, the new deal seems to be an acceptance that it is just too difficult. As a result, Scotland just accepts that it will be responsible for both. Disastrous economic choices that are made in London are heaping misery on a Scotland that is running just to stand still against factors such as soaring inflation and Brexit carnage.

Dr Jim Cuthbert, formerly of the Scottish Office, explains that it is nigh on impossible for the Scottish Government to develop a successful fiscal policy under the arrangement. Therefore, it is very easy to see why the Conservatives are happy with the settlement. I do not think that they should be, by the way, because it harms their constituents as much as it harms my constituents.

However, it is less easy to understand why the Scottish Government has agreed to the settlement. Is it really in the best interests of

Scotland, or is it, in fact, damaging? One reason why I believe that it is damaging is that it is forcing Scotland into sub-optimal decisions on capital spending. For example, the poor-value public-private partnership is a model of financing public sector infrastructure that the UK Government has now moved away from, because it can; however, Scotland cannot, because our choices are very limited.

**Liz Smith:** Will the member take an intervention?

**Ash Regan:** I am concluding now, I am afraid.

It is clear that devolution can deliver to us only so much and that the powers of independence will enable Scotland to create a thriving economy, a wealthier nation and higher living standards for all of us.

I move amendment S6M-11546.1, to leave out from “believes” to end and insert:

“notes that although VAT assignment was recommended by the Smith Commission, several years later, half of VAT raised in Scotland that was to be assigned to the Scottish Budget is still not included in the updated fiscal framework, and believes that only with the full powers of independence will the Scottish Parliament have all the fiscal levers required to reduce poverty, grow the economy, tackle climate change by investing in the future of carbon capture technology in the North Sea, and invest in public services.”

**The Deputy Presiding Officer:** I call Kenneth Gibson to speak on behalf of the Finance and Public Administration Committee.

15:33

**Kenneth Gibson (Cunninghame North) (SNP):** I welcome the opportunity to speak in this debate on behalf of the Finance and Public Administration Committee. I will focus on the fiscal framework review, which has been an area of interest to the committee since the start of session 6.

We provided a consultation response to the independent report authors, and we expected to be given an opportunity to contribute to the review, as originally agreed by the UK and Scottish Governments in 2021. As we now know, the review was much narrower in scope when the outcome was unexpectedly announced in August 2023. The speed with which the review was agreed came as a surprise to both the committee and the stakeholders from whom we took evidence last month. As the Deputy First Minister has explained, a narrow window of opportunity emerged for the review and the UK Government did not favour widening its scope. In addition, the possibility of an imminent change of Treasury minister meant that the Scottish Government had to grab the opportunity to secure what

improvements it could to the existing fiscal framework.

Unfortunately, we have not been able to explore the UK Government's perspective on the negotiations. The Chancellor of the Exchequer, like his three predecessors—admittedly, two of them were short lived—has not responded to our invitations to engage or to give evidence to the committee. The former Chief Secretary to the Treasury also declined those invitations, despite his stated keenness to work with the devolved Parliaments. The Treasury's approach is very unhelpful, and I know that committee colleagues are also keen to have greater engagement with it.

I turn to the outcome of the review. The updated framework confirms that the indexed per capita method will continue to be used to adjust the block grant, rather than a comparable method. That was a key gain for the Scottish Parliament in 2016, following tough negotiations that were conducted by the then First Minister, Nicola Sturgeon, and Deputy First Minister, John Swinney, who had dug in their heels after months of discussion. That means that the Scottish budget will benefit by millions of pounds each year, because the indexed per capita method takes account of the fact that Scotland had, at the point of income tax devolution, lower income tax capacity than the rest of the UK. It also takes account of the potential differential population growth between Scotland and the rest of the UK.

In the updated framework, borrowing for capital expenditure will be linked to inflation so that the limits increase in accordance with the GDP deflator. That is very positive overall, given that the value of resource and capital borrowing has been fixed since it was first published alongside the Scotland Act 2016, despite inflation having risen by more than 30 per cent, eroding the spending power that is constrained by those limits.

However, the committee was surprised to see that the Fraser of Allander Institute estimates that borrowing growth over the next four years will be only a cumulative 5.5 per cent. As capital inflation is outstripping GDP deflator inflation, that is a wholly unrealistic measure. Looking at capital inflation specifically would be more accurate and helpful. Witnesses have suggested to the committee that that might be one aspect on which the Scottish Government had to compromise in order to reach agreement. Of course, the negotiation was between two parties that were not equal in terms of who could ultimately decide the outcome. As the Deputy First Minister has explained to us, using the GDP deflator was the only option on the table. As my dear old late mum said, however, half a loaf is better than no bread. That limited gain is important to Scotland.

Resource borrowing limits remain at £1.75 billion but will now rise with the GDP deflator. Capital borrowing limits are £450 million annually with a total limit of £3 billion. Both limits are now index linked to the GDP deflator. It is disappointing that prudential borrowing, which would provide greater flexibility and is available to Scotland's local authorities, is not available to the Scottish Government. That power would provide it with better ways of dealing with and balancing its budget.

On the annual borrowing powers, the updated fiscal framework increases the limit from £300 million to £600 million a year in order to meet forecast errors, which is again welcome. That will also be index linked from next year. That is particularly helpful given that there will be a large negative reconciliation of £390 million next year to reflect income tax receipts in 2021-22. That said, as witnesses have advised the committee, modelling by the Scottish Fiscal Commission shows that the forecast error could still exceed that limit once or twice every decade, so those challenges remain.

With the increase in the annual borrowing limit, the updated fiscal framework no longer provides for any additional borrowing for a Scottish economic shock. As members will recall, economic shock provisions were previously available to respond to forecast error rather than to manage changes in resource spending.

The updated fiscal framework also defers a decision on VAT assignment in Scotland to a future joint exchequer committee meeting. At our committee's round-table discussion on VAT assignment last month, the clear and unanimous consensus was that no form of VAT assignment from Westminster to Holyrood could address the significant uncertainty and volatility that it poses for the Scottish budget, despite the best efforts of officials over many years to explore how that methodology might work. The significant issues that remain include the fact that there will never be any reconciliation to actual Scottish VAT receipts, the fact that income from VAT receipts in the UK can be significantly revised retrospectively over a number of years and the fact that it will not be possible to directly link the Scottish Government's actions on the economy to subsequent changes in VAT receipts.

Without policy control over the setting of VAT assignment, it would be all risk and no reward. As such, we believe that the joint exchequer committee should stop exploring the current VAT assignment methodology, and we welcome the Deputy First Minister's commitment to keep us informed about those discussions.

The updated fiscal framework states that it will be reviewed periodically on a five-yearly basis, but

not more than once in any Scottish or UK electoral cycle. With a UK general election on the horizon, the Deputy First Minister has advised the committee that it has a number of asks of any incoming UK Government in relation to the framework. We are mindful of the experience of the Barnett formula, which was a temporary measure when it was introduced, in 1973. As such, we seek an assurance from the Scottish Government that a key ask of the next UK Government will be that the next fiscal framework review is significantly more substantial and that it will enable the Scottish Parliament and stakeholders to participate actively in the process.

As that process has concluded for this year, I again thank all the officials who have participated and have helped ministers north and south of the border to provide the updated fiscal framework review. It is beneficial to Scotland, although not as beneficial as we would like.

**The Deputy Presiding Officer:** We move to the open debate. I advise members that we have no time in hand, so if any interventions are taken, the time must be absorbed within the member's speaking allocation, which is up to six minutes.

15:40

**Michelle Thomson (Falkirk East) (SNP):** Starting at the beginning, there was much commentary during the Covid crisis that some of the lending that was being made available was merely propping up zombie businesses. What do we mean by "zombie businesses"? Investopedia says that zombies are countries

"that earn just enough money to continue operating and service debt".

They

"have no excess capital to invest to spur growth."

They

"are typically subject to higher borrowing costs and may be just one event ... away from ... a bailout".

I said "country" instead of "company" deliberately, for that is the UK today—a zombie country. It is the UK that had the slowest recovery from the pandemic of all the large advanced economies. It is the UK where growth lagged behind the average for both large and small advanced economies for the 40 years before the pandemic. It is the UK that, only today, was ranked last in UNICEF's table of child poverty, with the worst rise in child poverty between 2012 and 2019 of the world's 39 richest countries—thank goodness for the Scottish child payment. It is the UK that had Government debt equivalent to 97.8 per cent of GDP at the end of October 2023. Economically, the UK is not okay, and anyone who

says otherwise is either a fool or utterly disingenuous.

I was personally wary about participating in this debate and shrinking my thinking to the tinkering with a fiscal framework when it is designed to ensure that, if it is heads, the UK Treasury wins and, if it is tails, the UK Treasury wins. The amendments to the motion are mostly ridiculous and show the paucity of vision that is encapsulated in the zombie deniers who are seated opposite. The vast majority of monetary and fiscal policy resides with Westminster, and we must not forget that macroeconomic framing.

In my remarks, I intend to focus on the limitations for capital expenditure and the lack of prudential borrowing powers. Capital expenditure is a vital tool. Infrastructure development creates jobs, improves productivity, brings longer-term economic benefits, has a multiplier effect, and is typically—and normally—used to encourage growth. Instead of our having to look down the barrel of a 7 per cent cut over the next few years, the capital borrowing amounts have been retained, with a mechanism to uprate them by inflation, but they are tied to a GDP deflator, which is nowhere near inflation.

The Deputy First Minister noted to the Finance and Public Administration Committee:

"the biggest challenge that we face comes from capital borrowing limits ... We got as much as we could achieve, but were just not able to expand the basket of measures that were being looked at."

Interestingly, the DFM's comments were followed by comments from one of her officials, who explained:

"the Treasury viewed that as a zero-sum thing, as anything that it gave us would be a loss to its fiscal position".—[*Official Report, Finance and Public Administration Committee*, 23 November 2023; c 11, 12.]

That is a working example of no detriment. That comment, more than anything else, explains my opening remarks about why the UK is a zombie country and why we are locked into low growth.

We cannot look forward to a change from the Labour Party, either. Sir Keir Starmer has clearly indicated his intention to follow exactly the same macroeconomic policies that have led us to this point.

That leads us to the alternatives. I am grateful for the report that Jim Cuthbert wrote for Common Weal, which he sent to the Finance and Public Administration Committee. In it, he reminds us that PPP schemes and their variants, such as private finance initiative schemes, were used enthusiastically by Tory and Labour alike. He also reminds us of the frankly staggering cost to the public purse, the lack of value and the conclusion

that was reached by the House of Commons Public Accounts Committee, which said:

“Treasury cannot produce evidence to support its claims that PFI is worthwhile for any reason apart from the fact that it takes debt off the balance sheet”.

The UK Government has now retreated from the use of those schemes, but it has left Scotland and Wales with the ability to use more modern yet still expensive variants, such as a mutual investment model, instead of providing proper capital borrowing powers.

I will make one final remark. The convener of the Finance and Public Administration Committee noted how ridiculous it is that local councils can access prudential lending yet the Scottish Government cannot do that, despite it being part of the Smith commission’s recommendations. I agree. Regrettably, that was not on the table, presumably because it might have brought significant benefit to the people of Scotland.

15:45

**Brian Whittle (South Scotland) (Con):** I am delighted to speak in this debate on behalf of the Scottish Conservatives. As members have said, it might be a rather dry topic, but it is hugely important. The amendments to the fiscal framework that were adopted this August and agreed by Shona Robison are an adjustment to the original agreement that was signed by John Swinney in 2016. The updated arrangement will see the indexed per capita mechanism for calculating the block grant adopted permanently, which protects the Scottish budget from the risk of slower population growth. The main impact, according to the independent report, is on the block grant adjustment for tax, which could be worth around £200 million a year after five years and circa £400 million after 10 years.

A key element in Scotland’s finances is the Parliament’s ability to scrutinise public spending. Alongside the devolution of further powers to the Scottish Parliament, the Smith commission recommended that the Scottish Parliament should expand and strengthen independent financial scrutiny of Scotland’s public finances. That is set against the worrying situation that my colleague Liz Smith highlighted of the increasing lack of transparency on and scrutiny of the fiscal framework, as can be seen by the issues that the Finance and Public Administration Committee came up against when it sought to scrutinise the said framework.

The situation became so bad that it necessitated a letter from the committee convener to the Deputy First Minister intimating that the level of scrutiny that was requested and agreed on by the Scottish Government was not delivered. Given

that the committees of the Parliament are charged with scrutinising Scottish Government policy, that is a worrying trend, which is mirrored by the ongoing issues that Audit Scotland is having with financial transparency from the Scottish National Party Government. That is especially worrying given that financial scrutiny of the fiscal framework impacts on every aspect of public spend and is crucial to the future of Scotland’s economy. That cannot be allowed to continue.

**John Mason:** Does the member accept that that is also a problem at Westminster, because the Parliament there was not able to scrutinise the agreement?

**Brian Whittle:** I would not disagree with that. It is important for Governments to be transparent, so I will not argue with that at all.

Government is about choices. When it comes to how those choices are made, increasingly, a veil of secrecy is descending on the SNP as the outcomes of its financial decisions come to the fore. The fiscal framework is about the devolution settlement, which, as I said, funds our public services. It is about both Governments working together for the benefit of Scotland and the UK, which is exactly what the public want.

The trouble is that, for the SNP-Green Government to succeed in its ultimate objective, devolution has to fail. Let us face it: the Scottish Government’s funding and handling of our public services is hardly delivering the outcomes that we all want and that the public need. We have a health service in crisis, with record waiting times—

**Shona Robison:** Will the member give way on that point?

**Brian Whittle:** I will just finish this point.

There are record waiting times and consistently poor health outcomes, despite the Scottish Government consistently claiming that the NHS has record investment. We have a housing emergency and, probably most worrying of all, in the recently published PISA results, we see the consequence of the SNP’s mismanagement of the education system and letting down of our teachers and pupils, despite claims by the Scottish Government of increased numbers of teachers.

**Shona Robison:** Brian Whittle mentioned investment in public services. Does he believe that the autumn statement, which gave £10.8 million to the health service from consequential, helps or hinders investment in the health service? Every commentating body has said that the autumn statement is at the expense of investment in public services.

**Brian Whittle:** I thank the cabinet secretary for her intervention, because it allows me to highlight exactly how the SNP Government approaches

these questions. On the one hand, it says that we have record investment but, on the other, it says that we do not have enough.

Ultimately, what matters is outcomes. We have increased waiting times in our health service and increasingly poorer health outcomes from our health service. How we spend money matters. The fiscal framework is only one side of the coin; how the Scottish Government manages its budget is the other.

Handily, as we have just heard, the SNP has a built-in excuse that everything bad is due to a lack of funding through the Barnett consequential. It seems strange to me that, at every First Minister's question time, the First Minister laments a lack of money through the Barnett formula, but his and his party's solution is to be independent, with the £10 billion black hole in our finances that would ensue from that. That question has dogged the SNP for years, and it has consistently refused to, or been unable to, answer it, but it matters.

I watched the Smith commission all those years ago, and I remember all the parties' protagonists being interviewed about the process and the outcomes. I remember John Swinney being very pragmatic in saying that he did not get all that he wanted but that he got more than the other side had wanted to give, and that that was the nature of negotiation. I thought that that was a very good way of summing up that process. However, the very next day, the same Deputy First Minister—all members of his party have done this every day since—declared to anyone who was holding a microphone that Scotland had been short-changed. If it was that bad, why did he sign the declaration?

To an outsider, something as technical and complicated as the fiscal framework is pretty dry material for a speech. In fact, even to an insider, it is pretty dry material. However, in closing, I will quote from a speech by Charlie Munger, vice-chairman of Warren Buffett's Berkshire Hathaway, who died just a few days ago. In a speech to graduates at the University of South Carolina law school, he said:

"The last idea that I want to give you, as you go out into a profession that frequently puts a lot of procedure, and a lot of precautions, and a lot of mumbo-jumbo into what it does, this is not the highest form which civilization can reach. The highest form that civilization can reach is a seamless web of deserved trust. Not much procedure, just totally reliable people correctly trusting one another."

As I come to the end of my speech on Scotland's fiscal framework review, I am bound to ask whether, more than anything, Scotland would not benefit from a little more time spent by its Government and politicians building trust and a little less time on procedural mumbo-jumbo.

15:52

**John Swinney (Perthshire North) (SNP):** Having negotiated the inaugural fiscal framework, in 2016, I know and appreciate how difficult a challenge it is for the Scottish Government to secure a broadly acceptable set of financial arrangements with the United Kingdom Treasury. I therefore warmly commend the Deputy First Minister for securing the agreement that was announced some weeks ago, which is the subject of today's debate.

In essence, the agreement builds on the agreement that was put in place in 2016. Crucially, the agreement embeds on a permanent basis the use of the indexed per capita mechanism for calculating block grant adjustments. That was the key issue of negotiation in 2016. I say to Brian Whittle that there would have been no fiscal framework agreement in 2016 if that provision had not been in place, and I constantly made that expressly clear to committees of this Parliament.

I am very sorry that Willie Rennie is not here for my speech, because I am going to mention him. I am reminded that, in 2016, he said to the First Minister at the time that the Scottish Government had made a fundamental error in accepting the model, because we would never be able to protect it at the point of review. The Deputy First Minister has not only protected the model at the point of review but has embedded it permanently, which we were unable to secure in 2016. That is a formidable achievement.

The model that underpins the fiscal framework is essential in protecting Scotland's public finances, because we already carry population risk in the Barnett formula, and the indexed per capita mechanism was necessary to provide long-term stability.

**Liz Smith:** I am very glad to hear Mr Swinney make those comments. To give him credit, that was a difficult job in 2016, and he did it. The Deputy First Minister has done the job in 2023. Does he disagree with Ash Regan that this fiscal framework is worse than the previous one?

**John Swinney:** Yes, I disagree with that point of view and I will come on to explain why.

I cannot decide whether Mr Marra's contribution was curious or churlish. Mr Marra speculated that he wanted more time to decide whether the indexed per capita mechanism was preferable to the comparable method. The comparable method is the proposition of the Conservative Treasury. Mr Rowley, on the Labour benches, had the good grace, in 2016, to recognise the Government's achievement in seeing off the comparable method. Here, Mr Marra is inviting the Conservative Treasury to inflict it on us. I have never heard such folly in my life.

**Michael Marra:** I assure the member that he did not hear such folly here, either. That is not what I said. I said that it would be good if the Parliament was able to scrutinise all the options, talk about them and have them explained by the Deputy First Minister—the ups and downs—so that we can all get behind the conclusion that Mr Swinney has come to, if indeed it is the right one.

**John Swinney:** Mr Marra says,

“if indeed it is the right one”.

I rest my case that he is speculating on what the right outcome is. He should go back and look at what Alex Rowley, Jackie Baillie and—crucially—Malcolm Chisholm said in 2016. Malcolm Chisholm was my strongest ally in negotiating that outcome in 2016, because he could see the dangers for us of a rampant UK Treasury with the comparable method that Mr Marra is now embracing. If Mr Marra is to be at the helm of negotiations in the future, heaven help Scotland—that is all that I can say.

One of the reasons why the Scottish Government was able to negotiate what was, in my view—this is where I disagreed with Ash Regan earlier in the debate—a broadly acceptable fiscal framework in 2016 and protect that at the point of review was down to one word, and that word is “agree”. The Smith commission concluded that the Scottish Government and the UK Government must agree a fiscal framework—not that the UK Government should consult the Scottish Government, which were the usual weasel words, and not that there should be a discussion, but that the UK Government and the Scottish Government must agree a fiscal framework.

I kept the Smith commission meeting late into the night to make sure that that single word got into the final wording of the agreement, because my experience told me that, if we were not treated as an equal in that conversation, we would be steamrollered by the UK Treasury.

We now know that agreement mattered, because the independent report that was published on the agreement made it clear that the fiscal framework arrangements and securing the indexed per capita mechanism—which I consider to have been a mighty achievement and essential for Scotland—have prevented the loss of approximately £500 million per annum from Scotland’s public finances.

For me, there is a deep lesson for Scotland in that respect. Unless we are treated as an equal, we are likely to lose out. Look at what has happened in other areas of intergovernmental relations. The passage of the United Kingdom Internal Market Act 2020 without our consent has undermined devolution. The passage of the

Subsidy Control Act 2022 without our consent has undermined devolution. Where we are not equals, we will lose out. That has been demonstrated in the autumn statement. We are losing out badly because we are at the mercy of decisions that are taken to suit the political agenda of the United Kingdom Treasury, where it can use its power to overwhelm the interests of Scotland and where we are not treated as equals.

I draw the simple lesson that Scotland will prosper only where we are treated as an equal, and I want us to be treated equally as an independent country.

15:58

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

This debate is being held against a background of financial instability, sluggish performance in the Scottish and UK economies and many of our public services buckling under immense financial pressure.

Therefore, the fact that the Scottish and UK Governments have reached agreement on a fiscal framework that provides greater funding clarity for Scotland is welcome, as is the news that increased flexibility in how the Scottish Government manages the public finances has been agreed.

When asking people what the fiscal framework is, I have found that the most common answers are that it is very technical or that it is very difficult to understand. Although complex, the fiscal framework sets out the rules for how the devolution of tax and social security powers following the Scotland Act 2016 is supposed to work in terms of finances. It sets out the mechanisms by which the Scottish block grant is adjusted to reflect the fact that large amounts of tax and social security powers are now the responsibility of the Scottish Parliament.

I note that the Scottish Government says that the agreement protects the Scottish budget from the risk of Scotland’s population growing at a slower rate than that of the rest of the UK. That risk is a reality, and it is one of the many areas where the Government must use the powers that it has to address Scotland’s population concerns by putting in place a coherent strategy to encourage people to come to Scotland, work in Scotland and make Scotland their home.

I am sure that the Government will say that we need more powers over areas such as immigration, but that cannot be used as an excuse to do nothing to address the chronic lack of housing, poor skills and training opportunities, poor access to public services such as health, and the lack of an industrial strategy for Scotland’s future.

Although welcome, the review has come in for criticism in relation to the way in which it has been dealt with and the lack of wider inclusion in the discussions. Professor David Bell of Stirling University raised the issue by stating:

“This review is of substantial importance for the Scottish budget and therefore for the services it delivers to the public during the cost-of-living crisis.”

He went on to ask:

“Why, then, has the review attracted so little interest, from the public and the media, other than from the Finance Committee of the Scottish Parliament? Especially when our report—produced alongside colleagues from the Institute of Fiscal Studies and the University of Strathclyde—shows that different approaches to the fiscal framework could cause Scotland’s budget to vary by hundreds of millions of pounds in the medium to long term.”

It is therefore fair to ask the Scottish Government: is this a short-term fix for the short-term budget pressures?

Jim Cuthbert, writing for Common Weal, argues that the review leaves Scotland exposed to the likelihood of being forced into a cycle of relative economic decline in comparison to the rest of the UK. He argues that, because the review was conducted in secrecy, we do not know how those damaging outcomes came about.

**Shona Robison:** Let me answer the two fundamental points that Alex Rowley is making. First, we were keen to have transparency and openness, but the Chief Secretary of the Treasury wanted the review to be conducted in a confidential space. Given that there had to be an agreement, I do not think that we would have made progress had that not been the case.

Secondly, on the wider point about the narrowness of the review, we would have wanted it to be more expansive. However, again, if it is a negotiation, you can land only where there is negotiating space.

Will Alex Rowley recognise the constraints that we were operating under?

**Alex Rowley:** A number of committees in this Parliament should have been engaged and involved at an earlier stage. The previous finance secretary, Kate Forbes, wrote to the finance and social justice committees in June 2022, informing them about the review and how it was planned to proceed. At that point, she was definitely saying that there would be engagement and consultation with a number of parliamentary committees as the review progressed.

The Government should have been pushing and engaging with those committees. We have seen how experts in academia have criticised the lack of that in relation to the review. We need to stand up and be much firmer in defending the democratic rights of the committees of this

Parliament and in relation to the wider consultation that should have taken place.

The fair question for me is: what changed? The cabinet secretary just said that the UK Government changed its view, but I do not think that we simply have to cave in every time that the UK Government says how it wants to deal with these issues.

I note that the Deputy First Minister welcomes the agreement and says that we have a challenging situation going forward. I would like to hear more from the Government about what it will do to address our poorly performing economy in Scotland. How will we use the budget to address that? What is the plan? Does the agreement with the UK Government support or hinder economic growth and investment in public services?

**Shona Robison:** Will Alex Rowley give way on that point ?

**The Deputy Presiding Officer (Liam McArthur):** No. Alex Rowley is beginning to conclude.

**Alex Rowley:** Likewise, there is no doubt that we are facing a challenging situation in which many core services in local and central Government are buckling. In such circumstances, the Government must ask whether we are spending the money that we have in the most effective and efficient way. We know that it will be tough, but we must ensure that every penny of taxpayers’ money in Scotland is spent in the most effective and efficient way.

I look forward to the budget.

16:05

**John Mason (Glasgow Shettleston) (SNP):** The fiscal framework is an extremely important topic, although I accept that some people find it a bit dry and technical and would prefer to leave the Finance and Public Administration Committee and a few other anoraks to sort it out.

We had expected that the initial report by David Bell, David Eiser and David Phillips would first be published and discussed and then followed by a wider-ranging review with at least some public input and debate on the options before the two Governments negotiated and reached an agreement. The Finance and Public Administration Committee was probably willing to accept that, as happened in 2016, at least some of the negotiations would be carried out in private between the two Administrations. However, we did not expect the sudden announcement in August that the report was being published, the review had been greatly narrowed in scope and agreement had been reached all in one go. That meant that the opportunity for input and scrutiny

by either Parliament or its committees was very limited.

Shona Robison told us that the Westminster Government made it clear that a wider review was not on the table. That is the first problem. Even without Scotland being independent, if we had a federal system, which Gordon Brown suggested we might be close to, there would be a written constitution with certain checks and balances. However, the severe downside of devolution is that, ultimately, Westminster is judge, jury and executioner. What Westminster says goes, and if Wales, Scotland and Northern Ireland do not like it, that is tough luck. If Westminster says that a wider review is not on the table, it is not on the table.

We are left in the position that there are some improvements over what was in place during the first five years. In particular, some of the restrictions on borrowing are being eased. However, it would have been good to see the introduction of a prudential borrowing framework. Local government has that system, which means that it can borrow what it can afford to service instead of being limited by a fixed ceiling. It has generally worked for local government and I see no good reason why the Scottish Government could not have it as well. In fact, the Smith commission said that both Governments should consider a prudential borrowing regime. Capital borrowing cannot just be spent on day-to-day expenditure. It is for the likes of building houses and electrifying the railways, which benefit Scotland's people and economy in the longer term.

Perhaps the more serious implication of the second agreement is that we seem to be locked into a system that is weighted against Scotland. As economist Jim Cuthbert and Common Weal point out, the block grant system, even under the indexed per capita method, means that Scotland is engaged in a fiscal race with the rest of the UK. Generally speaking, we match or outperform regions of England, Wales and Northern Ireland—for example, on inward investment. The problem is London and the south-east of England, as Ash Regan pointed out. No other region of Europe has been able to match that region, so it should be little surprise that Scotland toils to do so as well.

**Brian Whittle:** If London and the south-east are such a huge cash cow for Scotland, why on earth does John Mason want to sever ties with them?

**John Mason:** If Mr Whittle waits, I shall get to a quotation that he might remember in a paragraph.

For example, if we look at output per hour or output per job, only London and the south-east are above the UK average. Scotland comes third but is still below the UK average while being ahead of

every other part of the UK. I am reminded of Vince Cable's words in December 2013, when he said:

“One of the big problems that we have at the moment ... is that London is becoming a kind of giant suction machine, draining the life out of the rest of the country.

More balance in that respect would be helpful.”

I agree with him.

Although we have the per capita method, a lack of immigration to Scotland holds back our economy, and I would certainly argue that whether we get our fair share of immigration is outwith the Scottish Government's control. One reason for that might be that people already have family connections in London or the English midlands, so they want to stay there.

The independent report noted that the Smith commission said that the Scottish budget should bear the risk of not all divergence in tax revenue growth, but only the divergence that is the result of policy decisions. However, because it is so difficult, or even impossible, to identify the causes of divergent revenue growth, we end up taking all the risks—even those relating to things outwith our control.

It is also worth noting the Barnett formula at this point. The other week, I asked about the convergence in spending that the Barnett formula was intended to have. The answer from David Phillips of the Institute for Fiscal Studies was that that convergence had not really happened before 2020 but it is happening now. In 2019, per capita spend for devolved services in Scotland was about 129 per cent of the average for England. It is now about 125 per cent, and David Phillips expects that, by the close of this decade, it will be about 122 per cent and that it will fall below 120 per cent by the mid-2030s. In the longer term, given current population projections, he expects that to converge to around 115 per cent.

All in all, we were promised a union dividend if we stayed in the UK, and some people probably voted no in the 2014 referendum believing that we would be better off financially if London paid the bills. We now see that any union dividend is being increasingly eroded and any advantages of being in the UK are being lost year by year and day by day.

While we are at it, Westminster seems to be taking an increasingly arrogant and disparaging attitude towards this Parliament. In the past, as Kenny Gibson said, Treasury ministers appeared before finance committees and constitution committees a number of times, but they adamantly refuse to do so now, saying that they are answerable only to MPs. Even ministers who agree to come keep postponing the date.

As the motion says, we recognise the limited improvements to the Scottish fiscal framework, but there is something fundamentally flawed in the relationship between Scotland and Westminster. One of these days it will have to be sorted.

16:12

**Ivan McKee (Glasgow Provan) (SNP):** I am delighted to speak in the debate. I agree with Michael Marra—it is probably the only thing that I will agree with him on in my speech today—that it would be good to have more economy and finance debates in the chamber.

I recognise the progress that has been made in securing the deal on the fiscal framework, and I thank all those who were involved in the negotiations, particularly for the much mentioned securing for the long term of the indexed per capita methodology versus the comparable method. Of course, that is all based on Scotland's population growth, or lack of it, and I will return to that later in my remarks.

We have secured a welcome increase in borrowing limits and the use of reserves is as welcome as it is inflation proofing. It is, however, not enough, given the scale of the fiscal shocks that have occurred and those that might occur in future, whether it be through Brexit, Covid-19, austerity or whatever else is around the corner. As Mr Swinney referenced, it is hugely important that we have as much flexibility around fiscal measures as possible.

As the DFM has highlighted, the key point is that we are still very much at the mercy of UK policy decisions that are taken at Westminster, very often not with Scotland's interests at heart. The DFM has outlined the impact that Tory austerity will have on future public service funding as a result of the recent autumn statement. Signals from Labour are not encouraging. Keir Starmer is now praising Margaret Thatcher, which does not bode well for any potential future UK Labour Government and its approach to those policies.

It is important to remember what levers are not devolved. We talk about income tax, but much of income tax—that from dividends and savings—is not devolved. That limits the possibility and options for Scottish policy to mitigate behavioural impacts that have impacted significantly on the tax measures that we have taken recently. The full range of business taxation, corporation tax, investment breaks and so on is not devolved, which limits the Scottish Government's ability to direct support and take taxation measures that will help to stimulate and support economic growth in our economy and tailor them to the sectors and the opportunities that we have in the Scottish economy.

Liz Smith made it clear, straight out of the blocks, where it is that we are trying to get to. Our ultimate goal is for there to be no need for us to have the fiscal framework, which will be the case when Scotland has full control over economic policy. SNP members are working very hard to secure full control over economic policy as soon as possible. It is helpful to see the fiscal framework as a stepping stone to our having the full powers of economic independence. Frankly, we will be glad to see the back of the framework's complexities, which have been referenced, when we move beyond the need to negotiate such complex matters with the UK Government, as we will do once we have full economic powers.

Until we have full powers over borrowing, which will come with independence, it will be interesting to see how, in the meantime, the issuing of Scottish bonds—or “kilts”, as I think we can call them—will be taken forward over the next period. I look forward with interest to seeing how that idea develops.

Of course, while we are under devolution, the Scottish Government must continue to negotiate with Westminster to get the best deal. At the same time, we must have a focus on the preparations that we need to make in order to use to best effect the full powers of independence when they come to this Parliament, which I hope will be in the not-too-distant future.

I turn to immigration powers and the impact that the issue of population has had on potential funding solutions. If we had full immigration powers, we could focus on growing Scotland's population in the way that it needs to grow. Our approach would be very different from that of the UK Government, which is obsessed with reducing immigration. We have seen that again this week, along with Labour's mirroring of the UK Government's policies and approach, which is clear from the clarity that it has provided on its support for the misguided policy of Brexit.

In the meantime, it is very important that we use the powers that we already have. I make this point again, because it is well worth making: people tend to forget that more members of the working-age population of the rest of the UK move to Scotland than move in the opposite direction. We need to encourage more of that within the current context to maximise Scotland's population. Frankly, by pulling all the right levers, I believe that, even under the current settlement, we can secure population growth in Scotland that matches that in the rest of the UK.

When it comes to economic powers, we can, of course, focus those on growing Scotland's economy. If I have understood Jim Cuthbert's very helpful paper correctly—I apologise to him if I have not—I take issue with its apparent assumption that

tax cuts are the only way to grow our economy. I would argue that tax cuts are absolutely not the only way to grow the economy. That can be done by having an intelligent focus on business growth, stimulating businesses in that regard and supporting the sectors that are the future of the world economy, in which Scotland has great potential. Of course, we should do as much as we can of that under the current settlement, while continuing to argue for more powers.

I take issue with Brian Whittle's comment—if I heard him right, I think that he said that it is in our interests for devolution not to work. Quite the contrary is the case. At the end of the day, the people of Scotland will support independence. That will become the settled will of the people of Scotland when they see excellent delivery from the Scottish Government, using the powers that it has. We need to continue to move forward and deliver on that, while arguing for more powers to come to this Parliament.

16:18

**Richard Leonard (Central Scotland) (Lab):** If devolution is a process, not an event, the long-awaited outcome of this fiscal framework review is less like an advance and more like a stoppage. The Government motion before us this afternoon speaks of “limited improvements” and “limited progress”. It is a quite deliberate, calculated selection of vocabulary that is intended to con us into talking about the limits of devolution and why devolution does not work, why devolution cannot work and why devolution should be scrapped, because, if we are honest, that is the Government's policy—that is what is in today's Government motion.

But the real limits that the outcome of the fiscal framework review lays bare are the limited ambition and limited horizons of this Government on fiscal reform. It lays bare once again the limited acquaintance of this Government with transparency and openness, with engagement and scrutiny, and with meaningful consultation, and I am bound to say that it lays bare the limited negotiating skills of the Deputy First Minister and the unlimited mediocrity and complacency of the Cabinet that surrounds her.

Our starting point is that the fiscal framework, which the cabinet secretary's predecessor signed up to in 2016, was both a rushed deal and a bad deal.

**John Swinney:** Will Mr Leonard give way?

**Richard Leonard:** No.

Of course, it is good that Scotland benefits in full from tax revenues that are raised as a result of Scottish Parliament fiscal policy decisions, but

what is not so good is that, if the Scottish economy performs poorly compared to the rest of the UK, including London and the south-east, if we have no economic plan, no industrial strategy and no jobs-first just transition plan but leave it to market forces, and if we experience a downturn in a sector like oil and gas, then the block grant is cut.

What is also defective and what is also bad about the deal is that, if more people are in receipt of social security payments in Scotland relative to the rest of the UK, then there is another cut in the block grant. We are told that that is applying the “economic responsibility” principle, but I have to say that it is a so-called principle that is morally irresponsible, socially counterintuitive and economically counterproductive. Block grant adjustments on social security should not be downwards—they should be upwards, on the principle of to each according to their need, from each according to their means.

Let us be clear that what we have before us are what the Institute for Fiscal Studies describes as these “modest changes” to borrowing and revenue powers. We have got to be more radical and bolder. We have got to be better than that. It is my view—it may not be Labour Party policy any more, but it remains my view—that the Scottish Government should be able to borrow and issue bonds prudentially for both revenue and capital spending without restriction. Why should this Parliament not at least have parity with our local councils?

It also remains my view that the Treasury's cap on the amount of reserves that can be held by the Scottish Government should be completely removed, and that those decisions should be entirely devolved.

In its medium-term financial strategy, which it launched back in May, the Government set out its negotiation aims for the fiscal framework review. It said that

“The planned review of the Fiscal Framework ... is an important opportunity to address the limitations of borrowing and reserve powers”;

but those limitations have not been addressed at all. There has been limited engagement, because this nationalist Government does not want it to be reformed and does not want it to be successful. The Deputy First Minister would rather appear on national television and announce public service job cuts—that the public sector workforce will have to shrink—than come to this Parliament and hold a proper debate and find solutions.

These matters are not complicated—they are simple. They are not technical—they are political. This is no time for tinkering around the edges. The Government has negotiated a bad deal. The Deputy First Minister's depiction of the changes as

balanced and pragmatic—that is what she told me when she wrote to me on 2 August—is selling the people a long way short.

In the end, it is a review with an agreement between two Governments that we as a Parliament are being asked to assent to. We should not, in all conscience, agree to these terms, to this limited vision or to this abject abandonment of any fighting spirit. We need a new deal, a new fiscal framework and a fresh start—and this is not it.

16:24

**Stuart McMillan (Greenock and Inverclyde) (SNP):** I have a wee comment for Richard Leonard. Devolution, not independence, limits ambitions.

I have a comment for Mr Marra. In his comments on the fiscal framework, Mr Marra said that, if Labour were to win the next UK election, there should be further discussions. However, Mr Marra did not say that more money would come to Scotland as a result of those discussions.

We have heard a lot in the debate from members across the chamber, but it will come as no surprise that I do not support any of the amendments to the motion. I note that the Lib Dem amendment speaks positively about the Smith commission report of 2014, which is the report that, in paragraph 18, would not prevent

“Scotland from becoming an independent country in the future, should the people of Scotland so choose.”

It is a pity that the Lib Dems are on the same page as other pro-union parties, and are wanting to prevent people in Scotland from having their say.

I welcome the modest, or limited, improvements in the fiscal framework, such as the indexed per capita mechanism for calculating block grant adjustments, which is to be adopted on a permanent basis. I welcome that the amount that the Scottish Government can borrow to mitigate errors in forecasting will increase from £300 million to £600 million, with no limits to the amount that can be drawn from the Scotland reserve, and that borrowing and reserve limits will grow in line with inflation.

However, the sad reality of the situation is that those changes will not be able to protect Scotland's economy or social fabric in the years ahead. Only independence and access to the full range of powers will be able to do that. Since the fiscal framework was agreed in early 2016, it has been thoroughly stress tested.

**Michael Marra:** Does Stuart McMillan recognise, as any objective academic looking at the issue would, that there would be significant immediate fiscal costs to independence? We are

having a fiscal debate, so I ask for a little bit of honesty. There would be an immediate cost of between £10 billion and £14 billion in the amount of money that would be available to Scotland.

**Stuart McMillan:** Look at our situation since the 1970s and the amount of money that Scotland has put into the Treasury that is additional to what we have received. Independence is the only way forward for Scotland, and it is the only way for Scotland to deal with many of the issues that we face as a society. We cannot do that with the limited powers of devolution, and certainly not under the situation that we had pre-devolution, when all the powers were reserved to Westminster.

I genuinely believe that it was right to review the arrangements. Taken together, and in the context of the narrowly scoped review that was on offer, the improvements to the framework and the financial management tools that are available to the Scottish Government are meaningful but limited. We should not lose sight of the scale of the fiscal challenge in the aftermath of the Covid pandemic, the on-going cost of living crisis and the urgent need to tackle climate change—in addition to the economic shock of Brexit, which was brought on by the Tories.

Although the changes to the framework are welcome, they are not of the size that is needed to offset the broader fiscal challenge that we face. That requires action by the UK Government. The Scottish Government will still need to make tough choices, within the context of the poorly performing UK economy and the constraints of devolution, to ensure that finances remain sustainable. It is sad that Scotland is again at the mercy of poor UK Government decisions that compound the pressures on our public finances and increase the misery that struggling households face.

Neither Rishi Sunak nor Keir Starmer will change course from the damaging Westminster policies that got the UK into this mess in the first place. As a result of the UK Government's disastrous handling of the economy, projected growth is just 0.7 per cent next year, and inflation is still running at more than twice the UK Government's target. Living standards are forecast to be 3.5 per cent lower in 2024-25 than they were pre-pandemic, which would be the largest reduction in real living standards since records began in the 1950s.

Ultimately, Westminster is holding Scotland back. Brexit is making us poorer, and continued Westminster control is making the situation worse. This week, we heard from Labour's Sir Keir Starmer, who is the newest member of the Margaret Thatcher fan club. He said:

“Anyone who expects an incoming Labour Government to quickly turn on the spending taps is going to be disappointed.”

He also said that

“this parliament is on track to be the first in modern history where living standards in this country”—

that is, the UK—

“have actually contracted.”

Household income growth is down by 3.1 per cent, and Britain is worse off.

I encourage people in Scotland to pay attention to this point, because it will change the minds of many people in Scotland on independence. Keir Starmer said:

“This is Britain going backwards.”

He also said that the situation is

“worse than the 1970s. Worse than the recessions of the 1980s and 1990s. Worse even than the global crash of 2008.”

With an economic record such as that—going back to the 1970s according to Labour, but back to the 1950s according to official records—why on earth would Scots want to continue living in a political environment in which the only things that will be guaranteed are more poverty and the desperation and misery that are so prevalent in the so-called union?

Britain is bankrupt and broken. It is also morally bankrupt considering many of the policies that the Tories have imposed on many of our people in our country. One example is women against state pension inequality—the WASPI women—who have been robbed of their pensions, which is absolutely shocking.

I could go on, but I know that I do not have time. The fiscal framework might help a little, but it still falls far short of what is needed—independence.

**The Deputy Presiding Officer:** We move to the wind-up speeches.

16:30

**Ash Regan:** In my opening remarks, I set out the concept of having responsibility without power being a very dismal situation in which to find oneself. My amendment speaks about VAT, so I will take a little bit of time to talk about that, because it goes some way towards reinforcing that concept.

The Scotland Act 2016 states that receipts from the first 10p of the standard rate of VAT and the first 2.5p of the reduced rate of VAT in Scotland would be assigned to the Scottish Government’s budget, which would make VAT the second-largest source of tax revenue for the Scottish Government after income tax. However, despite

that, the new framework has not managed to navigate a path that would deliver that. Of course, the key word is “assigned”.

**Liz Smith:** Is Ms Regan aware of the fact that, when the current Finance and Public Administration Committee and our predecessor committee, the Finance and Constitution Committee, took evidence on VAT assignment, there was, I am afraid, unanimity that VAT assignment is far too difficult and complex to do?

**Ash Regan:** I understand that, but there is a metaphor in that for the fiscal framework as a whole. It is complicated and difficult to get the framework to work in Scotland’s favour, which we have heard from across the chamber during the debate.

VAT being assigned rather than devolved means that, even if the promises of the Smith commission were delivered on, the Scottish Government would not have any direct policy control over VAT. If the framework allowed for VAT to come to the Scottish budget, as it is supposed to, VAT would continue to be collected by His Majesty’s Revenue and Customs at UK level, and the amount of tax that would be assigned to Scotland would require to be estimated using a model to be developed by HMRC, the Treasury and the Scottish Government. Liz Smith just made a point about VAT assignment being complex.

Another 15 per cent of the Scottish budget would be based on VAT revenues that were raised in Scotland, but we need to think about that. That would be 15 per cent of the entire Scottish budget, but there would be no control—that is the key point—for the Scottish Parliament and the Scottish Government over the level at which VAT should be set. That illustrates somewhat the difficulty for Scotland of the fiscal framework—the previous version or the revised one.

I remember, some time ago when I was a member of the Finance and Constitution Committee, as it was called in 2016, listening to presentations from experts who were setting out the previous fiscal framework. I understood that the way in which the framework was constructed made it extremely difficult, if not impossible, for Scotland to succeed under it. I am afraid that nothing that I have heard since then and nothing that I have heard in the debate today has convinced me otherwise.

I will take a little time to talk about the debate. Michael Marra gave a fairly dispiriting speech. However, he made some interesting and important remarks about timing, secrecy and scrutiny of the review process.

I know that we have said that the subject is quite dry, but it is very important to Scotland. Potentially,

there should be more involvement by the public, parliamentary committees and experts. That was picked up by Kenny Gibson, who spoke about the need for more involvement by the Scottish Parliament and—I am sure—the committee that he is on.

Michelle Thomson echoed my comments when she spoke about PPP and the poor value for the public purse that it represents, and the fact that, although the UK is now in the privileged position of being able to move away from that model of funding public infrastructure, Scotland is not, and the fiscal framework is locking Scotland into a position in which it must use PPP. That should be of interest to everyone in the chamber.

Ivan McKee spoke about Jim Cuthbert, and referred to Mr Cuthbert's view that tax cuts are the only way to grow the economy. He admitted that he is not sure whether that is what Mr Cuthbert meant, and I do not believe that it is. I think that, in the relevant comment in his paper, Mr Cuthbert was reflecting the Treasury's view: the Treasury believes that the only way in which Scotland can minimise economic harm to itself via the fiscal framework is to accept the economic straitjacket that the Conservatives offer Scotland.

In my earlier speech, I focused on my view that, compared with the full flexibility that fiscal autonomy would give us, the fiscal framework review represents a bad deal for Scotland. No amount of tinkering around the edges will change my view on that. I am sure that members on the Scottish Government party's benches will agree that only with the powers of independence can Scotland truly flourish and grow, and that only with economic separation from Westminster can we ensure that our policy priorities—those of the Scottish people—are matched by the fiscal levers of the Scottish Government. However, we can have those levers, and Scotland can have that power, only by becoming an independent country.

16:36

**Alex Cole-Hamilton:** I have welcomed this afternoon's robust debate. I broadly welcome the steps that the Government has taken to get the framework to where it is, particularly around embedding the per capita nature of the framework. The Deputy First Minister and I agree on several aspects of the conduct of the UK Government and, in particular, the decisions taken by HM Treasury, which have held our economy back and cost our constituents dearly. The disastrous incompetence of the Truss-Kwarteng plan will have ramifications for household budgets for years, particularly in relation to mortgages and the prices that people pay in the shops. However, they are not alone in being to blame. Much of the blame also lies at the door of St Andrew's house, because the Scottish

Government is principally to blame for the stagnant growth outlook for our economy.

In her motion, the Deputy First Minister asks for the devolution of all fiscal levers to the Scottish Government, but she does not inspire us with confidence that the Scottish Government would know what to do with them if they were so offered. I remind members that it has taken a decade and more to establish a welfare system, which the Scottish Government said would take only 18 months.

Liz Smith was quite right to say that the debate and the framework really matter, not just with regard to the mechanics of financial interplay but in the co-operation that should always exist between our two Governments. We need grown-ups at the helm, and we need those grown-ups to be in a room talking about the interests of the people whom we are all sent here to represent. It is the Scottish ministers' duty to use the fiscal framework to get the best deal for all our constituents.

The fiscal framework is about respect across levels of Government. There is an irony there that members might find hard to escape. I return to the Verity house agreement. That is not a fiscal framework, but it points to a fiscal framework that it is hoped will be established between central Government and local government in the coming months. It talks about a presumption against ring fencing and about allowing authorities to take creative control over the financial levers and make robust decisions in the interests of their communities, and, as I said, it calls for the establishment of its own localised fiscal framework. However, that respect and trust were shattered by the Government at the SNP conference with the announcement about council tax. Laying aside the merits or otherwise of that policy, it shows the level of contempt that the Government has shown for local authorities not just in the policies that it enacts, but in the way that it has asset stripped them over the years in the budget block grant.

Michael Marra's excellent speech brought us back to the topic of growth—or the lack thereof, because much of that failure is entirely home grown. The environment for business investment is hardly inviting at the moment. Indeed, Green ministers, who are manifestly uninterested in national growth, have presided over things such as a deposit return scheme that, had it not been abandoned, would have seen Scottish products removed from Scottish shelves.

I do not have time to go through all the other speeches, but I thank Richard Leonard for injecting a bit of life into an otherwise stuffy debate.

Before I move on to the substance of my remarks, I will speak to Ash Regan's remarks. I welcome her to her place as the leader of the Alba Party in the Parliament. I am interested in aspects of her amendment. We will not support it, but I am interested in hearing more from the minister about the discussions on VAT that were had between the two Governments. Our approach is that we should not devolve just for show and that changes to how we are governed should be underpinned by a clear framework and an understanding of how the changes would make people better off, grow our economy and make a difference. I am not clear that the comments on VAT in Ash Regan's amendment adequately explain that.

**John Swinney:** Can I help Mr Cole-Hamilton on that point?

**Alex Cole-Hamilton:** Absolutely. *[Interruption.]*

**The Deputy Presiding Officer:** Can we have Mr Swinney's microphone switched on, please?

**John Swinney:** I am grateful, Presiding Officer.

It may help Mr Cole-Hamilton on the point about VAT assignment if I note that the drift of the conversation in the Smith commission was entirely about assigning VAT for the purposes of show, so that the proportion of revenues that were supposedly under the control of the Scottish Government and the Scottish Parliament could be demonstrated to be more than 50 per cent. That was a fig leaf.

**Alex Cole-Hamilton:** That was certainly worth the wait. *[Laughter.]* I am grateful to the former Deputy First Minister for his intervention. As he sat on the Smith commission, I bow to his superior knowledge. He underscored my point that there is no point in devolving powers if they do not mean anything.

To create opportunity and grow the tax base, we need to end the era of meagre growth that we have been living in. Scotland has all the necessary ingredients to be at the forefront of industries such as life sciences, green energy and fintech, but in the SNP we have a chef who cannot be trusted to bring those ingredients together.

We need to start by investing in our people, and nowhere is that more important than in education. Scotland needs the best skills if we are to compete with the world, make and imagine things again, and create opportunities for our young people. However, in the PISA statistics that came out yesterday, we saw a worrying trend against that. Michael Marra was quite right to bring our attention to that. On national television yesterday, it was an insult to hear Stephen Flynn, the leader of the SNP at Westminster, tell Sky News that it was not the SNP's fault. He sought to blame the decline in our international standards on a Liberal

Democrat-Labour Government that left power 16 years ago. Our teachers and pupils deserve so much better than denial and deflection. We have now seen the worst-ever results across reading, science and maths, with England performing better on every measure. Under the SNP, performance has slipped. If Stephen Flynn cannot accept that, people will have no faith in the Government's ability to get us back to where we could be.

I see that the Presiding Officer wants me to conclude. I had a lot more to say—not least on health, because when we do not have a healthy workforce, we cannot grow our economy—but I will rest on my remarks.

16:43

**Michael Marra:** I thank all the members who contributed to the debate. I will start with Stuart McMillan's speech. I very much agree with him about the huge challenge and wake-up call that we face with regard to the falling living standards across the whole of the UK and what they should tell us all about the direction that our economy has taken. We entirely agree about how poor the terrible Tory autumn statement was. It came from a Government that is, thankfully, running out of time. The Tory Government has left our economy in a parlous and stagnant state, and nothing that Jeremy Hunt said or did in the autumn statement will change that. The Tory Government bears a huge responsibility for the record fall in living standards and the woeful outlook for economic growth in this country.

However, I am afraid that, in Scotland, we have been lumbered with two incompetent Governments, and each is more interested in stoking division and blaming the other than in facing the consequences of their respective 16 and 13 years of decision making. It is on that basis that we will not support the Tory amendment, as we do not believe that either Government is delivering

"the best outcomes for the Scottish economy".

Alex Cole-Hamilton made some very good points on the importance of economic growth and how vital it is to the future of our citizens, our country and our public finances. If we are to change the state of our public finances—

**Liz Smith:** Will the member give way?

**Michael Marra:** Not at the moment. I am just getting started.

If we are to change the state of our public finances, we must see growth in our economy and make sure that we can raise the wages of Scots.

Labour will also—

**Michelle Thomson:** Will the member take an intervention?

**Michael Marra:** No, thank you.

Labour will not vote for the Alba amendment either, which gets the party off to a flying start in the chamber. As various members said, the Finance and Public Administration Committee has heard a considerable amount of evidence on VAT assignment over the years. At the most recent round table, on 14 November, witnesses and members were in broad agreement that it would involve significant practical barriers and have fairly limited benefits for Scotland.

My experience of the Alba Party is limited to the internet, but it seems to be untroubled by evidence or reality. I am sorry that Ash Regan found my earlier speech slightly dispiriting. I have thoroughly enjoyed her contributions, and particularly her reflections on her time in Government and the paucity of the record of her erstwhile colleagues. She talked about the trap of the fiscal framework, which was perhaps designed by Michelle Thomson's zombies. The two of them share a common concern, but they had nothing to say about the £11 billion economic cost of independence or the £14 billion fiscal cost that would be immediate.

**Liz Smith:** Had Mr Marra been in the Deputy First Minister's shoes, would the Labour Party have signed up to the fiscal framework?

**Michael Marra:** That is a good question. We have supported much of what was agreed. We are certainly supportive of the framework in those broad terms. I do not believe that we would have liked to have come from the original starting point that the Deputy First Minister found herself at, which involved making a rushed decision to try to grasp the borrowing requirements that were there.

That brings me to the points that Kenneth Gibson made, speaking as convener of the Finance and Public Administration Committee. I share his regrets—they are the regrets of all members of the committee—about the process, some of which John Mason laid out. However, Kenneth Gibson does not necessarily share my analysis of why the agreement was reached so hastily. I say to Liz Smith that I do not really understand fully the dynamics of striking an agreement to which there are two signatories, where one of those signatures can be withheld—perhaps indefinitely, should the Deputy First Minister have chosen to do so—for a better deal. There was something in the Deputy First Minister's motivation to get that deal done, and quickly. In that respect, I believe that the Government has sacrificed long-term prospects for its short-term political benefit.

It has been a feature of the debate that members across all parties share concerns about the lack of scrutiny and public debate that would have assisted the Government in doing its job. There is welcome news from the courts this afternoon, as the Scottish Government was defeated in its attempt to shut down freedom of information in this country. However, as the Labour amendment states, we regret the approach that it has taken around the fiscal framework. It is an approach that has become far too common with this Government. It might be too technical, in the words of the Deputy First Minister, but that should not preclude proper public scrutiny.

No matter what John Swinney might say or his posture around my contribution, we luckily have the *Official Report*, which can show that his remarks, although they might not have been curious, were spurious in that regard.

**Shona Robison:** Touchy.

**Michael Marra:** Touchy, indeed.

We are speaking about very serious matters. They are significant for the future and the fiscal health of this country and for the budget that we will see in a few weeks' time. I am sure that the Deputy First Minister will use the powers to their full extent.

16:49

**Liz Smith:** I begin my summing up by again thanking the officials behind the scenes, who did a very difficult and complex job. Although I know that there are scrutiny issues—those points have been made well, and the Finance and Public Administration Committee has already expressed concerns about that scrutiny, so we will perhaps look to rectify that when we update the fiscal framework in future—the officials worked incredibly hard for a long period in order to come to an agreement. John Swinney is right to point to the word "agreement", because that is what it has to be: an agreement. Despite the fact that we have fundamental differences in our constitutional approaches—we want different things, obviously—the fiscal framework is about the current constitutional set-up. That is why it is important that it is an agreement and that both Governments do their best on behalf of Scotland—that is why my amendment says what it does.

**John Swinney:** On Liz Smith's substantive point about the welcome nature of having a process for agreement, does she reflect on our experience of the Sewel convention since Brexit? Up until 2019, the UK Government indicated that it would not normally legislate against the consent of the Scottish Parliament. That has been breached on, I think, nine occasions since Brexit. Is that in the spirit of what we should reasonably expect of

our intergovernmental relations between the Scottish and UK Governments and Parliaments?

**Liz Smith:** Intergovernmental relations could be improved, and there are messages for both sides as to why they could be improved. That message is just as important for this Parliament as it is for Westminster.

The debate was perhaps more interesting than some of us thought that it would be. In fact, in some cases, it was quite entertaining. Mr Leonard likes to take the back seat at the top of the chamber. I have a little bit of advice for him. Perhaps if he moved a bit further to the front, he would be able to see the face of his party's front-bench team when he is making points in his Arthur Scargill-esque terms. I do not think that Mr Marra was in agreement with what Mr Leonard was saying. I may be wrong, but I have a hunch that there is no agreement there at all. Perhaps a framework agreement between the two of them might be a good thing.

We have talked a little about trust—that is “trust”, not “Truss”. Trust is very important. My colleague Brian Whittle mentioned it, and Alex Cole-Hamilton mentioned trust between the Scottish Government and local government. This Parliament has a duty and a responsibility to think about how that trust can be built on and enhanced. Clearly, as Alex Cole-Hamilton rightly said, there are issues in local government just now in which trust has been undermined. If we are going to have better relationships between the Scottish Government and the UK Government, they have to be built on trust.

I want to say a little bit about the three Davids who put together the independent report, because not enough has been said about them. Their report took out the politics as much as was possible, which is difficult to do when it comes to the fiscal framework. Their report was extremely important in getting behind the politics. In their executive summary, they said something very interesting: that both Governments have a duty

“to set out transparently the rationale”

for fiscal framework decisions. That is important, because the three Davids were doing their level best in very difficult circumstances and using a very complex formula to do that. They deserve great praise—they certainly paid every attention to detail when it came to the Finance and Public Administration Committee's scrutiny. I cannot thank them enough, and I am sure that I speak on behalf of my colleagues in committee in saying that we owe them a debt of gratitude for producing a report that is more intelligible than many people think the fiscal framework is.

Mr McKee made some interesting points in his speech. When Mr McKee was a minister, he

listened to business. I am quite sure that, when people in the business community speak to Mr McKee now, they are putting to him quite a lot of points about taxation, which is a topic that he raised in his speech. I would put a lot of money on it being a fact that the business community is now telling Mr McKee that the last thing that business wants is a high-tax Scottish economy, in which people who are coming to work, live and invest here feel slightly aggrieved about that. That is the last thing that Scotland needs.

The fiscal framework is so important for this Parliament and for the Scottish economy. Putting constitutional politics aside is very difficult, but it really matters that we look at the fiscal framework with as objective an analysis as we can. We must take on board the advice that is given to us by the independent economists and academics on whom we rely so much for information, and on the Scottish Fiscal Commission.

The debate is very important and it is definitely to be continued. Once again, I thank those who were involved in signing the agreement and all those who worked behind the scenes, because it really means an awful lot.

**The Deputy Presiding Officer:** Thank you, Ms Smith. I invite the minister to wind up the debate for up to nine minutes.

16:56

**The Minister for Community Wealth and Public Finance (Tom Arthur):** I join the Deputy First Minister and colleagues from around the chamber in paying tribute, and expressing my thanks, to Scottish Government and UK Government officials for their work in ensuring that we have reached the agreement in the revised fiscal framework. I join Liz Smith—and I am sure that others would want to join me as well—in thanking the authors of the independent report. I also pay tribute to the work of the Deputy First Minister in securing the deal, and to John Swinney for his work on progressing both this deal and the original fiscal framework, along with my colleague Kate Forbes when she had that responsibility.

John Swinney's contribution served as a timely reminder of just how hard fought-for and hard-gained the powers are that we now enjoy. We should always bear that in mind. Even when we are having a debate such as this, which at times can be dry and technical, it is of fundamental importance to the people of Scotland because it ultimately dictates the revenue that we have at our disposal to fund the public services on which we all depend.

Those powers did not arise by themselves. They are the result of hard negotiation, and they are also the result of clear views expressed by the

Scottish people. Just as constitutional change in previous decades—whether through the Kilbrandon report and the Scotland Act 1978 in the 1970s or the constitutional convention of the 1980s—followed on from or coincided with significant SNP advances, the further devolution that we have seen come to this Parliament followed on from the SNP's victory in 2007. The powers that we are debating today are a direct consequence of so many people choosing to vote for independence only 10 years ago, in the independence referendum.

In taking forward the review of the fiscal framework, we are operating within a number of contexts. I have heard some colleagues ask why more could not have been achieved. It is a fair question to ask, but at times it ignores the reality that there are two partners within a negotiation and we are ultimately limited by how much the UK Government wishes to concede. We have sought to engage in those negotiations in a mature way in order to deliver the best outcome, and in doing so we have sought not to make the perfect the enemy of the good.

**Liz Smith:** Does the minister accept that the UK Government listened to the Scottish Government's requests when it came to inflation-proofing the change and to ensuring that there was greater flexibility on the borrowing powers that the Scottish Government has and that it was more responsive to exogenous shocks? That is the difference between the 2016 fiscal framework and the 2023 fiscal framework.

**Tom Arthur:** We recognise that this is significant progress. I pay tribute to the UK Government officials and to the former Chief Secretary of the Treasury. It is, of course, not all that we would want, but it responds to some of our concerns and I know that it responds to some of the concerns that Parliament has expressed.

We are also operating within the context of the Smith commission principles. Those principles are cross party in origin. I note the comments that Liz Smith made in her remarks, and, of course, the Government would listen with interest to any further considerations that members or any committees of this Parliament may have with regard to the Smith principles.

The final point about context that I want to make is on the fiscal context in which we are operating. We can discuss the fiscal framework in abstract terms but, in reality, it is about how resources are allocated. Ultimately, the outputs from any framework will only be as good as its inputs. As the Scottish Government's motion makes clear, the situation that we find ourselves in is grave. We face the most profound set of fiscal challenges that any Government has experienced under devolution.

That is not unique to Scotland. We know that the situation in Wales is just as grave. In October, the Welsh Government set out that it needed to find £600 million in savings before the end of the financial year. Accounting for differences in the size of our budget, that would be the equivalent of more than £1 billion in Scotland.

On the context moving into the next financial year, the UK Government has not inflation-proofed its capital budget, which is forecast to result in a 9.8 per cent real-terms cut in our UK capital funding over the medium term, between 2023-24 and 2027-28. On resource, at the autumn statement, the UK Government delivered real-terms cuts to NHS England and to justice. That presents us with a grave set of choices. That is the context in which we find ourselves less than two weeks out from the budget.

I recognise that there has been a constructive tone to much of the debate. Liz Smith touched on the need for Scotland to get the best deal and, I think, a collective duty on this Parliament. I commend the work of the Finance and Public Administration Committee in its scrutiny of the fiscal framework, and the work of its predecessor committee in the previous session of Parliament, of which I was a member. It is incumbent on the Scottish Government and the UK Government to reflect carefully on the considerations that have been put forward by the Finance and Public Administration Committee on a range of issues, particularly on the matter of VAT assignment, which a number of members have touched on.

We will, of course, continue to engage constructively with the UK Government ahead of the next fiscal framework review. It is estimated that that will take place in five years' time, and it has been set out that it will not happen more than once in any particular session. I recognise that members will have an interest in how the agreements that we have reached in the new fiscal framework review are implemented. Further information will, of course, be provided as part of the budget process.

**John Mason:** Is it the minister's understanding that, if there was a change of Government at Westminster, that could trigger another look at the fiscal framework?

**Tom Arthur:** I certainly hope so. I hope that a change of Administration at Westminster would afford an opportunity for a refreshed approach. I do not know whether the Labour Party has updated its position, but the Gordon Brown commission report, which I believe forms the basis for Labour's constitutional offering, states on page 110 that

"A consultation should be held over updating Scottish capital borrowing ceilings".

That has now been superseded by the fiscal framework review, so I hope that any incoming Labour Government, should that be the outcome of the election, would take a more ambitious approach, reflecting on many of the contributions that have been made today, including perhaps the contribution from Labour member Richard Leonard. I am sure that Mr Marra, on the front bench, listened to Mr Leonard very carefully and took copious notes to inform Labour's constitutional position.

On Labour's position, I note that Stuart McMillan highlighted in some detail the comments of Keir Starmer. We are facing austerity. It is austerity redux, but it is now in the context of 13 years of austerity, economic mismanagement from the UK Government and general political and economic chaos. What the UK Government has put forward cannot stand—it must be revisited. However, so far, we have heard not just obstinance from the UK Government but an embrace of that fiscal approach from the Labour Party.

What the UK is facing, and what Scotland is facing through no choice of its own, is austerity for the rest of this decade. Although the fiscal framework represents an improvement on our current fiscal arrangements, if we truly want to unleash the potential of the Scottish people and have an economy that can compete with Ireland, Norway, Denmark and other similarly small and medium-sized economies, the only way to do that is not through mitigation or a halfway house of a fiscal framework and devolution but by taking on the full powers of an independent nation.

## Business Motion

17:05

**The Deputy Presiding Officer (Liam McArthur):** The next item of business is consideration of business motion S6M-11560, in the name of George Adam, on behalf of the Parliamentary Bureau, setting out a business programme.

*Motion moved,*

That the Parliament agrees—

(a) the following programme of business—

Tuesday 12 December 2023

2.00 pm Time for Reflection

*followed by* Parliamentary Bureau Motions

*followed by* Topical Questions (if selected)

*followed by* Ministerial Statement: Literacy and Numeracy

*followed by* Equalities, Human Rights and Civil Justice Committee Debate: Asylum Seekers in Scotland

*followed by* Committee Announcements

*followed by* Business Motions

*followed by* Parliamentary Bureau Motions

5.00 pm Decision Time

*followed by* Members' Business

Wednesday 13 December 2023

2.00 pm Parliamentary Bureau Motions

2.00 pm Portfolio Questions:  
Wellbeing Economy, Fair Work and Energy;  
Finance and Parliamentary Business

*followed by* Scottish Conservative and Unionist Party Business

*followed by* Business Motions

*followed by* Parliamentary Bureau Motions

*followed by* Approval of SSIs (if required)

5.10 pm Decision Time

*followed by* Members' Business

Thursday 14 December 2023

11.40 am Parliamentary Bureau Motions

11.40 am General Questions

12.00 pm First Minister's Questions

*followed by* Members' Business

2.30 pm Parliamentary Bureau Motions

2.30 pm Portfolio Questions:  
Transport, Net Zero and Just Transition

*followed by* Scottish Government Debate:  
Application of the Strikes (Minimum

Service Levels) Act 2023 in Scotland

*followed by* Business Motions

*followed by* Parliamentary Bureau Motions

5.00 pm Decision Time

Tuesday 19 December 2023

2.00 pm Time for Reflection

*followed by* Parliamentary Bureau Motions

*followed by* Topical Questions (if selected)

*followed by* Scottish Government Business

*followed by* Committee Announcements

*followed by* Business Motions

*followed by* Parliamentary Bureau Motions

5.00 pm Decision Time

*followed by* Members' Business

Wednesday 20 December 2023

2.00 pm Parliamentary Bureau Motions

2.00 pm Portfolio Questions:  
Rural Affairs, Land Reform and Islands;  
NHS Recovery, Health and Social Care

*followed by* Stage 3 Proceedings: Trusts and  
Succession (Scotland) Bill

*followed by* Business Motions

*followed by* Parliamentary Bureau Motions

*followed by* Approval of SSIs (if required)

5.00 pm Decision Time

*followed by* Members' Business

Thursday 21 December 2023

11.40 am Parliamentary Bureau Motions

11.40 am General Questions

12.00 pm First Minister's Questions

12.45 pm Portfolio Questions:  
Social Justice

1.10 pm Decision Time

*followed by* Members' Business

(b) that, for the purposes of Portfolio Questions in the week beginning 11 December 2023, in rule 13.7.3, after the word "except" the words "to the extent to which the Presiding Officer considers that the questions are on the same or similar subject matter or" are inserted.—[George Adam]

*Motion agreed to.*

## Parliamentary Bureau Motions

17:05

**The Deputy Presiding Officer (Liam McArthur):** The next item of business is consideration of five Parliamentary Bureau motions. I ask George Adam, on behalf of the Parliamentary Bureau, to move motions S6M-11561 to S6M-11563, on approval of Scottish statutory instruments, and S6M-11564 and S6M-11565, on designation of lead committees.

*Motions moved,*

That the Parliament agrees that the Retained EU Law (Revocation and Reform) Act 2023 (Consequential Amendments) (Scotland) Regulations 2023 [draft] be approved.

That the Parliament agrees that the Plant Health (Fees) (Forestry) (Scotland) (Amendment) Regulations 2023 [draft] be approved.

That the Parliament agrees that the Quality Meat Scotland (Amendment) Order 2023 [draft] be approved.

That the Parliament agrees that the Education, Children and Young People Committee be designated as the lead committee in consideration of the Scottish Languages Bill at stage 1.

That the Parliament agrees that the Economy and Fair Work Committee be designated as the lead committee in consideration of the legislative consent memorandum on the Trade (Comprehensive and Progressive Agreement for Trans-Pacific Partnership) Bill.—[George Adam]

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

## Decision Time

17:05

**The Deputy Presiding Officer (Liam McArthur):** There are six questions to be put as a result of today's business. I remind members that, if the amendment in the name of Liz Smith is agreed to, the amendments in the name of Michael Marra and Ash Regan will fall.

The first question is, that amendment S6M-11546.4, in the name of Liz Smith, which seeks to amend motion S6M-11546, in the name of Shona Robison, on the fiscal framework review, be agreed to. Are we agreed?

**Members:** No.

**The Deputy Presiding Officer:** There will be a division.

There will be a short suspension to allow members to access the voting system.

17:06

*Meeting suspended.*

17:08

*On resuming—*

**The Deputy Presiding Officer:** We move to the vote on amendment S6M-11546.4, in the name of Liz Smith. Members should cast their votes now.

### For

Balfour, Jeremy (Lothian) (Con)  
 Briggs, Miles (Lothian) (Con)  
 Burnett, Alexander (Aberdeenshire West) (Con)  
 Cameron, Donald (Highlands and Islands) (Con)  
 Carlaw, Jackson (Eastwood) (Con)  
 Carson, Finlay (Galloway and West Dumfries) (Con)  
 Doney, Sharon (South Scotland) (Con)  
 Findlay, Russell (West Scotland) (Con)  
 Fraser, Murdo (Mid Scotland and Fife) (Con)  
 Gallacher, Meghan (Central Scotland) (Con)  
 Golden, Maurice (North East Scotland) (Con)  
 Gosal, Pam (West Scotland) (Con)  
 Greene, Jamie (West Scotland) (Con)  
 Gulhane, Sandesh (Glasgow) (Con)  
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)  
 Hoy, Craig (South Scotland) (Con)  
 Halcro Johnston, Jamie (Highlands and Islands) (Con)  
 Kerr, Liam (North East Scotland) (Con)  
 Kerr, Stephen (Central Scotland) (Con)  
 Lumsden, Douglas (North East Scotland) (Con)  
 McCall, Roz (Mid Scotland and Fife) (Con)  
 Mountain, Edward (Highlands and Islands) (Con)  
 Mundell, Oliver (Dumfriesshire) (Con)  
 Ross, Douglas (Highlands and Islands) (Con)  
 Simpson, Graham (Central Scotland) (Con)  
 Smith, Liz (Mid Scotland and Fife) (Con)  
 Stewart, Alexander (Mid Scotland and Fife) (Con)  
 Webber, Sue (Lothian) (Con)  
 Wells, Annie (Glasgow) (Con)

White, Tess (North East Scotland) (Con)  
 Whittle, Brian (South Scotland) (Con)

### Against

Adam, George (Paisley) (SNP)  
 Adam, Karen (Banffshire and Buchan Coast) (SNP)  
 Adamson, Clare (Motherwell and Wishaw) (SNP)  
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)  
 Arthur, Tom (Renfrewshire South) (SNP)  
 Baillie, Jackie (Dumbarton) (Lab)  
 Baker, Claire (Mid Scotland and Fife) (Lab)  
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)  
 Bibby, Neil (West Scotland) (Lab)  
 Boyack, Sarah (Lothian) (Lab)  
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)  
 Brown, Siobhian (Ayr) (SNP)  
 Burgess, Ariane (Highlands and Islands) (Green)  
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)  
 Chapman, Maggie (North East Scotland) (Green)  
 Choudhury, Foyso (Lothian) (Lab)  
 Clark, Katy (West Scotland) (Lab)  
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)  
 Cole-Hamilton, Alex (Edinburgh Western) (LD)  
 Constance, Angela (Almond Valley) (SNP)  
 Dey, Graeme (Angus South) (SNP)  
 Don, Natalie (Renfrewshire North and West) (SNP)  
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)  
 Dornan, James (Glasgow Cathcart) (SNP)  
 Dunbar, Jackie (Aberdeen Donside) (SNP)  
 Duncan-Glancy, Pam (Glasgow) (Lab)  
 Ewing, Annabelle (Cowdenbeath) (SNP)  
 Ewing, Fergus (Inverness and Nairn) (SNP)  
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)  
 FitzPatrick, Joe (Dundee City West) (SNP)  
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)  
 Gibson, Kenneth (Cunninghame North) (SNP)  
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)  
 Gougeon, Mairi (Angus North and Mearns) (SNP)  
 Grant, Rhoda (Highlands and Islands) (Lab)  
 Gray, Neil (Airdrie and Shotts) (SNP)  
 Greer, Ross (West Scotland) (Green)  
 Griffin, Mark (Central Scotland) (Lab)  
 Harper, Emma (South Scotland) (SNP)  
 Harvie, Patrick (Glasgow) (Green)  
 Haughey, Clare (Rutherglen) (SNP)  
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)  
 Hyslop, Fiona (Linlithgow) (SNP)  
 Johnson, Daniel (Edinburgh Southern) (Lab)  
 Kidd, Bill (Glasgow Anniesland) (SNP)  
 Lennon, Monica (Central Scotland) (Lab)  
 Leonard, Richard (Central Scotland) (Lab)  
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)  
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)  
 Mackay, Gillian (Central Scotland) (Green)  
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)  
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)  
 Maguire, Ruth (Cunninghame South) (SNP)  
 Marra, Michael (North East Scotland) (Lab)  
 Mason, John (Glasgow Shettleston) (SNP)  
 Matheson, Michael (Falkirk West) (SNP)  
 McKee, Ivan (Glasgow Provan) (SNP)  
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)  
 McLennan, Paul (East Lothian) (SNP)  
 McMillan, Stuart (Greenock and Inverclyde) (SNP)  
 McNair, Marie (Clydebank and Milngavie) (SNP)  
 McNeill, Pauline (Glasgow) (Lab)  
 Minto, Jenni (Argyll and Bute) (SNP)  
 Mochan, Carol (South Scotland) (Lab)  
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)  
 O'Kane, Paul (West Scotland) (Lab)

Regan, Ash (Edinburgh Eastern) (Alba)  
 Rennie, Willie (North East Fife) (LD)  
 Robertson, Angus (Edinburgh Central) (SNP)  
 Robison, Shona (Dundee City East) (SNP)  
 Rowley, Alex (Mid Scotland and Fife) (Lab)  
 Ruskell, Mark (Mid Scotland and Fife) (Green)  
 Sarwar, Anas (Glasgow) (Lab)  
 Slater, Lorna (Lothian) (Green)  
 Smyth, Colin (South Scotland) (Lab)  
 Somerville, Shirley-Anne (Dunfermline) (SNP)  
 Stevenson, Collette (East Kilbride) (SNP)  
 Stewart, Kaukab (Glasgow Kelvin) (SNP)  
 Stewart, Kevin (Aberdeen Central) (SNP)  
 Sturgeon, Nicola (Glasgow Southside) (SNP)  
 Sweeney, Paul (Glasgow) (Lab)  
 Swinney, John (Perthshire North) (SNP)  
 Thomson, Michelle (Falkirk East) (SNP)  
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)  
 Tweed, Evelyn (Stirling) (SNP)  
 Villalba, Mercedes (North East Scotland) (Lab)  
 Whitfield, Martin (South Scotland) (Lab)  
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)  
 Wishart, Beatrice (Shetland Islands) (LD)

**The Deputy Presiding Officer:** The result of the division on amendment S6M-11546.4, in the name of Liz Smith, is: For 31, Against 89, Abstentions 0.

*Amendment disagreed to.*

**The Deputy Presiding Officer:** The next question is, that amendment S6M-11546.3, in the name of Michael Marra, which seeks to amend motion S6M-11546, in the name of Shona Robison, on the fiscal framework review, be agreed to. Are we agreed?

**Members:** No.

**The Deputy Presiding Officer:** There will be a division.

The vote is closed.

**Mark Ruskell (Mid Scotland and Fife) (Green):** On a point of order, my app would not connect. I would have voted no.

**The Deputy Presiding Officer:** Thank you, Mr Ruskell. I will make sure that that is recorded.

**Katy Clark (West Scotland) (Lab):** On a point of order, I would have voted yes.

**The Deputy Presiding Officer:** Thank you, Ms Clark. We will make sure that that is recorded.

#### For

Baillie, Jackie (Dumbarton) (Lab)  
 Baker, Claire (Mid Scotland and Fife) (Lab)  
 Bibby, Neil (West Scotland) (Lab)  
 Boyack, Sarah (Lothian) (Lab)  
 Choudhury, Foyso (Lothian) (Lab)  
 Clark, Katy (West Scotland) (Lab)  
 Cole-Hamilton, Alex (Edinburgh Western) (LD)  
 Duncan-Glancy, Pam (Glasgow) (Lab)  
 Grant, Rhoda (Highlands and Islands) (Lab)  
 Griffin, Mark (Central Scotland) (Lab)  
 Johnson, Daniel (Edinburgh Southern) (Lab)  
 Lennon, Monica (Central Scotland) (Lab)

Leonard, Richard (Central Scotland) (Lab)  
 Marra, Michael (North East Scotland) (Lab)  
 McNeill, Pauline (Glasgow) (Lab)  
 Mochan, Carol (South Scotland) (Lab)  
 O'Kane, Paul (West Scotland) (Lab)  
 Rennie, Willie (North East Fife) (LD)  
 Rowley, Alex (Mid Scotland and Fife) (Lab)  
 Sarwar, Anas (Glasgow) (Lab)  
 Smyth, Colin (South Scotland) (Lab)  
 Sweeney, Paul (Glasgow) (Lab)  
 Villalba, Mercedes (North East Scotland) (Lab)  
 Whitfield, Martin (South Scotland) (Lab)  
 Wishart, Beatrice (Shetland Islands) (LD)

#### Against

Adam, George (Paisley) (SNP)  
 Adam, Karen (Banffshire and Buchan Coast) (SNP)  
 Adamson, Clare (Motherwell and Wishaw) (SNP)  
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)  
 Arthur, Tom (Renfrewshire South) (SNP)  
 Balfour, Jeremy (Lothian) (Con)  
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)  
 Briggs, Miles (Lothian) (Con)  
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)  
 Brown, Siobhian (Ayr) (SNP)  
 Burgess, Ariane (Highlands and Islands) (Green)  
 Burnett, Alexander (Aberdeenshire West) (Con)  
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)  
 Cameron, Donald (Highlands and Islands) (Con)  
 Carlaw, Jackson (Eastwood) (Con)  
 Carson, Finlay (Galloway and West Dumfries) (Con)  
 Chapman, Maggie (North East Scotland) (Green)  
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)  
 Constance, Angela (Almond Valley) (SNP)  
 Dey, Graeme (Angus South) (SNP)  
 Don, Natalie (Renfrewshire North and West) (SNP)  
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)  
 Dornan, James (Glasgow Cathcart) (SNP)  
 Dowey, Sharon (South Scotland) (Con)  
 Dunbar, Jackie (Aberdeen Donside) (SNP)  
 Ewing, Annabelle (Cowdenbeath) (SNP)  
 Ewing, Fergus (Inverness and Nairn) (SNP)  
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)  
 Findlay, Russell (West Scotland) (Con)  
 FitzPatrick, Joe (Dundee City West) (SNP)  
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)  
 Fraser, Murdo (Mid Scotland and Fife) (Con)  
 Gallacher, Meghan (Central Scotland) (Con)  
 Gibson, Kenneth (Cunninghame North) (SNP)  
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)  
 Golden, Maurice (North East Scotland) (Con)  
 Gosal, Pam (West Scotland) (Con)  
 Gougeon, Mairi (Angus North and Mearns) (SNP)  
 Gray, Neil (Airdrie and Shotts) (SNP)  
 Greene, Jamie (West Scotland) (Con)  
 Greer, Ross (West Scotland) (Green)  
 Gulhane, Sandesh (Glasgow) (Con)  
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)  
 Harper, Emma (South Scotland) (SNP)  
 Harvie, Patrick (Glasgow) (Green)  
 Haughey, Clare (Rutherglen) (SNP)  
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)  
 Hoy, Craig (South Scotland) (Con)  
 Hyslop, Fiona (Linlithgow) (SNP)  
 Halcro Johnston, Jamie (Highlands and Islands) (Con)  
 Kerr, Liam (North East Scotland) (Con)  
 Kerr, Stephen (Central Scotland) (Con)  
 Kidd, Bill (Glasgow Anniesland) (SNP)  
 Lumsden, Douglas (North East Scotland) (Con)  
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)  
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)

Mackay, Gillian (Central Scotland) (Green)  
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)  
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)  
 Maguire, Ruth (Cunninghame South) (SNP)  
 Mason, John (Glasgow Shettleston) (SNP)  
 Matheson, Michael (Falkirk West) (SNP)  
 McCall, Roz (Mid Scotland and Fife) (Con)  
 McKee, Ivan (Glasgow Provan) (SNP)  
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)  
 McLennan, Paul (East Lothian) (SNP)  
 McMillan, Stuart (Greenock and Inverclyde) (SNP)  
 McNair, Marie (Clydebank and Milngavie) (SNP)  
 Minto, Jenni (Argyll and Bute) (SNP)  
 Mountain, Edward (Highlands and Islands) (Con)  
 Mundell, Oliver (Dumfriesshire) (Con)  
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)  
 Regan, Ash (Edinburgh Eastern) (Alba)  
 Robertson, Angus (Edinburgh Central) (SNP)  
 Robison, Shona (Dundee City East) (SNP)  
 Ross, Douglas (Highlands and Islands) (Con)  
 Ruskell, Mark (Mid Scotland and Fife) (Green)  
 Simpson, Graham (Central Scotland) (Con)  
 Slater, Lorna (Lothian) (Green)  
 Smith, Liz (Mid Scotland and Fife) (Con)  
 Somerville, Shirley-Anne (Dunfermline) (SNP)  
 Stevenson, Collette (East Kilbride) (SNP)  
 Stewart, Alexander (Mid Scotland and Fife) (Con)  
 Stewart, Kaukab (Glasgow Kelvin) (SNP)  
 Stewart, Kevin (Aberdeen Central) (SNP)  
 Sturgeon, Nicola (Glasgow Southside) (SNP)  
 Swinney, John (Perthshire North) (SNP)  
 Thomson, Michelle (Falkirk East) (SNP)  
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)  
 Tweed, Evelyn (Stirling) (SNP)  
 Webber, Sue (Lothian) (Con)  
 Wells, Annie (Glasgow) (Con)  
 White, Tess (North East Scotland) (Con)  
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)  
 Whittle, Brian (South Scotland) (Con)

**The Deputy Presiding Officer:** The result of the division on amendment S6M-11546.3, in the name of Michael Marra, is: For 25, Against 95, Abstentions 0.

*Amendment disagreed to.*

**The Deputy Presiding Officer:** The next question is, that amendment S6M-11546.2, in the name of Alex Cole-Hamilton, which seeks to amend motion S6M-11546, in the name of Shona Robison, on the fiscal framework review, be agreed to. Are we agreed?

**Members:** No.

**The Deputy Presiding Officer:** There will be a division.

The vote is closed.

**The Minister for Higher and Further Education; and Minister for Veterans (Graeme Dey):** On a point of order, my app is not working. I would have voted no.

**The Deputy Presiding Officer:** Thank you, Mr Dey. I will make sure that that is recorded.

**Bob Doris (Glasgow Maryhill and Springburn) (SNP):** On a point of order, my app would not connect. I would have voted no.

**The Deputy Presiding Officer:** Thank you, Mr Doris. I will make sure that that is recorded.

**For**

Baillie, Jackie (Dumbarton) (Lab)  
 Baker, Claire (Mid Scotland and Fife) (Lab)  
 Balfour, Jeremy (Lothian) (Con)  
 Bibby, Neil (West Scotland) (Lab)  
 Boyack, Sarah (Lothian) (Lab)  
 Briggs, Miles (Lothian) (Con)  
 Burnett, Alexander (Aberdeenshire West) (Con)  
 Cameron, Donald (Highlands and Islands) (Con)  
 Carlaw, Jackson (Eastwood) (Con)  
 Carson, Finlay (Galloway and West Dumfries) (Con)  
 Choudhury, Foyso (Lothian) (Lab)  
 Clark, Katy (West Scotland) (Lab)  
 Cole-Hamilton, Alex (Edinburgh Western) (LD)  
 Dowey, Sharon (South Scotland) (Con)  
 Duncan-Glancy, Pam (Glasgow) (Lab)  
 Findlay, Russell (West Scotland) (Con)  
 Fraser, Murdo (Mid Scotland and Fife) (Con)  
 Gallacher, Meghan (Central Scotland) (Con)  
 Golden, Maurice (North East Scotland) (Con)  
 Gosal, Pam (West Scotland) (Con)  
 Grant, Rhoda (Highlands and Islands) (Lab)  
 Greene, Jamie (West Scotland) (Con)  
 Griffin, Mark (Central Scotland) (Lab)  
 Gulhane, Sandesh (Glasgow) (Con)  
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)  
 Hoy, Craig (South Scotland) (Con)  
 Johnson, Daniel (Edinburgh Southern) (Lab)  
 Halcro Johnston, Jamie (Highlands and Islands) (Con)  
 Kerr, Liam (North East Scotland) (Con)  
 Kerr, Stephen (Central Scotland) (Con)  
 Lennon, Monica (Central Scotland) (Lab)  
 Leonard, Richard (Central Scotland) (Lab)  
 Lumsden, Douglas (North East Scotland) (Con)  
 Marra, Michael (North East Scotland) (Lab)  
 McCall, Roz (Mid Scotland and Fife) (Con)  
 McNeill, Pauline (Glasgow) (Lab)  
 Mochan, Carol (South Scotland) (Lab)  
 Mountain, Edward (Highlands and Islands) (Con)  
 Mundell, Oliver (Dumfriesshire) (Con)  
 O'Kane, Paul (West Scotland) (Lab)  
 Rennie, Willie (North East Fife) (LD)  
 Ross, Douglas (Highlands and Islands) (Con)  
 Rowley, Alex (Mid Scotland and Fife) (Lab)  
 Sarwar, Anas (Glasgow) (Lab)  
 Simpson, Graham (Central Scotland) (Con)  
 Smith, Liz (Mid Scotland and Fife) (Con)  
 Smyth, Colin (South Scotland) (Lab)  
 Stewart, Alexander (Mid Scotland and Fife) (Con)  
 Sweeney, Paul (Glasgow) (Lab)  
 Villalba, Mercedes (North East Scotland) (Lab)  
 Webber, Sue (Lothian) (Con)  
 Wells, Annie (Glasgow) (Con)  
 White, Tess (North East Scotland) (Con)  
 Whitfield, Martin (South Scotland) (Lab)  
 Whittle, Brian (South Scotland) (Con)  
 Wishart, Beatrice (Shetland Islands) (LD)

**Against**

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

Beattie, Colin (Midlothian North and Musselburgh) (SNP)  
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)  
 Brown, Siobhian (Ayr) (SNP)  
 Burgess, Ariane (Highlands and Islands) (Green)  
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)  
 Chapman, Maggie (North East Scotland) (Green)  
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)  
 Constance, Angela (Almond Valley) (SNP)  
 Dey, Graeme (Angus South) (SNP)  
 Don, Natalie (Renfrewshire North and West) (SNP)  
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)  
 Dornan, James (Glasgow Cathcart) (SNP)  
 Dunbar, Jackie (Aberdeen Donside) (SNP)  
 Ewing, Annabelle (Cowdenbeath) (SNP)  
 Ewing, Fergus (Inverness and Nairn) (SNP)  
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)  
 FitzPatrick, Joe (Dundee City West) (SNP)  
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)  
 Gibson, Kenneth (Cunninghame North) (SNP)  
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)  
 Gougeon, Mairi (Angus North and Mearns) (SNP)  
 Gray, Neil (Airdrie and Shotts) (SNP)  
 Greer, Ross (West Scotland) (Green)  
 Harper, Emma (South Scotland) (SNP)  
 Harvie, Patrick (Glasgow) (Green)  
 Haughey, Clare (Rutherglen) (SNP)  
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)  
 Hyslop, Fiona (Linlithgow) (SNP)  
 Kidd, Bill (Glasgow Anniesland) (SNP)  
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)  
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)  
 Mackay, Gillian (Central Scotland) (Green)  
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)  
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)  
 Maguire, Ruth (Cunninghame South) (SNP)  
 Mason, John (Glasgow Shettleston) (SNP)  
 Matheson, Michael (Falkirk West) (SNP)  
 McKee, Ivan (Glasgow Provan) (SNP)  
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)  
 McLennan, Paul (East Lothian) (SNP)  
 McMillan, Stuart (Greenock and Inverclyde) (SNP)  
 McNair, Marie (Clydebank and Milngavie) (SNP)  
 Minto, Jenni (Argyll and Bute) (SNP)  
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)  
 Regan, Ash (Edinburgh Eastern) (Alba)  
 Robertson, Angus (Edinburgh Central) (SNP)  
 Robison, Shona (Dundee City East) (SNP)  
 Ruskell, Mark (Mid Scotland and Fife) (Green)  
 Slater, Lorna (Lothian) (Green)  
 Somerville, Shirley-Anne (Dunfermline) (SNP)  
 Stevenson, Collette (East Kilbride) (SNP)  
 Stewart, Kaukab (Glasgow Kelvin) (SNP)  
 Stewart, Kevin (Aberdeen Central) (SNP)  
 Sturgeon, Nicola (Glasgow Southside) (SNP)  
 Swinney, John (Perthshire North) (SNP)  
 Thomson, Michelle (Falkirk East) (SNP)  
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)  
 Tweed, Evelyn (Stirling) (SNP)  
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)

**The Deputy Presiding Officer:** The result of the division on amendment S6M-11546.2, in the name of Alex Cole-Hamilton, is: For 56, Against 64, Abstentions 0.

*Amendment disagreed to.*

**The Deputy Presiding Officer:** The fourth question is, that amendment S6M-11546.1, in the

name of Ash Regan, which seeks to amend motion S6M-11546, in the name of Shona Robison, on the fiscal framework review, be agreed to. Are we agreed?

**Members:** No.

**The Deputy Presiding Officer:** There will be a division.

**For**

Regan, Ash (Edinburgh Eastern) (Alba)

**Against**

Adam, George (Paisley) (SNP)  
 Adam, Karen (Banffshire and Buchan Coast) (SNP)  
 Adamson, Clare (Motherwell and Wishaw) (SNP)  
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)  
 Arthur, Tom (Renfrewshire South) (SNP)  
 Baillie, Jackie (Dumbarton) (Lab)  
 Baker, Claire (Mid Scotland and Fife) (Lab)  
 Balfour, Jeremy (Lothian) (Con)  
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)  
 Bibby, Neil (West Scotland) (Lab)  
 Boyack, Sarah (Lothian) (Lab)  
 Briggs, Miles (Lothian) (Con)  
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)  
 Brown, Siobhian (Ayr) (SNP)  
 Burgess, Ariane (Highlands and Islands) (Green)  
 Burnett, Alexander (Aberdeenshire West) (Con)  
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)  
 Cameron, Donald (Highlands and Islands) (Con)  
 Carlaw, Jackson (Eastwood) (Con)  
 Carson, Finlay (Galloway and West Dumfries) (Con)  
 Chapman, Maggie (North East Scotland) (Green)  
 Choudhury, Foysol (Lothian) (Lab)  
 Clark, Katy (West Scotland) (Lab)  
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)  
 Cole-Hamilton, Alex (Edinburgh Western) (LD)  
 Constance, Angela (Almond Valley) (SNP)  
 Dey, Graeme (Angus South) (SNP)  
 Don, Natalie (Renfrewshire North and West) (SNP)  
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)  
 Dornan, James (Glasgow Cathcart) (SNP)  
 Dowey, Sharon (South Scotland) (Con)  
 Dunbar, Jackie (Aberdeen Donside) (SNP)  
 Duncan-Glancy, Pam (Glasgow) (Lab)  
 Ewing, Annabelle (Cowdenbeath) (SNP)  
 Ewing, Fergus (Inverness and Nairn) (SNP)  
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)  
 Findlay, Russell (West Scotland) (Con)  
 FitzPatrick, Joe (Dundee City West) (SNP)  
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)  
 Fraser, Murdo (Mid Scotland and Fife) (Con)  
 Gallacher, Meghan (Central Scotland) (Con)  
 Gibson, Kenneth (Cunninghame North) (SNP)  
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)  
 Golden, Maurice (North East Scotland) (Con)  
 Gosal, Pam (West Scotland) (Con)  
 Gougeon, Mairi (Angus North and Mearns) (SNP)  
 Grant, Rhoda (Highlands and Islands) (Lab)  
 Gray, Neil (Airdrie and Shotts) (SNP)  
 Greene, Jamie (West Scotland) (Con)  
 Greer, Ross (West Scotland) (Green)  
 Griffin, Mark (Central Scotland) (Lab)  
 Gulhane, Sandesh (Glasgow) (Con)  
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)  
 Harper, Emma (South Scotland) (SNP)  
 Harvie, Patrick (Glasgow) (Green)  
 Haughey, Clare (Rutherglen) (SNP)  
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)

Hoy, Craig (South Scotland) (Con)  
 Hyslop, Fiona (Linlithgow) (SNP)  
 Johnson, Daniel (Edinburgh Southern) (Lab)  
 Halcro Johnston, Jamie (Highlands and Islands) (Con)  
 Kerr, Liam (North East Scotland) (Con)  
 Kerr, Stephen (Central Scotland) (Con)  
 Kidd, Bill (Glasgow Anniesland) (SNP)  
 Lennon, Monica (Central Scotland) (Lab)  
 Leonard, Richard (Central Scotland) (Lab)  
 Lumsden, Douglas (North East Scotland) (Con)  
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)  
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)  
 Mackay, Gillian (Central Scotland) (Green)  
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)  
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)  
 Maguire, Ruth (Cunninghame South) (SNP)  
 Marra, Michael (North East Scotland) (Lab)  
 Mason, John (Glasgow Shettleston) (SNP)  
 Matheson, Michael (Falkirk West) (SNP)  
 McCall, Roz (Mid Scotland and Fife) (Con)  
 McKee, Ivan (Glasgow Provan) (SNP)  
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)  
 McLennan, Paul (East Lothian) (SNP)  
 McMillan, Stuart (Greenock and Inverclyde) (SNP)  
 McNair, Marie (Clydebank and Milngavie) (SNP)  
 McNeill, Pauline (Glasgow) (Lab)  
 Minto, Jenni (Argyll and Bute) (SNP)  
 Mochan, Carol (South Scotland) (Lab)  
 Mountain, Edward (Highlands and Islands) (Con)  
 Mundell, Oliver (Dumfriesshire) (Con)  
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)  
 O'Kane, Paul (West Scotland) (Lab)  
 Rennie, Willie (North East Fife) (LD)  
 Robertson, Angus (Edinburgh Central) (SNP)  
 Robison, Shona (Dundee City East) (SNP)  
 Ross, Douglas (Highlands and Islands) (Con)  
 Rowley, Alex (Mid Scotland and Fife) (Lab)  
 Ruskell, Mark (Mid Scotland and Fife) (Green)  
 Sarwar, Anas (Glasgow) (Lab)  
 Simpson, Graham (Central Scotland) (Con)  
 Slater, Lorna (Lothian) (Green)  
 Smith, Liz (Mid Scotland and Fife) (Con)  
 Smyth, Colin (South Scotland) (Lab)  
 Somerville, Shirley-Anne (Dunfermline) (SNP)  
 Stevenson, Collette (East Kilbride) (SNP)  
 Stewart, Alexander (Mid Scotland and Fife) (Con)  
 Stewart, Kaukab (Glasgow Kelvin) (SNP)  
 Stewart, Kevin (Aberdeen Central) (SNP)  
 Sturgeon, Nicola (Glasgow Southside) (SNP)  
 Sweeney, Paul (Glasgow) (Lab)  
 Swinney, John (Perthshire North) (SNP)  
 Thomson, Michelle (Falkirk East) (SNP)  
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)  
 Tweed, Evelyn (Stirling) (SNP)  
 Villalba, Mercedes (North East Scotland) (Lab)  
 Webber, Sue (Lothian) (Con)  
 Wells, Annie (Glasgow) (Con)  
 White, Tess (North East Scotland) (Con)  
 Whitfield, Martin (South Scotland) (Lab)  
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)  
 Whittle, Brian (South Scotland) (Con)  
 Wishart, Beatrice (Shetland Islands) (LD)

**The Deputy Presiding Officer:** The result of the division on amendment S6M-11546.1, in the name of Ash Regan, is: For 1, Against 119, Abstentions 0.

*Amendment disagreed to.*

**The Deputy Presiding Officer:** The next question is, that motion S6M-11546, in the name of Shona Robison, on the fiscal framework review, be agreed to. Are we agreed?

**Members: No.**

**For**

Adam, George (Paisley) (SNP)  
 Adam, Karen (Banffshire and Buchan Coast) (SNP)  
 Adamson, Clare (Motherwell and Wishaw) (SNP)  
 Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)  
 Arthur, Tom (Renfrewshire South) (SNP)  
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)  
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)  
 Brown, Siobhian (Ayr) (SNP)  
 Burgess, Ariane (Highlands and Islands) (Green)  
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)  
 Chapman, Maggie (North East Scotland) (Green)  
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)  
 Constance, Angela (Almond Valley) (SNP)  
 Dey, Graeme (Angus South) (SNP)  
 Don, Natalie (Renfrewshire North and West) (SNP)  
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)  
 Dornan, James (Glasgow Cathcart) (SNP)  
 Dunbar, Jackie (Aberdeen Donside) (SNP)  
 Ewing, Annabelle (Cowdenbeath) (SNP)  
 Ewing, Fergus (Inverness and Nairn) (SNP)  
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)  
 FitzPatrick, Joe (Dundee City West) (SNP)  
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)  
 Gibson, Kenneth (Cunninghame North) (SNP)  
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)  
 Gougeon, Mairi (Angus North and Mearns) (SNP)  
 Gray, Neil (Airdrie and Shotts) (SNP)  
 Greer, Ross (West Scotland) (Green)  
 Harper, Emma (South Scotland) (SNP)  
 Harvie, Patrick (Glasgow) (Green)  
 Haughey, Clare (Rutherglen) (SNP)  
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)  
 Hyslop, Fiona (Linlithgow) (SNP)  
 Kidd, Bill (Glasgow Anniesland) (SNP)  
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)  
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)  
 Mackay, Gillian (Central Scotland) (Green)  
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)  
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)  
 Maguire, Ruth (Cunninghame South) (SNP)  
 Mason, John (Glasgow Shettleston) (SNP)  
 Matheson, Michael (Falkirk West) (SNP)  
 McKee, Ivan (Glasgow Provan) (SNP)  
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)  
 McLennan, Paul (East Lothian) (SNP)  
 McMillan, Stuart (Greenock and Inverclyde) (SNP)  
 McNair, Marie (Clydebank and Milngavie) (SNP)  
 Minto, Jenni (Argyll and Bute) (SNP)  
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)  
 Robertson, Angus (Edinburgh Central) (SNP)  
 Robison, Shona (Dundee City East) (SNP)  
 Ruskell, Mark (Mid Scotland and Fife) (Green)  
 Slater, Lorna (Lothian) (Green)  
 Somerville, Shirley-Anne (Dunfermline) (SNP)  
 Stevenson, Collette (East Kilbride) (SNP)  
 Stewart, Kaukab (Glasgow Kelvin) (SNP)  
 Stewart, Kevin (Aberdeen Central) (SNP)  
 Sturgeon, Nicola (Glasgow Southside) (SNP)  
 Swinney, John (Perthshire North) (SNP)  
 Thomson, Michelle (Falkirk East) (SNP)  
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)  
 Tweed, Evelyn (Stirling) (SNP)

Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)

### Against

Baillie, Jackie (Dumbarton) (Lab)  
 Baker, Claire (Mid Scotland and Fife) (Lab)  
 Balfour, Jeremy (Lothian) (Con)  
 Bibby, Neil (West Scotland) (Lab)  
 Boyack, Sarah (Lothian) (Lab)  
 Briggs, Miles (Lothian) (Con)  
 Burnett, Alexander (Aberdeenshire West) (Con)  
 Cameron, Donald (Highlands and Islands) (Con)  
 Carlaw, Jackson (Eastwood) (Con)  
 Carson, Finlay (Galloway and West Dumfries) (Con)  
 Choudhury, Foysol (Lothian) (Lab)  
 Clark, Katy (West Scotland) (Lab)  
 Cole-Hamilton, Alex (Edinburgh Western) (LD)  
 Dowey, Sharon (South Scotland) (Con)  
 Duncan-Glancy, Pam (Glasgow) (Lab)  
 Findlay, Russell (West Scotland) (Con)  
 Fraser, Murdo (Mid Scotland and Fife) (Con)  
 Gallacher, Meghan (Central Scotland) (Con)  
 Golden, Maurice (North East Scotland) (Con)  
 Gosal, Pam (West Scotland) (Con)  
 Grant, Rhoda (Highlands and Islands) (Lab)  
 Greene, Jamie (West Scotland) (Con)  
 Griffin, Mark (Central Scotland) (Lab)  
 Gulhane, Sandesh (Glasgow) (Con)  
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)  
 Hoy, Craig (South Scotland) (Con)  
 Johnson, Daniel (Edinburgh Southern) (Lab)  
 Halcro Johnston, Jamie (Highlands and Islands) (Con)  
 Kerr, Liam (North East Scotland) (Con)  
 Kerr, Stephen (Central Scotland) (Con)  
 Lennon, Monica (Central Scotland) (Lab)  
 Leonard, Richard (Central Scotland) (Lab)  
 Lumsden, Douglas (North East Scotland) (Con)  
 Marra, Michael (North East Scotland) (Lab)  
 McCall, Roz (Mid Scotland and Fife) (Con)  
 McNeill, Pauline (Glasgow) (Lab)  
 Mochan, Carol (South Scotland) (Lab)  
 Mountain, Edward (Highlands and Islands) (Con)  
 Mundell, Oliver (Dumfriesshire) (Con)  
 O’Kane, Paul (West Scotland) (Lab)  
 Rennie, Willie (North East Fife) (LD)  
 Ross, Douglas (Highlands and Islands) (Con)  
 Rowley, Alex (Mid Scotland and Fife) (Lab)  
 Sarwar, Anas (Glasgow) (Lab)  
 Simpson, Graham (Central Scotland) (Con)  
 Smith, Liz (Mid Scotland and Fife) (Con)  
 Smyth, Colin (South Scotland) (Lab)  
 Stewart, Alexander (Mid Scotland and Fife) (Con)  
 Sweeney, Paul (Glasgow) (Lab)  
 Villalba, Mercedes (North East Scotland) (Lab)  
 Webber, Sue (Lothian) (Con)  
 Wells, Annie (Glasgow) (Con)  
 White, Tess (North East Scotland) (Con)  
 Whitfield, Martin (South Scotland) (Lab)  
 Whittle, Brian (South Scotland) (Con)  
 Wishart, Beatrice (Shetland Islands) (LD)

### Abstentions

Regan, Ash (Edinburgh Eastern) (Alba)

**The Deputy Presiding Officer:** The result of the division on motion S6M-11546, in the name of Shona Robison, on the fiscal framework review, is: For 63, Against 56, Abstentions 1.

*Motion agreed to,*

That the Parliament recognises the limited improvements to the Scottish Fiscal Framework, following a joint review with the UK Government; welcomes the outcome of the review, which provides an increase in the Scottish Government’s borrowing and reserve capacity, and also confirms the Indexed Per Capita methodology as the permanent basis for calculating Block Grant Adjustments for devolved tax and security spend; notes that, while the limited progress is welcome, the Framework cannot protect Scotland from the UK Government’s austerity-driven budget decisions; understands that the Autumn Statement saw real-terms cuts to frontline spending in NHS England and on justice, and that these cuts have impacts on the finances that are consequently available to Scotland; calls for the UK Government spending plans for 2024-25 to be urgently revisited to invest in services and provide the funding necessary to meet the costs of public sector pay deals, not least in the NHS, and believes that the Scottish Parliament should have all the fiscal levers to prevent Scotland being subject to the austerity policies that harm efforts to reduce poverty, develop a growing wellbeing economy, tackle climate change and invest in public services.

**The Deputy Presiding Officer:** I propose to put a single question on five Parliamentary Bureau motions. Does any member object? As no member objects, the question is, that motions S6M-11561 to S6M-11563, on approval of Scottish statutory instruments, and motions S6M-11564 and S6M-11565, on designation of lead committees, be agreed to.

### *Motions agreed to,*

That the Parliament agrees that the Retained EU Law (Revocation and Reform) Act 2023 (Consequential Amendments) (Scotland) Regulations 2023 [draft] be approved.

That the Parliament agrees that the Plant Health (Fees) (Forestry) (Scotland) (Amendment) Regulations 2023 [draft] be approved.

That the Parliament agrees that the Quality Meat Scotland (Amendment) Order 2023 [draft] be approved.

That the Parliament agrees that the Education, Children and Young People Committee be designated as the lead committee in consideration of the Scottish Languages Bill at stage 1.

That the Parliament agrees that the Economy and Fair Work Committee be designated as the lead committee in consideration of the legislative consent memorandum on the Trade (Comprehensive and Progressive Agreement for Trans-Pacific Partnership) Bill.

**The Deputy Presiding Officer:** That concludes decision time.

## Charitable Hospice Care

**The Deputy Presiding Officer (Annabelle Ewing):** The final item of business is a members' business debate on motion S6M-11352, in the name of Sue Webber, on charitable hospice care to meet future need. The debate will be concluded without any question being put.

### *Motion debated,*

That the Parliament thanks charitable hospices, across both adult and children's services, for providing vital palliative and end of life care and bereavement support to an estimated 21,000 people in Scotland in 2022-23; commends the care that they deliver, which reaches out into communities and people's homes, through services such as hospice care at home, supporting not only patients but also their families and loved ones; understands that demand for palliative care is predicted to increase by 20 per cent by 2040, and that the care that people need will be more complex; further understands that around 8,200 people die in poverty every year in Scotland; considers that people impacted by poverty face barriers in accessing hospice care; believes that everyone should have access to hospice care if they require it; considers that hospice care reduces pressure on NHS services by supporting people to stay at home and avoid unnecessary hospital admissions; notes reports that unscheduled care costs the NHS £190 million per year for those in the last year of life; understands that the use of unscheduled care services by those in the last year of life in the most deprived areas of Scotland is almost double that of those in the least deprived areas; welcomes that charitable hospices work in partnership with colleagues in the NHS and across the health and care sector; understands with concern, however, that the impact of matching the recent NHS pay awards, alongside rising running costs, is expected to leave the hospice care sector £16 million in deficit in 2023-24, meaning that hospices may need to make tough decisions about the services that they can provide to patients and families in the future, and notes the belief, therefore, that a new national funding framework for hospice care is vital to ensure the ongoing sustainability of the sector and to allow charitable hospices to continue to support the NHS and provide high-quality palliative care to people in the Lothian region and across Scotland.

17:20

**Sue Webber (Lothian) (Con):** It is a privilege to be able to bring this debate to the Parliament. Not that long ago, back in November, I hosted, on behalf of my colleague Miles Briggs, a round-table event on the dying in the margins study from Marie Curie and the University of Glasgow. It was heartening to see such strong cross-party support at that meeting, and I am delighted to see such strong representation from members on all sides of the chamber today, too.

Ahead of the debate, I have been working with Hospice UK, Marie Curie and St Columba's Hospice Care to understand more about the key issues that hospices face, particularly the problems surrounding funding. I thank them all for their support in preparing for the debate.

Why are we here? First and foremost, it is because the funding of hospice care is unsustainable. Hospices face an expected deficit of £16 million this year, as statutory funding has not been keeping pace with historical and recent spiralling costs. In particular, the cost to hospices of matching the national health service pay awards in order for pay to remain fair and competitive for their staff has been highlighted to me as an issue.

With the demand for palliative care increasing and the health and care system under significant strain, the support that charitable hospices provide has never been more crucial or critical. Hospices provide vital support to general practitioners, district nurses, care homes, hospital teams and social care through training and education, specialist clinical expertise and strategic leadership.

Hospices bring more than £60 million of charitable funding into the local health and care system each year, and we should not hide from the fact that they lessen the demand on our statutory services by reducing the number of emergency admissions, reducing the length of stays in hospital and supporting people to stay at home. They are, therefore, worth every penny, as they provide significant value for money.

The harsh fact is that the number of people in Scotland who need palliative care is predicted to rise by 20 per cent by 2040. In addition, they will need more complex care, further adding to the pressure on the already overstretched NHS. Charitable hospices are a key part of a cost-effective solution to those pressures, but they can do their work only if the funding and the hospices themselves are sustainable.

Hospices are struggling to stand still, let alone invest in responding to the future challenges that they face. Current funding arrangements do not support hospices to innovate and grow their services. In Scotland, there are 16 charitable hospices—14 for adults and two for children and young people. St Columba's Hospice Care and Marie Curie hospice Edinburgh, along with Marie Curie's hospice care-at-home teams, provide hospice care across Lothian. In November, I had a very informative visit to the Marie Curie hospice at Fairmilehead. I am ashamed to say that, in all the years that I have been in this world and living in Edinburgh, that was the first time that I had been there.

In 2022-23, about 8,815 people died in the Lothian region, and 90 per cent of them had a palliative care need. Across the region, 4,060 visits were made to 672 terminally ill people by the Marie Curie hospice care-at-home team. Marie Curie hospice Edinburgh and the West Lothian service supported a total of 1,690 patients through

their in-patient, out-patient and community and day-therapy services.

I think that a lot of people have a preconceived idea of what hospice care is and what a hospice is all about. They just see a building and think only of rooms and beds and people being there to die. However, that cannot be further from the truth. Most of Marie Curie's work is done in the community, with the majority of hospice care delivered beyond the hospice buildings, out in people's homes and in the community. Hospices give people the option to die with their friends and family in their own homes, supported by teams of experts.

Marie Curie has a fast-track team that helps people with tasks such as washing, caring and showering as they get close to the end of their life. Crucially, that keeps them out of acute hospital settings. The team is essential to keep people in the right place, and it also offers family support to relatives.

I would like to touch on the work of St Columba's Hospice Care in Edinburgh. In March 2023, it began a trial of a groundbreaking new virtual ward service. As far as we have been made aware, it is the first hospice in Scotland to roll out a development of that kind. The new service across Edinburgh and East Lothian provides patients and families with an alternative model of care, and it allows patients to be fully cared for in their own homes or in places of residence towards the end of life. The care and expertise that the team provides allows patients to remain at home with a very high level of support, which would otherwise require in-patient hospice or hospital-setting care.

The cost to the health and social care service of caring for people in the last year of their life is vast. Almost one in three people in Scottish hospitals are in their last year of life, and 95 per cent of people in Scotland use NHS unscheduled care services in the last year of life, which represents a total cost of nearly £190 million. That is why hospices are crucial.

In 2022-23, hospice care providers made more than 123,000 visits to people's homes to deliver vital support. As I stated earlier, hospices provide vital support to GPs, district nurses, care homes, hospital teams and social care through their training and education, specialist clinical expertise and strategic leadership. They also bring more than £60 million of charitable funding into the local health and care system each year.

Earlier this week, the Minister for Public Health and Women's Health attended a round-table event on hospice funding. I heard that, rather disappointingly, the minister opened the meeting by saying that the hospice sector's call for

remedial funding to address the £16 million deficit that the sector faces over the next three to five years is unaffordable. The minister also said that that meeting was the "start of the discussion" and that it would feed into other meetings that are due to be held soon. However, there is no clear timeline for next steps.

I hope that this debate will go some way towards shaping the minister's thinking and that it will get her up to speed with the invaluable role that hospices play in our society, as our population ages and as people's needs as they approach the end of their lives become increasingly complex.

In conclusion, I think that we can all agree that a new national funding framework for hospice care is vital to ensure the on-going sustainability of the sector and to allow charitable hospices to continue to support the NHS and provide high-quality palliative care to people in the Lothian region and across Scotland.

17:28

**Stuart McMillan (Greenock and Inverclyde) (SNP):** I thank Sue Webber for bringing this important debate to the chamber.

I want to speak today because Ardgowan hospice is based in my constituency, and I am sure that almost every family in Inverclyde has had some connection with the hospice, through either a relative or a friend, over the years. The local hospice is loved and respected by the community, and it is a facility for everyone, no matter what their financial situation.

However, the past few years have brought many challenges not only to Ardgowan hospice but to every hospice across the country. The pandemic affected their ability to fundraise, and the past year has been extra challenging, given the exorbitant energy increases and the impact that the NHS pay awards have had on their finances.

I regularly highlight both the positives and the challenges that my Greenock and Inverclyde constituency faces. Inverclyde has been facing economic and social challenges for many years, which has meant that we have lost many of the larger businesses, and our population has shrunk to just over 77,000 people. As a result, the pool of organisations and people from whom hospitals can seek donations has decreased.

Ardgowan hospice therefore gets creative by organising a range of fundraising events every year. That includes the 12 days of kiltmas, which the hospice chief executive and I are currently doing. We are wearing a kilt for 12 days straight, starting on St Andrew's day, last week. Today is day 7, and there is a JustGiving page if anyone is interested.

The organisation also organises the ever-popular Ardgowan hospice ball, as well as fire walks, sky dives and Christmas appeals. A local actor, Martin Compston, who is one of the hospice's ambassadors, currently features in its campaign for funds to upgrade one of the rooms for family members to stay in overnight. As members can see, its fundraising team is busy all year round, and those activities help the hospice to engage with the wider community.

Although that is positive, it is clear that the funding model for hospices needs to change. With each hospice across Scotland receiving a different percentage of public funds to help it to deliver services, there is no parity in the sector. Consequently, Scottish hospices have come together to work collectively on the issue, which I whole-heartedly welcome.

I know that the financial situation that the Government faces is tough. Just this afternoon, we debated the fiscal framework, with a wide variety of political points being raised by all sides in the chamber. This debate does not need to follow in that vein. However, the hospices letter that was sent to the minister, dated 20 November, clearly highlighted the situation that Scotland faces and set out hospices' asks. For me, one of the most important asks is about the future, and I believe that we need to have a wider discussion in order to find a solution to the longer-term funding situation for all our hospices. I hope that that will provide a more stable operating position for hospices, so that they can focus on what they need to do.

However, the first point that needs to be addressed concerns the here and now. I do not profess to have all the answers, but I suggest that consideration be given to looking at the overall health budget to see whether there is any underspend that could be used. I say to the minister that I know that such decisions are tough and that the recent letter that was sent by the Deputy First Minister to the Finance and Public Administration Committee outlined the desperate financial situation that Scotland faces this year and in future years. As the Minister for Community Wealth and Public Finance said in his closing comments in the previous debate, it is estimated that that situation will last for up to 10 years, and potentially more. Therefore, attempting to find any resource to help will be challenging, to say the least, but I urge the minister to look again at the budget.

With the increasing age of Scotland's population, the demand for hospice services will only grow. Not every person will want to go to a hospice at the end of their life, but the need for high-quality palliative care will only increase, including in the community. Other excellent

organisations and agencies deliver that, too, but we have to face the fact that demand for hospice care will only increase in future years. That is why a fairer funding model to ensure the stability of our vital hospice sector is needed.

17:32

**Miles Briggs (Lothian) (Con):** I thank my friend and colleague Sue Webber for securing this important members' business debate, and I put on record my thanks to the organisations that have provided helpful briefings ahead of today's debate. I also thank those organisations for the services that they provide across Scotland and, perhaps more importantly, the love and support that they give to families at the most difficult time that anyone can imagine.

From the age of seven, I have known and valued the contribution that hospices make to people when they and their families need them. I say that because the final memories that I have of my mum are of seeing her in the hospice and leaving her to go on a charitable fun run. I remember the kindness and care that the staff showed not only to me but to my family members following her death. Throughout the time that my mum and family needed hospice services, they were there for us. That is why I make no apology for the fact that, throughout the time that I have been lucky enough to serve in this Parliament, I have advocated for our hospices across Scotland, because we need to make sure that they succeed. We have already heard some important speeches about why that is the case.

Marie Curie's briefing for the debate starkly outlines the fact that, in the years to come, 60,000 people a year across Scotland will need hospice services in a community setting. The country needs to start planning for and funding that 20 per cent increase.

**Fulton MacGregor (Coatbridge and Chryston) (SNP):** As there are no other Lanarkshire MSPs in the chamber tonight, does the member agree that we should promote St Andrew's hospice, which is based in Airdrie, and the fantastic work that it does for patients and in fundraising all year round?

**Miles Briggs:** Absolutely. All of us have probably been invited to visit our local hospices and have seen not only the amazing work that they do at the most difficult time but the roots that they have in our communities.

I very much welcomed the work that the Government undertook with Children's Hospices Across Scotland in the previous session of Parliament. I lobbied ministers to bring the parity in funding for children's and adult hospices that we, as a country, expected to have. I very much

welcomed the agreement that they signed to provide about £30 million over a five-year period—which has now come to an end—to fund services for children with life-limiting conditions and the support services that their families need. I am sorry to say that, in reality, that has not been delivered. Indeed, the Government agreement to provide 50 per cent of costs amounted to only about 30 per cent of funding.

Adult services in Scotland are in a more difficult position today, with the average hospice receiving about 25 per cent of costs for the provision of statutory services. We need things to change. One of the issues—I know that this has been raised in previous debates—is that the integration of health and social care and the creation of integration joint boards have led to a postcode lottery when it comes to funding our hospice sector. That urgently needs to change, too.

I very much welcome the constructive meetings that I have had to date with the minister on the issues. It is really important that they are taking place on a cross-party basis. However, there needs to be—as has been raised by other members—real action. First, we need to put hospices on an even keel to address the deficits that they face. As has been mentioned, the NHS agenda for change pay settlements have placed an additional £16 million cost on the hospice sector. The sector needs urgent support to ensure that it can retain staff. We do not want a staffing crisis to be the next problem that the sector faces.

As Stuart McMillan outlined, it is critical that we have an equal partnership and a new funding framework. I think that all of us here will agree on that, but of importance is how the Government makes that a reality in order to deliver a minimum of 50 per cent of the costs of delivering core hospice services. I believe that arrangements used to be set out via a chief executive's letter, but the sector is crying out for a framework. I hope that the minister can take that on board as the key ask from the debate.

We must have a dynamic funding mechanism to support future needs. We know from all the briefings what that will look like. Our NHS will not be able to meet that demand, so our hospice sector has to be ready to do so.

The founding principle of our NHS was to provide a health service from the cradle to the grave. Without the hospice sector, we will not have that. For people who access palliative care and their families, that would be not only a tragedy but completely unacceptable. We know that many hospices are already using their reserves to fund core services. That is not sustainable.

I hope that the minister will take from today's debate the pressing need for a new deal for our

hospice sector. Cross-party support exists for that, and we can work together to ensure that we deliver for people when they really need it.

17:37

**Jackie Baillie (Dumbarton) (Lab):** I thank Sue Webber for bringing the debate to the chamber, and I put on record my thanks to hospices across adult and children's services for the vital palliative end-of-life care and bereavement support that they have provided to more than 20,000 Scots in the past year.

CHAS runs Robin house in Balloch, which is in my constituency. It truly is a place of joy for the children and their families who use its services. I have constituents who have been cared for by St Margaret of Scotland hospice in Clydebank, and I know of the fantastic work that Marie Curie and the Prince & Princess of Wales hospice undertake in Glasgow. There will be many more besides.

I debated whether to spend my four minutes waxing lyrical about the essential and excellent work that our hospices do across Scotland, but others have already done so. Consequently, eloquence is out the window and straight talking is the order of the day—the minister should expect nothing less.

Our hospices are struggling with rapidly rising costs. The round-table session that was held with the minister yesterday was an opportunity to address that, especially before the budget, but she failed to take that opportunity. Where was the commitment to a minimum of three-year funding in the funding framework? Where was the national monitoring and oversight? Where was the provision to match NHS pay awards and the need to ensure pay parity? All of that is entirely missing from the framework.

The minister has a leadership role to play, which I think she would acknowledge. Getting everyone together at the round-table session and carrying out partnership working and local collaboration are, of course, constructive. However, as Sue Webber said, opening the meeting by telling hospices that their call for remedial funding for the next three to five years to address the £16 million deficit that the sector is facing is unaffordable was, frankly, wholly unacceptable.

The Government has reallocated money that had been intended for its independence referendum, and I welcome that. However, it has a constitutional futures division that eats up £2 million a year in staffing costs. Over the next five years, that expenditure would come to £10 million, which is more than halfway to what is needed by hospices. Surely that would be a better use of that money.

The additional costs that I refer to arose in part because of the Scottish Government's actions in giving a wage rise to nurses in the NHS. They deserve every penny, but so do nurses working in hospices. Unfortunately, if hospices cannot offer the same pay, their nurses will leave in order to get better pay. It is irresponsible of the Government to shrug its shoulders and say that there is nothing that it can do. Again, the issue is about leadership.

We know that, for every £1 of statutory funding that is invested in hospice care, there is a saving to the taxpayer of £6 for child hospice care and £4 for adult hospice care. However, that is possible only if hospices are sustainable and treated as equal partners, with more than a passing nod from the Government in recognition of the significant financial contribution that they make and the risk that they undertake.

With all due respect, the Scottish Government cannot afford to watch another area of the health and social care sector descend into crisis on its watch. It must be involved in workforce planning and action needs to be taken on remedial funding in the budget. There needs to be a clear funding framework.

I will make a final point, because I have been around so long that I remember things. In the "Strategic Framework for Action on Palliative and End of Life Care—2016-2021", the then Cabinet Secretary for Health, Wellbeing and Sport, now the Deputy First Minister, said:

"This Strategic Framework outlines the areas where action needs to be taken to ensure that by 2021 everyone who needs palliative care will have access to it."

That strategic framework has come and gone. The palliative care strategy was then promised in the programme for government in 2021 and was to be developed and published over one year. That timescale has also come and gone, and the strategy has not been delivered. Where is the commitment to hospices and palliative care? To be frank, we have yet to see it.

17:42

**Marie McNair (Clydebank and Milngavie) (SNP):** I thank Sue Webber for bringing this important debate to the chamber. I speak in the debate having spent 14 years working as part of the nursing team at the St Margaret of Scotland hospice in Clydebank. I also make my contribution as a member of the cross-party group on palliative care.

As has been said, Scotland has many excellent hospices that provide round-the-clock care. Marie Curie, the largest third sector provider of hospice care services in Scotland, supported almost 8,000 terminally ill folk in 2022-23, and, for more than 30

years, families across Scotland caring for a child with life-limiting conditions have been able to turn to Scotland's only children's hospice service, Children's Hospices Across Scotland—CHAS.

The St Margaret of Scotland hospice, where I used to work, was the first hospice in Scotland when it was founded in 1950. Since that time, it has provided medical support to patients who have complex care needs and has also provided spiritual, psychological and social support for patients. That comprehensive approach ensures that individuals receive the care that is right for them at the time of their greatest need. Every year, it touches the lives of approximately 1,800 people, and it does so with compassion and dedication.

My time in the St Margaret's hospice team was incredibly rewarding and a real privilege, but it was also immensely challenging. Caring for patients with advanced life-limiting illnesses and complex care needs is not easy; it is an incredibly emotional job that requires resilience and empathy. The care that those who work in a hospice provide extends well beyond the patients themselves. They also get to know and care for the families and friends of the patients and provide a level of support for them during what, for some, is the last few weeks or months that they will have with their family and friends.

My sincere and eternal thanks go to the St Margaret of Scotland hospice team, which is ably led by Sister Rita as chief executive. The members of the team have touched the lives of many, including myself, and they continue to provide the exceptional care that we would all hope for, should we or a relative need it.

I recognise that all our hospices are facing challenges with funding at this time. Charitable donations make up a large part of their funding, and I know that many people are unable to donate because of the cost of living crisis. That is a real challenge for hospices.

I welcome the fact that the Scottish Government is currently developing a new palliative and end-of-life care strategy. The strategy will, I hope, aim to ensure that everyone in Scotland receives well co-ordinated, timely and high-quality palliative care that is based on their needs and preferences, including support for their families and carers. Alongside that, the wider commitment from the Scottish Government to the national care service will ensure a level of high-quality social care across Scotland. The service will oversee the delivery of care, improve standards, enhance pay and conditions for workers and provide better support for unpaid carers. It is important that the relevant legislation works in partnership with providers of palliative and end-of-life care to ensure that the service recognises and responds

to the growing need for palliative care across our community.

As has been mentioned, hospice care in Scotland will continue to have evolving needs, and I am glad that the Scottish Government recognises that. Hospices play a crucial role in Scotland's healthcare system. They do not just provide medical care; they are a source of compassion and support for patients in the final stages of their life, and they offer stability and reassurance for their families and friends. Hospices are underpinned by those core values, and I cannot thank them enough.

17:46

**Roz McCall (Mid Scotland and Fife) (Con):** I am delighted to be able to speak in this important debate in the name of my colleague Sue Webber.

Scotland's ageing population means that more people will need palliative care in the years to come, and it is therefore vital that we ensure the financial viability of hospices and the third sector delivery of that care. To put that into context, it is estimated that, by 2040, 60,000 people will die with a palliative care need, representing a 20 per cent increase in demand; the number of people dying with more than one terminal condition will have increased by more than 80 per cent; and two thirds of all deaths in Scotland will be in a community setting such as people's own homes, care homes and hospices.

We know that people in the final year of their lives are significant users of unscheduled care, with nearly 500,000 service contracts across Scotland. Thus, services must be available 24 hours a day. That is why hospices and third sector partners are so important. They reduce pressure on unscheduled care services, which cost the NHS a staggering £190 million a year for those in the final year of their life.

I note the financial constraints that are placed on charitable hospices with regard to matching NHS pay awards, making it impossible to operate in a financially secure way, which has forced the sector into a £16 million deficit for this current year. I also note the need for a new national funding framework for hospice care to ensure the financial stability of the sector. However, I would like to focus my remarks on CHAS.

I am privileged to have the Rachel House children's hospice in Kinross in my region, and I know that everyone will be aware of the fantastic work that CHAS does to support families and patients. For more than 30 years, CHAS has been Scotland's only children's hospice service, and it works diligently to ensure that no one should face the death of their child alone. It provides world-class emotional, practical and medical support

from the point at which the child's condition is diagnosed right through to bereavement or transition to adult services. I have visited Rachel House and can say that the whole surroundings are perfectly arranged to make what is a very difficult time as comforting as possible. We need only look at some of the testimonials to truly see how amazing the service is. One parent said:

"The death of a child is indescribably devastating and we will always be grateful to the entire CHAS team. I cannot imagine getting through those days, weeks and months without their support".

Unfortunately, the need for the service that is provided by CHAS has never been higher. According to the latest available figures, in the coming years, the number of children in Scotland who die young might rise by more than 40 per cent, and there is no evidence that that number is dropping. However, CHAS is facing undue pressures, with a budget deficit of £2.3 million this year. That is largely due to the unavoidable cost burden of trying to match NHS pay awards in an organisation where staffing costs represent 75 per cent of its expenditure. Having to ensure that the charity remains competitive within the specialist care market leaves it with little option but to do all that it can to match the comparative grade levels in the NHS. However, CHAS does not receive any additional statutory funding when NHS awards are made, which leaves it at a massive disadvantage. That is even more significant when we realise that 70 per cent of the charity's income is raised through the amazing generosity of the Scottish public.

The stark reality is that the Scottish Government's funding for CHAS is declining. In 2016, the then Cabinet Secretary for Health, Wellbeing and Sport committed to public funding for pay parity between children and adult hospices at 50 per cent of agreed costs. Unfortunately, that actually came to 30 per cent.

As another parent told the Scottish Government, investment is needed and

"this service is a vital service for those who will lose a child due to chronic illness ... put the needs of our precious children as a priority, Please."

I urge the Scottish Government to meet its programme for government commitment to sustainable funding to ensure that CHAS continues the excellent work that it provides to Scotland's terminally ill children and their families. Again, I thank my colleague Sue Webber for bringing the topic to the chamber.

17:50

**Rhoda Grant (Highlands and Islands) (Lab):** I congratulate Sue Webber on securing the debate.

Hospices are essential to end-of-life care but, unfortunately, they are not available everywhere. First of all, we must ensure that everyone has access to high-quality palliative care, be that in a hospice, at home, in hospital or in another setting. People need to have choice as to where that care can be accessed. As that can depend on someone's life-limiting condition, people need information both to make an informed decision and to understand what their needs might be, how their care can be delivered to enable them to have a good death and where that care needs to be delivered if they require specialist care. Most people want to die at home, and that should always be the starting point. We have a right to a home birth but we do not have the right to die at home.

There seems to me to be a hierarchy of end-of-life care, with cancer patients tending to get better-quality care than those with age-related illnesses such as dementia and organ failure. It is hard to understand why that is, but it needs to change. We need to ensure that everybody has the same rights and ability to access end-of-life care.

Other members have spoken about hospices struggling financially. That is the case with many charities that depend on NHS funding. Highland hospice, which is an amazing organisation in the Highlands, receives around 25 per cent of its funding through statutory funding and fundraises to meet the other 75 per cent of its costs. In comparison, Roxburgh house in Aberdeen, which provides much of the same care, receives 100 per cent of its funding, because it is an NHS facility. I do not think that any hospice is looking for 100 per cent funding, but there needs to be a narrowing of the funding gap between NHS and independent hospices.

Highland hospice is revolutionising how end-of-life care happens. It runs an end-of-life care together project with NHS Highland, Macmillan Cancer Support, Connecting Carers, Marie Curie, Highland Senior Citizens Network and Scottish Care. All of those organisations working together has enabled the development of the service, which offers a 24/7 helpline for agencies and families looking after someone requiring end-of-life care.

The hospice also provides a palliative care response service. That is being rolled out in Inverness, and the hope is that it will be rolled out more widely. The service provides palliative care at home, and it helps cut costs to the NHS by preventing hospital admissions. It is very important to delivering the service that the final year of life is pre-planned, so that services can be put in place and are ready for when they are required. It is important that all the stops are pulled out to ensure that people have the death that they would

wish for and, indeed, that their families are witness to that, as it helps with the grieving process.

I will touch on funding not just for hospices but more widely. In my region, there are many community groups that provide support to older people and people with life-limiting and chronic conditions, but many have not had a funding uplift for decades. Because of underfunding, they cannot continue to provide the services that they do and will fail, and it will mean a loss of community care provided by the voluntary sector as well as more hospital admissions. It is a false economy, because hospitals are not geared up for that kind of care; it costs more and it is not good for the patient or their family. We need to invest in end-of-life care as we do at the start of life—they need to have equal importance.

17:54

**Bob Doris (Glasgow Maryhill and Springburn) (SNP):** I thank Sue Webber for securing this debate on the future needs of charitable hospice care. It provides an opportunity to discuss some of the matters that I have been considering for some time now, in my capacity as convener of the cross-party group on palliative care in this Parliament.

Palliative care is personal to us all, first and foremost. As an elected representative, I am fortunate to have a Marie Curie hospice at Stobhill in my constituency. As a son, I was humbled to have St Margaret's hospice in Clydebank look after my father with great care, love and compassion in the last few weeks of his life. However, hospices are not silos; they are a vital part of the fabric of our community, offering a wide range of supports, and they are actively involved in a broader range of palliative care support, not least with many of them delivering a model of care that is often described as "hospice at home".

Such services will only grow in importance, with the requirement for palliative care set to increase by 20 per cent by 2040. Generally, with an older and frailer population, care needs will increase, yet resources for the sector are badly stretched; indeed, we have heard about the funding gap of £16 million that has been identified. We have to expand the hospice movement, not see it contract.

It is clear to me, therefore, that a new funding model needs to be developed to support hospices. We need to better understand the relationship with the NHS and health and social care in order to help reduce the frequency and impact of unplanned admissions to hospital for those in the last year of life. We also need to understand the relationship with delayed or unsafe discharge from the acute sector, when those approaching end of life could otherwise be at home and, indeed, the

relationship with hospices and public models of social care that are delivered or procured through the network of Scotland's health and social care partnerships. In that respect, I am thinking of the round table that was held just the other day.

It is fair to say that there is a variety of funding models, various service level agreements across the country, and a varied level of public funding being invested across 32 local authorities to support hospices or hospice at home services across the country. Variable models lead to variable outcomes and levels of service on offer across Scotland. Funding and provision of services are often inconsistent. Any national care service that we develop must help secure appropriate, dignified, sufficient and equitable provision of palliative care right across the country. I have met Hospice UK, Marie Curie and the minister to discuss many of those issues.

It is often said that death is the great leveller but, by that point, it is too late. In public policy, we must ensure that end of life is the great leveller for us all. With two thirds of people with a terminal illness relying on benefits, we can see that that is not necessarily always the case—it is not a level playing field. Perhaps through NHS agenda for change pay settlements, which we heard about earlier, there could be an expectation that hospices will be given funds to help match that pay award instead of drawing on shrinking reserves.

I know that it will be challenging, but we could move towards that. Perhaps the next NHS pay settlement could, as a matter of course, look at the financial impact on the hospice sector as a fundamental issue before any pay offer is agreed. I would like to see funds for hospices linked to agenda for change in the future. I do not think that we can move to 50 per cent agreed core cost funding, but it has to be a target—we have to get there.

None of us is naive about the Parliament's funding predicament, but we have to move in that direction. We need longer service level agreements with health and social care partnerships and a clear line of accountability when those partnerships say that they are delivering what they have been told to deliver as part of any national model, and hospices say that that is simply not happening. That must change, too.

There is huge cross-party support in the chamber for all of that. We all agree that there has to be a new national funding settlement; however, none of us knows how that will be funded. I say to Jackie Baillie and others that that is where we have to come together as a Parliament and not play party politics. This is far too important.

**The Deputy Presiding Officer:** Due to the number of members who wish to speak in this debate, I am minded to accept a motion without notice under rule 8.14.3 to extend the debate by up to 30 minutes.

I invite Sue Webber to move a motion without notice.

**Sue Webber:** I will do a George Adam. Moved, Presiding Officer.

**The Deputy Presiding Officer:** Excellently done, Ms Webber, if I may say so.

*Motion moved,*

That, under Rule 8.14.3, the debate be extended by up to 30 minutes.—[*Sue Webber*]

*Motion agreed to.*

17:59

**Sharon Dowey (South Scotland) (Con):** I thank Sue Webber for bringing such an important debate to the chamber. I want to highlight the critical role that Ayrshire hospice plays in my region and how such a charity can make a significant difference by providing compassionate care to those in need when they need it and, by doing so, relieve pressure on the NHS.

Earlier this year, I met Tracy Flynn, the chief executive officer of Ayrshire hospice. Tracy is passionate about the hospice and about giving the best care to everyone in the community, and the hospice itself goes beyond cancer care with a dedicated community team covering the entire region. Its 24/7 availability not only serves as a lifeline to families in moments of crisis but prevents unnecessary strain on the NHS by reducing emergency admissions. In addition to comprehensive cancer care, the hospice offers a range of services, including respite and response, bereavement counselling, the living well service and more.

Tracy also emphasised the importance of effective collaboration between the hospice and community hospitals. It is clear to me, and it is crucial to acknowledge, that a well-functioning hospice, such as Ayrshire hospice, provides immeasurable cost savings for the NHS. However, hospices exist in a challenging landscape. Only just over a third of hospices' income comes from statutory funding; they have to fundraise the rest. As has been said, hospices face an expected deficit of £16 million this year, largely due to the cost of matching the NHS pay awards. The fact is that, to retain their key specialist staff, they need to match those pay rises.

Ayrshire hospice is one of three Scottish hospices that are funded directly by the health board, not by the health and social care

partnerships. It has received just under 50 per cent of its funding from NHS Ayrshire and Arran, which falls short of covering the pay awards. Hospices must provide those pay awards independently in order to retain and recruit clinical staff.

Hospices are seeking a new framework for funding that will provide future guarantees, and they want funding that fully covers the pay awards to be passed on—and in a timely manner, too. That new framework could ensure that funding reaches hospices directly, preventing a widening gap between hospices and the NHS. Hospices also wish to remain independent but, in order to innovate and support palliative and end-of-life care that is fit for the future, they require more sustainable funding.

Through her dedication, Tracy Flynn has fostered strong relations with NHS Ayrshire and Arran, and I am pleased to hear that the new hospice building is well on track to be opened in autumn or winter 2024. However, not all hospices are as fortunate. I have previously raised those issues in the chamber with the Minister for Public Health and Women's Health, and I would like to take this opportunity to thank Jenni Minto for meeting me and Tracy Flynn in the Parliament.

We need to commit to supporting our hospices and guarantee that individuals in need can access high-quality care. Our hospices play a crucial part in the healthcare system. As the demand for palliative care increases—indeed, it is predicted to increase by 20 per cent by 2040—and with the NHS under significant strain, the importance of the support provided by charitable hospices has never been more important.

18:03

**The Minister for Public Health and Women's Health (Jenni Minto):** I, too, thank Sue Webber MSP for bringing the debate to the chamber and everyone here for their thoughtful contributions. I have listened carefully and with much interest to what members have said. Everyone's comments illustrate the invaluable nature of hospice care and support that we have in Scotland. It is something that is close to my heart, as members I have spoken with directly understand.

I have taken the past six months to visit and meet people in as many hospices as possible across Scotland. What has struck me about all those visits and meetings is the breadth of care and support that hospices provide across our amazing country. As Sue Webber said, hospices are more than simply buildings. We all need to reflect on that, because many people assume that that is what they are. As Rhoda Grant highlighted, Highland hospice has an amazing partnership with

a number of organisations in Highland and is doing work that is similar to the work that Sue Webber highlighted is happening in the Edinburgh area.

I, too, thank Hospice UK and Marie Curie for their helpful briefings ahead of the debate. Most importantly, I thank all those who work in hospices across Scotland for delivering high-quality palliative and end-of-life care services, often under difficult circumstances. Sue Webber's motion makes it clear how vital hospices are in delivering such care for people and their families, but it also reflects the challenges that we face in developing our palliative care and end-of-life services to meet the needs of our ageing population.

As other members said, Hospice UK estimates that the number of people who need palliative care in Scotland will increase by 20 per cent by 2040. That is why we need to create the right conditions nationally to ensure that our local palliative and end-of-life care services, including hospices, have the support that they require to meet that need. Scottish hospices are well placed to help to address those challenges, given their expertise in providing vital support to people and their families, as well as supporting other health and social care services and teams that deliver palliative and end-of-life care.

**Sue Webber:** When the minister was out visiting the various hospices, I was at the Marie Curie hospice in Fairmilehead. They mentioned a pilot that has recently taken place in England, where the equivalent of NHS 24 has a button to press to enable families at home to access out-of-hours advice quickly, rather than waiting in the often lengthy NHS 24 queues to get a district nurse out. Has the minister considered innovative solutions to help such people?

**Jenni Minto:** I have been trying to go round and listen to hospices to hear what they have done. Sharon Dowey discussed what is happening in Ayrshire, and there is a lot of innovation there. Rhoda Grant talked about what Highland hospice is doing with its phone lines. I have also spoken to St Margaret's hospice in Marie McNair's constituency about the ambulance service that it is providing. We are looking at all that, and it is about understanding the breadth of services that hospices are providing. I have been trying to listen and learn about that.

In planning for the future, we must be cognisant of the challenges of the present. I understand the financial pressures that hospices face, and I have shared with Scottish hospices the financial challenges that we as a Government face. As Rhoda Grant rightly highlighted, there are differences across the sector, which I am examining.

On 17 August, as many people have said in their speeches, I wrote to the Scottish hospice leadership group and Hospice UK to inform them that, unfortunately, their request for £15.5 million was not affordable, given that the Scottish Government is facing the most difficult financial situation since devolution. My reason for sending that letter was to have a level of honesty with them and be able to start discussions, which was incredibly important. It is also important to reflect that it is the responsibility of integration joint boards, including locally elected representatives, to make informed decisions on how best to resource services, including hospice services, to meet the needs of their local communities, given the budgets that are under their control.

However, I have also been clear that we are keen to support the hospice sector where we can. As many members mentioned, yesterday, I met representatives from Scottish hospices and health and social care partnerships to discuss in more detail the challenges that hospices face. We shared a draft national framework to support a more consistent approach to local governance, commissioning and resourcing between integration joint boards and independent hospices. It was clear from the discussions not only that there were some strong relationships between health and social care partnerships and independent hospices but that we all need to do more to promote and support those relationships. That includes local authorities, health boards, health and social care partnerships and Government. Bob Doris and Sharon Doweay emphasised the importance of that collaboration.

I welcome the open, frank and honest discussions that we had yesterday. We agreed on the need for more clarity about roles and responsibilities, nationally and locally, in relation to strategic planning for palliative care, and more specifically to commissioning hospice services. The representative of one of the health and social care partnerships said that they would bring the discussion to their meeting next week. That is positive. We have raised the issue and health and social care partnerships are listening—I hope that it will now rise up their agendas.

On 12 December, we have a specialist palliative care meeting, and there will be more meetings with health and social care partnerships in the new year. I think that the hospices and the health and social care partnerships welcomed that open dialogue yesterday. I have asked my officials to reflect on the issues further, particularly through the development of new national framework guidance.

We are also developing the new palliative care strategy, which prioritises work to address leadership, responsibility and accountability for all

palliative care across a complex landscape of partnerships and relationships. I hope that the strategy will be published in 2024.

**Jackie Baillie:** As 2024 is long, can the minister give us an indication of when in 2024 the strategy will be published, given that hospices have already been waiting for it for two years?

**Jenni Minto:** I would love to give a more precise indication. I will go back to my officials to get the date, which I know is next year. We are working hard on that and I want to see it driven through. As Rhoda Grant said, people need choice—and that needs to be the right choice for them.

The overarching aim of the strategy is to ensure that everyone who needs it receives well-coordinated, timely and high-quality palliative care, care around death, and bereavement support based on their needs and preferences. That support should be available to anyone who needs it, regardless of age, illness or socioeconomic background. I reflect on what Roz McCall said about CHAS and the importance of the care that it provides. When I visited CHAS, there was a sibling there who was still getting support. That is very important.

As I said in the recent debate on the dying in the margins project, being diagnosed with a life-limiting illness is undoubtedly one of the most challenging things that a person can go through. No person or their family should have to worry about their finances at such a difficult time. That is why the Scottish Government ensures that adult disability benefit applications from people with a terminal illness are fast-tracked to provide them with the support that they are entitled to as quickly as possible.

It is also important to reflect on the importance of the dying in the margins project and debates such as this one in ensuring that we are talking about death and allowing people to start planning.

Once again, I thank all those working in hospices for the commitment and dedication that they show each day, often in extremely challenging and upsetting circumstances. I finish by offering my personal thanks for all that they do and for this debate, which is incredibly important.

*Meeting closed at 18:13.*



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